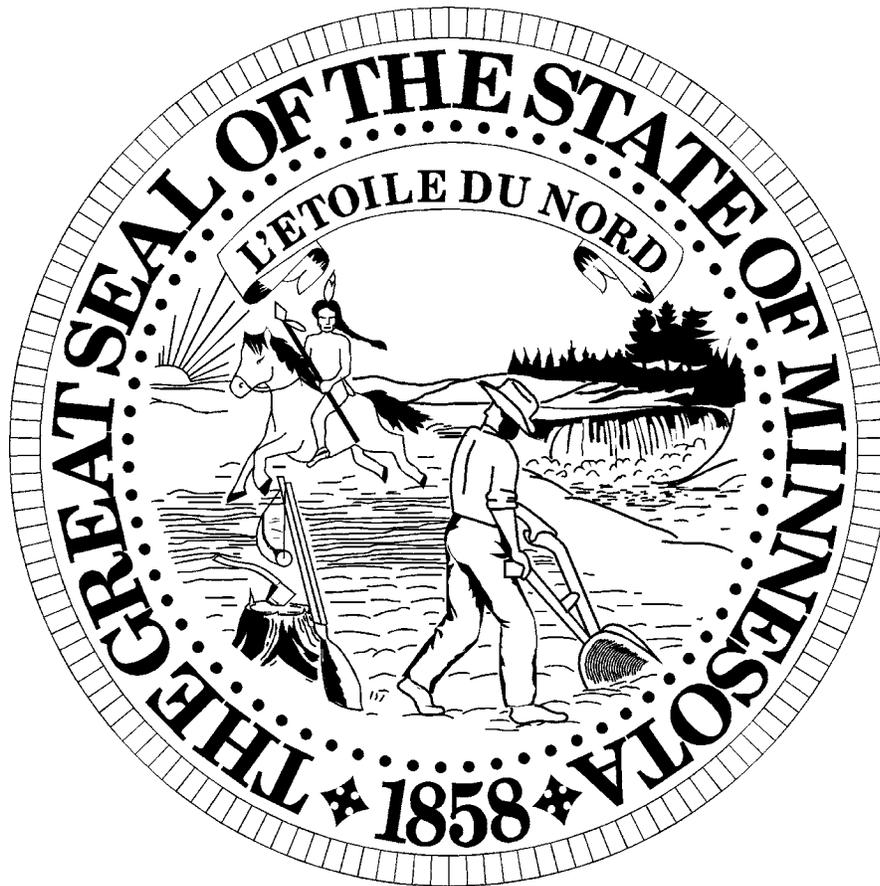


Minnesota State Register

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**Proposed, Adopted, Emergency, Expedited, Withdrawn, Vetoed Rules;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 17 December 2018
Volume 43, Number 25
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Minnesota State Register

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

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

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- Withdrawn Rules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

Vol. 43 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)
# 26	Monday 24 December	Noon Tuesday 18 December	Noon Thursday 13 December
# 27	Monday 31 December	Noon Tuesday 25 December	Noon Thursday 20 December
# 28	Monday 7 January	Noon Tuesday 1 January	Noon Thursday 27 December
# 29	Monday 14 January	Noon Tuesday 8 January	Noon Thursday 3 January

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Minnesota Rules: Amendments and Additions

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

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

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

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

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

Volume 43 - Minnesota Rules (Rules Appearing in Vol. 42 Issues #27-52 are in Vol 42, #52 - Monday 25 June 2018) Volume 43, #25

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

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

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

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

Minnesota Department of Health

Divisions of Environmental Health, Public Health Laboratory, Infectious Disease Epidemiology, Prevention and Control, and Health Improvement Proposed Permanent Rules Repealing and Eliminating Certain Health-Related Requirements; Notice of Intent to Repeal Obsolete Rules

Proposed Repeal of Rules identified in the Department of Health’s 2018 Obsolete Rules Report. OAH Docket Number 82-9000-35714; Revisor ID Number R-4325; Rules Governing:

Camps and Manufactured Home Parks, Minnesota Rules 4630.2000 [Environmental Health Division].

Newborn Screening, Minnesota Rules 4615.0300; 4615.0400; 4615.0500; 4615.0600; 4615.0700 [Public Health Laboratory Division].

Tuberculosis Testing, Minnesota Rules 4640.0100, subpart 12; 4640.4400–4640.6000; 4655.3000; 4655.4700, subpart 1; 4658.0450, subpart 1, item H; 4658.0800, subpart 4, items E and F; 4658.0810; 4658.0815; 4658.0850; 4664.0190, subpart 3, item L; 4664.0290, subparts 1–6; 4664.0290, subpart 8, items A–F; 4665.1200, item A; 4675.0500, item I [Infectious Disease Epidemiology, Prevention and Control Division].

Proposed Rules

Local Public Health Agencies; Merit System, Minnesota Rules, Chapter 4670:

4670.0100, subparts 1, 1a, 2, 3, 3a, 4, 5, 6, 7, 7a, 7b, 8, 9, 10, 11, 12, 12a, 13, 13a, 14, 14a, 15, 16, 17, 17a, 17b, 18, 19a, 20, 21, 22, 23, 25, 26, 26a, 27, 28, 29, 30, 31, 32, 33, 34, 34a, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 48a, 49, and 50; 4670.0200; 4670.0300; 4670.0310; 4670.0320; 4670.0400; 4670.0500; 4670.0600; 4670.0610; 4670.0700; 4670.0810; 4670.0820; 4670.0830; 4670.0900; 4670.0910; 4670.0920; 4670.0930, subparts 1 and 2; 4670.0940; 4670.0950; 4670.1000; 4670.1010; 4670.1020; 4670.1110; 4670.1120; 4670.1130; 4670.1140; 4670.1200, subparts 1, 3, 3a, and 5; 4670.1210; 4670.1300; 4670.1310; 4670.1320; 4670.1330; 4670.1340; 4670.1500; 4670.1700; 4670.1800; 4670.1900; 4670.1910; 4670.1920; 4670.1930; 4670.1940; 4670.1950; 4670.1960; 4670.1970; 4670.1980; 4670.2000; 4670.2100; 4670.2200; 4670.2300; 4670.2400; 4670.2500; 4670.2510; 4670.2520; 4670.2530; 4670.2540; 4670.2550; 4670.2600; 4670.2610; 4670.2620; 4670.2630; 4670.2640; 4670.2650; 4670.2660; 4670.2670; 4670.2680; 4670.2690; 4670.2700; 4670.2710; 4670.2800; 4670.2810; 4670.2900; 4670.2910; 4670.2920; 4670.2930; 4670.2950; 4670.2960; 4670.2980; 4670.3200; 4670.3300; 4670.3500; 4670.3510; 4670.3520; 4670.3530; 4670.3550; 4670.3600; 4670.3700; 4670.3800; 4670.4010; 4670.4030; 4670.4100; 4670.4110; 4670.4120; 4670.4130; 4670.4140; 4670.4150; 4670.4200; 4670.4210, subpart 1; 4670.4220, subpart 1; and 4670.4230, subpart 1 [Health Improvement Division].

Accrediting Environmental Laboratories, Minnesota Rules 4740.2010, subpart 39; 4740.2050, subpart 1; 4740.2050, subpart 1, item C; 4740.2050, subpart 1, item D (1)–(2); 4740.2050, subpart 1, item D (3)–(6), and item E; 4740.2050, subpart 2, item C; 4740.2050, subpart 3; 4740.2050, subpart 7, item B; 4740.2050, subpart 7, item D; 4740.2050, subpart 10 (5); 4740.2050, subpart 12, item A; 4740.2050, subpart 12, item C; 4740.2050, subpart 12, item F; 4740.2050, subpart 16, item A; 4740.2050, subpart 16, item D; 4740.2060, subpart 2, item C; 4740.2060, subpart 3, item C; 4740.2060, subpart 4, item C; 4740.2060, subpart 5, item C; 4740.2065, subpart 8; 4740.2070, subparts 2, 3, 5, 6; 4740.2070, subpart 7, items A, B, and D; 4740.2070, subpart 8, items A, B, and C; 4740.2087, subpart 2, items A and C; 4740.2089, item C; 4740.2100, subpart 4, item A; 4740.2100, subpart 5, item B; 4740.2100, subpart 9, item A [Environmental Health Improvement Center Division].

Introduction. The Minnesota Department of Health (MDH) intends to repeal obsolete rules under the rulemaking process in the Administrative Procedure Act, *Minnesota Statutes*, section 14.3895. You may submit written comments on the proposed repeal of obsolete rules until Friday, February 22, 2019.

Agency Contact Person. You must submit comments or questions on the rules to Patricia Winget, Minnesota Department of Health, 625 North Robert Street, P.O. Box 64975, Saint Paul, MN 55164; telephone: (651) 201-5748; fax: (651) 201-4986; or email: patricia.winget@state.mn.us.

Subject of the Repeal of Obsolete Rules and Statutory Authority. The Department proposes to repeal the following obsolete, unnecessary, or duplicative rules, the Department identified in MDH's 2018 Obsolete Rules Report under *Minnesota Statutes*, section 14.05, subdivision 5:

- 1. Rules relating to Chapter 4630—Camps and Manufactured Home Parks.** Part 4630.2000 is obsolete, unnecessary, or duplicative. In 2009, the Legislature added licensing fees to the camps and manufactured home park statutes under *Minnesota Statutes*, section 327.15, superseding 4630.2000 and making the rule part superfluous. See *Minnesota Laws* 2009, chapter 79, article 10, section 40.
- 2. Rules relating to Chapter 4615—Newborn Screening.** The language is either obsolete, unnecessary, or duplicative. In 2014, the Legislature added explicit sections to the newborn screening statutes that supersede the rules (*Minnesota Statutes*, section 144.125 to 144.128):
 - Part 4615.0300 is obsolete and duplicative because most of the duties stated are defined in *Minnesota Statutes*, section 144.125.
 - Part 4615.0400 is obsolete because it duplicates language included in *Minnesota Statutes*, section 144.125 and is unnecessary.

Proposed Rules

- Part 4615.0500 is obsolete because it does not include all conditions currently on the screening panel and does not reflect parents' rights to opt out for any reason. It also duplicates language in *Minnesota Statutes*, section 144.125.
 - Part 4615.0600 is obsolete because it prescribes basic, standard MDH practice that is integral to operating the program.
 - Part 4615.0700 is obsolete as it does not require reporting of all conditions currently on the screening panel and includes an incorrect reporting address.
- 3. Rules relating to Chapter 4640—Tuberculosis Testing.** The language is either obsolete, unnecessary, or duplicative because Minnesota no longer has tuberculosis hospitals and the testing requirements are outdated. In 2013, the Legislature enacted *Minnesota Laws*, chapter 45, which includes new statutes that supersede them:
- Part 4640.0100, subparts 12, and other phrases relating to tuberculosis in subparts 3, 10, and 11 are obsolete because they relate to definitions for hospital licensing and operation rules for tuberculosis hospitals, which Minnesota no longer has.
 - Part 4640.4400–4640.6000 are obsolete as they relate to hospital licensing and operation rules that govern staff of tuberculosis hospitals, which Minnesota no longer has.
 - Part 4655.3000, these requirements for specific tests for nursing and boarding care home employees are now obsolete because *Minnesota Statutes*, sections 144A.04 and 144.56, subdivision 2c, superseded them.
 - Part 4658.0450, subpart 1, item H, is now obsolete as the penalties refer to parts 4658.0810 and 4658.0815, which are superseded by *Minnesota Statutes*, section 144A.04.
 - Part 4655.4700, subpart 1, specifically requires a now-obsolete testing method as part of a required physical exam of boarding care home residents upon admission.
 - Part 4658.0800, subpart 4, items E and F, are now obsolete because *Minnesota Statutes*, section 144A.04 supersedes them.
 - Part 4658.0810, nursing home providers no longer use this resident tuberculosis program, making the part obsolete and superseded by *Minnesota Statutes*, section 144A.04.
 - Part 4658.0815, nursing home providers no longer use this resident tuberculosis program, making this part therefore obsolete and superseded by *Minnesota Statutes*, section 144A.04.
 - Part 4658.0850, is now obsolete since these penalties refer to parts 4658.0810 and 4658.0815, which the Department is repealing. *Minnesota Statutes*, section 144A.04, supersedes it.
 - Part 4664.0190, subpart 3, item L, is now obsolete because *Minnesota Statutes*, section 144A.752, subdivision 4, supersedes it.
 - Part 4664.0290, subparts 1–6, hospice providers no longer use these types of infection control requirements, so the subparts are therefore obsolete because *Minnesota Statutes*, section 144A.752, subdivision 4, supersedes them.
 - Part 4664.0290, subpart 8, items A–F, hospice providers no longer use these types of infection control require-

Proposed Rules

ments. Thus the items are therefore obsolete and *Minnesota Statutes*, section 144A.752, subdivision 4, supersedes them.

- Part 4664.0290, subpart 8, hospice providers no longer use these types of infection control requirements. The subpart is therefore obsolete and *Minnesota Statutes*, section 144A.753, subdivision 4, supersedes it.
 - Part 4665.1200, item A, supervised living facilities are no longer required to follow this provision and the item is therefore obsolete and *Minnesota Statutes*, section 144.50, subdivision 6a, supersedes it.
 - Part 4675.0500, item I, governs outpatient surgical centers medical staff. The item is obsolete because *Minnesota Statutes*, section 144.55, subdivision 3(c), supersedes it.
4. **Rules relating to Chapter 4670—Local Public Health Agencies; Merit System.** The Legislature, by *Minnesota Laws* 2014, chapter 192, repealed the chapter’s statutory authority, *Minnesota Statutes*, section 144.071. The entire chapter is therefore no longer enforceable and its remaining rules parts, subparts, and items are now either obsolete, unnecessary, or duplicative.
5. **Rules relating to Chapter 4740—Accrediting Environmental Laboratories.** The language is either obsolete, unnecessary, or duplicative. In 2009, the Legislature amended *Minnesota Statutes*, sections 144.98 and 144.99, requiring the commissioner to accredit labs according to national laboratory standards and charge the fees stated in the amended statute:
- Part 4740.2000 is obsolete because current fees are found in *Minnesota Statutes*, section 327.15.
 - Part 4740.2010, subpart 39, is obsolete since the defined term “notarial officer” is no longer used in 4740.2050, subpart 1, but is defined in statutes elsewhere.
 - Part 4740.2050, subpart 1, item A, contains the phrase “according to subpart 3,” which is an outdated reference.
 - Part 4740.2050, subpart 1, item C, the phrase beginning “The laboratory must apply...” is obsolete because MDH is converting the lab certification program’s application to an online form using an electronic signature. This item is obsolete.
 - Part 4740.2050, subpart 1, item D (1) to (2), is obsolete because *Minnesota Statutes*, section 144.98, supersedes these requirements.
 - Part 4740.2050, subpart 1, item D (3) to (6) and item E, are obsolete because *Minnesota Statutes*, section 144.98, subdivision 6, supersedes these requirements.
 - Part 4740.2050, subpart 2, item C, with the phrase beginning “With each change in location...” is obsolete because the information required is now included in laboratory documentation required with the application under *Minnesota Statutes*, section 144.98.
 - Part 4740.2050 subpart 3, is obsolete because *Minnesota Statutes*, section 144.998, subdivision 3a(b) supersedes these requirements.
 - Part 4740.2050, subpart 7, item B, is obsolete or duplicative because the required items are listed in national standards and adopted in *Minnesota Statutes*, section 144.98, subdivision 2a.
 - Part 4740.2050, subpart 7, item D, is obsolete because *Minnesota Statutes*, section 144.98, subdivision 7, supersedes these requirements.

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- Part 4740.2050, subpart 10, item B (5), contains the phrase “at the frequency specified in part 4740.2070,” which is obsolete. The standards now contained in *Minnesota Statutes*, section 144.98, subdivision 2a, govern frequency.
- Part 4740.2050, subpart 12, item A, contains the phrase “unless a reciprocity agreement exists,” which is obsolete. The standards now contained in *Minnesota Statutes*, section 144.98, subdivision 2a, govern reciprocity.
- Part 4740.2050, subpart 12, item A, the phrase beginning “Fees include the on-site...” is obsolete because these fees and their frequency of payment are requirements that *Minnesota Statutes*, section 144.98, subdivision 6(d), supersedes. The standards no longer contain reciprocal agreements and thus on-site-inspection fees do not apply.
- Part 4740.2050, subpart 12, item C, is obsolete because these requirements for approval of reciprocity agreements are obsolete since by *Minnesota Statutes*, section 144.98, subdivision 6(d) there are no longer reciprocity agreements.
- Part 4740.2050, subpart 12, item D(2), contains the phrase “not to include an on-site inspection fee for out-of-state laboratories,” which is obsolete. The standards now contained in *Minnesota Statutes*, section 144.98, subdivision 6(d), govern inspection fees. The standards no longer contain reciprocal agreements and thus on-site-inspection fees do not apply.
- Part 4740.2050, subpart 12, item F, the phrase “...except the fee for out-of-state inspection under subpart 16, item D” is obsolete because the requirements for approval of reciprocal agreements are in national standards now governed by *Minnesota Statutes*, section 144.98, subdivision 6(d).
- Part 4740.2050, subpart 12, item F, the last sentence beginning “Only fixed-base laboratories located within...” is obsolete because the requirements for approval of reciprocal agreements are in national standards now governed by *Minnesota Statutes*, section 144.98, subdivision 6(d).
- Part 4740.2050, subpart 16, item A, contains the phrase “...subdivision 3,” which is obsolete because the entire section 144.98 now applies.
- Part 4740.2050, subpart 16, item D, is obsolete because the item conflicts with the national standards contained in *Minnesota Statutes*, section 144.98, subdivision 2a.
- Part 4740.2060, subpart 2, item C; subpart 3, item C; subpart 4, item C; and subpart 5, item C; are identical items that contain the phrase “...as required under part 4740.2050, subpart 16, item C.” This cited subpart 16 relates to fees, which are governed by *Minnesota Statutes*, section 144.98.
- Part 4740.2065, subpart 8, is obsolete because the required items are listed under national standards (adopted in *Minnesota Statutes*, section 144.98).
- Part 4740.2070, subparts 2, 3, 5, 6 and subpart 7, items A, B, and D, address proficiency test studies. These are obsolete because the national standards now listed in *Minnesota Statutes*, section 144.98, subdivision 2a, now control, eliminating the need for these references.
- Part 4740.2070, subpart 8, items A, B, and C, are obsolete as the required items here are now listed under national standards adopted in *Minnesota Statutes*, section 144.98, subdivision 2a.
- Part 4740.2087, subpart 2, items A and C, are obsolete requirements for because these requirements for handling

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laboratory samples are now governed by national standards adopted in *Minnesota Statutes*, section 144.98, subdivision 2a.

- Part 4740.2089, item C, is obsolete as these required items for keeping records for standards, reagents, and bacteriological media are contained under the national standards adopted in *Minnesota Statutes*, section 144.98, subdivision 2a.
- Part 4740.2100, subpart 4, item A, the second sentence is obsolete because the national standards adopted in *Minnesota Statutes*, section 144.98, subdivision 2a, do not include these requirements for matrix spikes.
- Part 4740.2100, subpart 5, item B, the phrase “before sample preparation or extraction” is obsolete because the national standards adopted in *Minnesota Statutes*, section 144.98, subdivision 2a, do not include these procedures for sample testing.
- Part 4740.2100, subpart 9, item A, is obsolete as the national standard obsolete because the national standards adopted in *Minnesota Statutes*, section 144.98, subdivision 2a, includes a broader list of technologies affected by selectivity. Consequently, this item is out of date.

The agency identified the proposed obsolete rules in its annual obsolete rules report under *Minnesota Statutes*, section 14.05, subdivision 5. The statutory authority to repeal the obsolete rules appears in *Minnesota Statutes*, section 14.3895. A copy of the proposed obsolete rules to be repealed is published in the State Register and attached to this notice as mailed. A free copy of the rules is available upon request from the agency contact person listed above. The proposed obsolete rules to be repealed may be viewed at the Minnesota Department of Health’s website:

<http://www.health.state.mn.us>

Comments. You have until 4:30 p.m. on Friday, February 22, 2019, to submit written comment in support of or in opposition to the proposed repeal of obsolete rules and any part or subpart of the repeal. Your comment must be in writing and the agency contact person must receive it by the due date. The Department encourages comment. Your comment should identify the portion of the proposed obsolete rules to be repealed addressed and the reason for the comment. In addition, you are encouraged to object to the repeal of any part or subpart. You must also make any comments on the legality of the proposed rules during this comment period.

Request for Hearing. In addition to submitting comments, you may also request that a hearing be held on the rules. You must make your request in writing to the agency contact person. The agency contact person must receive the request by 4:30 p.m. on Friday, February 22, 2019. Your written request must include your name and address. You must identify the portion of the proposed repealed rules to which you object or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and the agency cannot count it for determining whether it must hold a public hearing. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

Effect of Requests. If 25 or more people submit a written request, the agency will have to meet the requirements of *Minnesota Statutes*, sections 14.131 to 14.20 for rules adopted after a hearing or the requirements of *Minnesota Statutes*, sections 14.22 to 14.28 for rules adopted without a hearing, including the preparation of a statement of need and reasonableness and the opportunity for a hearing.

Modifications. The agency might modify its choice of these designated rules or parts proposed for repeal (e.g. fixing a typo or deciding not to repeal a rule because the rule is discovered not to be obsolete), based on comments and information submitted to the agency. If the final rules to be repealed are identical to the rules originally published in the State Register for repeal, then the agency will publish a notice of adopting the repealers in the State Register. If the final rules to be repealed are different from the rules originally published in the State Register for repeal, then the agency must publish a copy of the changes in the State Register. If the proposed repeal of obsolete rules affects you in any way, the agency encourages you to participate in the rulemaking process.

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

Lobbyist Registration. *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. You may 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) 296-5148 or 1-(800)-657-3889.

Repeal and Review of Obsolete Rules. The agency may repeal the obsolete rules at the end of the comment period. The agency will then submit rules and supporting documents to the Office of Administrative Hearings for review for legality. You may ask to be notified of the date that the agency submits the rules. If you want to be so notified, or want to receive a copy of the repealed obsolete rules, or want to register with the agency to receive notice of future rule proceedings, submit your request to the agency contact person listed above.

December 5, 2018

Jan K. Malcolm, Commissioner
Minnesota Department of Health

4640.0100 DEFINITIONS.

Subpart 1. **Scope.** For the purpose of ~~these rules~~ this chapter, the terms used in subparts 2 to 12 have the meanings given them in this part.

Subp. 2. [Repealed by amendment, L 1977 c 305 s 39]

Subp. 3. **Chronic disease hospital.** A “chronic disease hospital” is a hospital, the primary purpose of which is to provide the services and facilities for the diagnosis, treatment, and rehabilitation of patients with chronic illness. “Chronic disease” refers to illness or disability which is either permanent or recurrent, which may require long periods of medical supervision or care as well as special rehabilitative services, as distinguished from acute illness which is usually of short duration and self-limiting in nature. Nursing homes and boarding care homes as classified and defined in parts 4655.0090 to 4655.1060, and hospitals devoted exclusively to the care of patients ~~with tuberculosis or~~ with mental illness are not “chronic disease hospitals.”

[For text of subps 4 to 9, see M.R.]

Subp. 10. **Specialized hospital.** A “specialized hospital” is a hospital providing primarily for one type of care, such as a hospital for persons with a mental illness, a psychiatric hospital, ~~a tuberculosis hospital~~, a chronic disease hospital, or a maternity hospital. The specialized hospital shall meet the applicable regulations for a general hospital of corresponding size and all regulations pertaining to such specialized services as are provided by the hospital.

Subp. 11. **Specialized unit.** When a general hospital provides ten or more beds in a segregated unit for a specialized type of care, such as psychiatric, ~~tuberculosis~~, chronic disease, or nursing home, such a unit is a “specialized unit” of the general hospital. The services provided in a nursing home unit are not hospital services. For licensing purposes, one license shall be issued to a general hospital having one or more specialized units, when such units are adjacent to or located on property adjoining that of the general hospital. Separate licenses shall be required for institutions which are maintained on separate premises even though they are under the same management. The total bed capacity, including bassinets, shall be used in determining the license fee.

Subp. 12. [See repealer.]

4655.4700 PHYSICIANS’ EXAMINATIONS AND ORDERS.

Subpart 1. **Physical examination at admission.** Each patient or resident shall have an admission medical history and

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complete physical examination performed and recorded by a physician within five days prior to or within 72 hours after admission. The medical record shall include: the report of the admission history and physical examination; the admitting diagnosis and report of subsequent physical examinations; ~~a report of a standard Mantoux tuberculin test or, if the Mantoux test is positive or contraindicated, a chest X ray within three months in advance of admission and as indicated thereafter;~~ reports of appropriate laboratory examinations; general medical condition including disabilities and limitations; instructions relative to the patient's or resident's total program of care; written orders for all medications with stop dates, treatments, special diets, and for extent or restriction of activity; physician's orders and progress notes; and condition on discharge or transfer, or cause of death.

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

4658.0450 CLINICAL RECORD CONTENTS.

Subpart 1. **In general.** Each resident's clinical record, including nursing notes, must include:

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

~~H.~~ H. a report of a tuberculin test within the three months prior to admission, as described in part 4658.0810;

~~I.~~ I. reports of laboratory examinations;

~~J.~~ J. dates and times of all treatments and dressings;

~~K.~~ J. dates and times of visits by all licensed health care practitioners;

~~L.~~ K. visits to clinics or hospitals;

~~M.~~ L. any orders or instructions relative to the comprehensive plan of care;

~~N.~~ M. any change in the resident's sleeping habits or appetite;

~~O.~~ N. pertinent factors regarding changes in the resident's general conditions; and

P. O. results of the initial comprehensive resident assessment and all subsequent comprehensive assessments as described in part 4658.0400.

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

Subp. 3. **Nursing services.** The clinical record must contain the recording requirements of parts ~~4658.0515~~ 4658.0520 to 4658.0530.

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

Subp. 7. **Social services.** The clinical record must contain the recording requirements of parts ~~4658.1015~~ 4658.0450 and ~~4658.1020~~ 4658.1005.

4658.0800 INFECTION CONTROL.

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

Subp. 4. **Policies and procedures.** The infection control program must include policies and procedures which provide for the following:

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

E. a resident health program including an immunization program, ~~a tuberculosis program as defined in part 4658.0810;~~ and policies and procedures of resident care practices to assist in the prevention and treatment of infections;

F. the development and implementation of employee health policies and infection control practices, ~~including a tuberculosis program as defined in part 4658.0815;~~

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

4658.0850 PENALTIES FOR INFECTION CONTROL RULE VIOLATIONS.

Penalty assessments will be assessed on a daily basis for violations of parts 4658.0800 to 4658.0820 and are as follows:

- A. part 4658.0800, \$300;
- B. part 4658.0805, \$300; and
- C. ~~part 4658.0810, \$200;~~
- D. ~~part 4658.0815, subparts 1 and 2, \$200;~~
- E. ~~part 4658.0815, subpart 3, \$50;~~
- F. ~~part 4658.0815, subpart 4, \$300; and~~
- G. C. part 4658.0820, \$100.

4664.0190 HEALTH INFORMATION MANAGEMENT.

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

Subp. 3. **Content.** A hospice provider must ensure that each hospice patient's record contains:

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

L. documentation of tuberculosis screening of residential hospice patients, ~~as required by part 4664.0290, subpart 6; and~~

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

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

4664.0290 INFECTION CONTROL.

Subpart 1. [See repealer.]

Subp. 2. [See repealer.]

Subp. 3. [See repealer.]

Subp. 4. [See repealer.]

Subp. 5. [See repealer.]

Subp. 6. [See repealer.]

[For text of subp 7, see M.R.]

Subp. 8. **Fines.** For ~~each~~ a violation of ~~the following subparts subpart 7,~~ the stated fine shall be assessed: \$300.

- ~~A. subpart 1, \$100;~~
- ~~B. subpart 2, \$500;~~
- ~~C. subpart 3, \$50;~~

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~~D. subpart 4, \$500;~~

~~E. subpart 5, \$100;~~

~~F. subpart 6, \$500; and~~

~~G. subpart 7, \$300.~~

4665.1200 STAFF HEALTH.

The licensee shall assure ensure that:

~~A. all staff shall, prior to employment and annually thereafter, show freedom from tuberculosis by a report of either a standard Mantoux tuberculin test or a chest X-ray. If the Mantoux test is positive or contraindicated, a chest X-ray shall be taken. The results of these tests shall be reported in writing and made a part of the staff member's personnel record;~~

~~B. A. any staff member with a communicable disease shall not be permitted to work in the facility until such time that a physician certifies that the staff member's condition will permit a return to work without endangering the health of other staff and residents;~~

~~C. B. the facility administrator may require that a staff member have a medical examination when a reasonable suspicion of communicable disease exists; and~~

~~D. C. personnel records shall be available for inspection by department employees.~~

4675.0500 MEDICAL STAFF.

The medical director and the medical staff shall be are responsible to the governing body for patient and staff policies and for medical procedures and services relative to admission, treatment, and related emergency treatment. The medical staff shall:

A. Establish written policies for the admission and treatment of patients for surgery, including but not limited to: subitems (1) to (5).

[For text of subitems (1) to (5), see M.R.]

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

~~I. Assure that all employees, prior to employment and at least annually thereafter show freedom from tuberculosis by means of a standard Mantoux tuberculin test and/or a chest X-ray test as medically indicated. The results shall be reported in writing and made a part of each employee's personnel record.~~

4740.2050 APPLICATION FOR CERTIFICATION.

Subpart 1. **Base certification requirements.**

A. A laboratory may request to be certified by the commissioner for the use of methods to test the analytes eligible for certification according to subpart 3.

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

C. A laboratory must apply on a form that is provided by the commissioner. ~~The laboratory must supply the following information:~~

~~(+) the name of the laboratory;~~

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- (2) the physical location, postal mailing address, and electronic mailing address of the laboratory;
- (3) the owner of the laboratory;
- (4) the names and telephone numbers of a designated contact person and the laboratory director;
- (5) the names of at least one managing agent with signature attested by a notarial officer; and
- (6) the names of supervisory professional staff responsible for the analyses.

D. An application for certification must include:

- (1) the form required under item C;
- (2) the applicable fees, including a nonrefundable base certification fee and fees for each test category in which the laboratory seeks certification;
- (3) a quality assurance manual meeting the standards of part 4740.2085;
- (4) a laboratory procedures manual meeting the standards of part 4740.2065;
- (5) if the application is an initial request for certification, the most recent proficiency testing result for each field of testing for which the laboratory seeks certification. The proficiency testing samples must be from an approved provider and be analyzed within one year prior to the date that the application is received by the commissioner; and
- (6) a list of the laboratory's detection limits and reporting limits for each field of testing for which the laboratory is requesting certification.

E. Except as provided for mobile laboratories in subpart 2, a laboratory that owns or manages laboratory facilities at different locations must submit a separate application for each laboratory location.

F. D. Applications for renewal of certification must be received no later than 90 days before the expiration of certification. The application must meet the criteria of this subpart. If a laboratory fails to submit a renewal application within 90 days before the expiration of certification, the commissioner must notify the regulatory authorities that receive data that the laboratory did not apply to renew its certification. The laboratory must not report results as certified after its certification expires.

Subp. 2. Requirements for mobile laboratories.

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

C. A mobile laboratory must designate which fields of testing, equipment, and personnel are associated with the mobile laboratory. Changes to the numbers and types of equipment within the mobile laboratory may require reapplication according to subpart 1. With each change in location, the mobile laboratory must verify that the information provided to the commissioner as required in subpart 1, item D, subitem (6), remains applicable.

Subp. 3. [See repealer.]

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

Subp. 7. Awarding certification.

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

B. The certificate and scope of certification must include:

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- (1) the logo of the Minnesota Department of Health;
- (2) the name of the laboratory;
- (3) the address of the laboratory;
- (4) the laboratory identification number; and
- (5) the expiration date of the certification.

~~C. B.~~ If a laboratory's scope of certification changes, the commissioner shall issue a new certificate and scope of certification.

~~D.~~ A laboratory's certification is valid for two years from the date of awarding base certification or renewal of base certification, unless conditions warrant suspension or revocation by the commissioner under subparts 9 and 10.

~~E. C.~~ A laboratory must return its certificate to the commissioner upon suspension or revocation of certification.

~~F. D.~~ A certified laboratory must not misrepresent its certification on any document, including laboratory reports, catalogs, advertising, business solicitations, proposals, quotations, or other materials.

~~G. E.~~ A laboratory must make available its current certificate and corresponding scope of certification upon the request of a client, certification authority, or regulatory agency. The laboratory must not supply a copy of its current certificate without the accompanying copy of its scope of certification.

[For text of subps 8 and 9, see M.R.]

Subp. 10. **Revocation.**

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

B. Grounds for partial or total revocation of certification are:

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

(5) failure to complete proficiency testing studies and maintain a history of successful proficiency testing studies at the frequency specified in part 4740.2070;

[For text of subitems (6) and (7), see M.R.]

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

[For text of subp 11, see M.R.]

Subp. 12. **Reciprocity and laboratories in other states.**

A. A laboratory in another state may request certification in Minnesota. In addition to following the application process under subpart 1, the laboratory must submit the appropriate fees with its application, unless a reciprocity agreement exists. Fees include the on-site inspection fee for out-of-state laboratories.

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

C. A certification program is not considered substantially equivalent if:

(1) inspections of certified laboratories are performed at intervals exceeding three years;

(2) the certifying agency does not require an acceptable corrective action response from the laboratory as required under subpart 6; or

(3) the certifying agency is not the primary authority for necessary enforcement actions, such as suspension or revocation of the laboratory's certification.

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~~D. C.~~ When a reciprocal agreement exists, the commissioner shall certify an out-of-state laboratory that:

- (1) submits an application meeting the requirements of subpart 1;
- (2) submits the appropriate fees, ~~not to include an on-site inspection fee for out-of-state laboratories;~~
- (3) provides a copy of current certification from the reciprocal state or private or federal agency; and
- (4) provides a copy of the certifying authority's most recent inspection report.

~~E. D.~~ A laboratory certified under this subpart must notify the commissioner within 30 days after any enforcement action is taken by the reciprocal certifying authority.

~~F. E.~~ Laboratories certified under reciprocity agreements are subject to parts 4740.2010 to 4740.2120, ~~except the fee for out-of-state inspection under subpart 16, item D. Only fixed-base laboratories located within the boundaries of the state represented by the certifying authority may apply under a reciprocal agreement.~~

~~G. F.~~ The commissioner shall provide a list of reciprocity agreements upon request.

[For text of subps 13 to 15, see M.R.]

Subp. 16. **Payment of fees.**

A. All applications or requests to change the scope of certification submitted to the commissioner for approval must be accompanied by the fee specified in Minnesota Statutes, section 144.98, ~~subdivision 3.~~

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

C. When a laboratory requests a variance according to subpart 13, the request must be accompanied by applicable fees according to Minnesota Statutes, section 144.98, ~~subdivision 3.~~

~~D.~~ When a laboratory in another state requests certification in Minnesota, the laboratory must submit all applicable fees with its application, to include an out-of-state inspection fee according to Minnesota Statutes, section 144.98, ~~subdivision 3, unless a reciprocity agreement exists between the commissioner and the certifying authority of the state in which the fixed-base laboratory is located.~~

~~E. D.~~ Payment of fees must be in the form of a check, money order, or electronic transfer of funds. When payment is in the form of an electronic transfer of funds, proof of deposit must be verifiable before the date the fees are due to the commissioner.

[For text of subp 17, see M.R.]

4740.2060 METHODS REQUIRED FOR CERTIFICATION.

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

Subp. 2. **Clean water program.**

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

C. The laboratory must submit a copy of the approval for alternate methods to the commissioner along with an application, as required under part 4740.2050, ~~subpart 1, and fees as required under part 4740.2050, subpart 16, item C.~~

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

Subp. 3. **Safe drinking water program.**

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

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C. The laboratory must submit a copy of the approval for ~~alternative~~ alternate methods to the commissioner along with an application, as required under part 4740.2050, ~~subpart 1~~, and fees as required under part 4740.2050, subpart 16, ~~item C~~.

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

Subp. 4. **Resource conservation recovery program.**

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

C. The laboratory must submit a copy of the approval of alternate methods to the commissioner along with an application, as required under part 4740.2050, ~~subpart 1~~, and fees as required under part 4740.2050, subpart 16, item C.

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

Subp. 5. **Underground storage tank program.**

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

C. The laboratory must submit a copy of the approval for alternate methods to the commissioner along with an application, as required under part 4740.2050, ~~subpart 1~~, and fees as required under part 4740.2050, subpart 16, item C.

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

[For text of subp 6, see M.R.]

4740.2070 PROFICIENCY TESTING REQUIREMENTS.

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

Subp. 2. [See repealer.]

Subp. 3. [See repealer.]

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

Subp. 5. [See repealer.]

Subp. 6. [See repealer.]

Subp. 7. **Evaluation of results.**

A. ~~A laboratory must demonstrate acceptable performance, as determined by the approved provider, for each field of testing reported.~~

B. ~~A laboratory may use one PT sample to analyze and report results for multiple methods under multiple test categories.~~

C. ~~A laboratory may not request from the PT provider a revised report when the revisions to the report are due to any error on the part of the laboratory.~~

D. ~~For the purpose of initial or continuing certification, the commissioner shall deem unacceptable any reported results not meeting the criteria under this subpart.~~

Subp. 8. [See repealer.]

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

Subp. 10. [See repealer.]

[For text of subp 11, see M.R.]

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4740.2087 SAMPLE HANDLING, RECEIPT, AND ACCEPTANCE.

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

Subp. 2. **Sample receipt protocols.** The following items must be verified and the results documented:

~~A.~~ all samples that require thermal preservation are considered acceptable if the arrival temperature is within the range required by the approved method or within 2 degrees Celsius of the temperature required by the applicable permit, program, or rule;

~~B.~~ A. all samples that require chemical preservation are considered acceptable if the laboratory verifies that the preservation meets the requirements of the approved method. A laboratory must implement procedures for checking chemical preservation before sample preparation or analysis except for methods where postanalysis preservation checks are required to ensure that sample integrity is not compromised. When specified in permit, program, or rule, chemical preservation must be verified upon receipt; and

~~C.~~ bacteriological samples from chlorinated water systems do not require an additional chlorine residual check in the laboratory if:

(1) sufficient sodium thiosulfate is added to each container to neutralize at minimum 5 milligrams per liter of chlorine for drinking water and 15 milligrams per liter of chlorine for wastewater samples;

(2) one container from each batch of laboratory prepared containers or lot of purchased ready-to-use containers is checked to ensure efficacy of the sodium thiosulfate to 5 milligrams per liter chlorine or 15 milligrams per liter chlorine, as appropriate, and the check is documented; or

(3) chlorine residual is verified by the collector and the recorded concentration is less than or equal to 0.1 mg/L; and

~~D.~~ B. a laboratory must maintain chronological records, either paper-based or electronic, such as a log book or database, to document receipt of all samples, including the number and types of containers received for each field of testing. The records must include:

(1) the client and project name, if applicable;

(2) the date and time of laboratory receipt;

(3) a unique laboratory-assigned identification code;

(4) the signature, initials, or equivalent electronic identification of the person making the entries;

(5) the field identification code, which identifies each container, linked to the laboratory-assigned identification code in the sample receipt log;

(6) the date and time of sample collection, linked to the sample container and to the date and time of receipt in the laboratory;

(7) the requested field of testing, linked to the laboratory-assigned identification code; and

(8) any comments resulting from inspection for sample rejection, linked to the laboratory-assigned identification code.

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

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4740.2089 STANDARDS, REAGENTS, AND BACTERIOLOGICAL MEDIA.

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

~~C.~~ All containers of reagents, standards, and bacteriological media must be assigned a unique identification linked to records containing the documentation required in this part.

4740.2100 QUALITY CONTROL CRITERIA FOR CHEMISTRY EXCEPT RADIOCHEMISTRY.

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

Subp. 4. Matrix spike and matrix spike duplicates.

A. The frequency of the analysis of matrix spikes and matrix spike duplicates must be determined as part of a systematic planning process or as specified by the required approved method. ~~Where no requirement is stated, the laboratory must prepare and analyze at least one matrix spike and one matrix spike duplicate with each batch.~~ The matrix spikes must be prepared from samples contained in the batch.

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

Subp. 5. Surrogate spikes.

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

B. Except when the matrix precludes their use, or when not available, surrogate compounds must be added to all samples, standards, and blanks for all appropriate test methods ~~before sample preparation or extraction.~~

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

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

Subp. 9. Selectivity.

~~A.~~ This subpart applies to volatile organic compounds and other organic compounds.

~~B.~~ A. Absolute retention time and relative retention time aid in identifying components in chromatographic analyses and evaluating the effectiveness of a chromatographic medium to separate constituents. A laboratory must develop and document acceptance criteria for retention time windows if the acceptance criteria are not specified in the approved method.

~~C.~~ B. A confirmation must be performed to verify the compound identification when positive results are detected on drinking water. The confirmations must be performed on organic tests, such as pesticides, herbicides, or acid-extractable compounds, or when recommended by the analytical test method, except when the analysis involves the use of a mass spectrometer or Fourier transform infrared spectrometer (FTIR). All confirmations must be documented.

~~D.~~ C. A confirmation must be performed to verify the compound identification when positive results are detected on a sample from a location that has not been previously tested. The confirmations must be performed on organic tests, such as pesticides, herbicides, or acid-extractable compounds, or when recommended by the analytical test method, except when the analysis involves the use of a mass spectrometer or Fourier transform infrared spectrometer. A confirmation is not required on positive results for samples analyzed for diesel range organics and gasoline range organics under the underground storage tank program. All confirmations must be documented.

~~E.~~ D. A laboratory must document acceptance criteria for mass spectral tuning. The laboratory must ensure that the tuning criteria meets the specifications in the approved method or as established by the client, whichever is more stringent.

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

TERM CHANGES. The revisor shall make any necessary cross-reference changes to Minnesota Rules and Minnesota Statutes as a result of the repealed sections in this rule. The revisor shall make necessary grammatical changes and changes to sentence structure as a result of the cross-reference changes.

Proposed Rules

REPEALER.(a) Minnesota Rules, parts 4615.0300; 4615.0400; 4615.0500; 4615.0600; 4615.0700; 4630.2000; 4640.0100, subpart 12; 4640.4400; 4640.4500; 4640.4600; 4640.4700; 4640.4800; 4640.4900; 4640.5000; 4640.5100; 4640.5200; 4640.5300; 4640.5400; 4640.5500; 4640.5600; 4640.5700; 4640.5800; 4640.5900; 4640.6000; 4655.3000; 4658.0810; 4658.0815; 4664.0290, subparts 1, 2, 3, 4, 5, and 6; 4740.2010, subpart 39; 4740.2050, subpart 3; 4740.2065, subpart 8; and 4740.2070, subparts 2, 3, 5, 6, 8, and 10, are repealed.(b) Minnesota Rules, parts 4670.0100, subparts 1, 1a, 2, 3, 3a, 4, 5, 6, 7, 7a, 7b, 8, 9, 10, 11, 12, 12a, 13, 13a, 14, 14a, 15, 16, 17, 17a, 17b, 18, 19a, 20, 21, 22, 23, 25, 26, 26a, 27, 28, 29, 30, 31, 32, 33, 34, 34a, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 48a, 49, and 50; 4670.0200; 4670.0300; 4670.0310; 4670.0320; 4670.0400; 4670.0500; 4670.0600; 4670.0610; 4670.0700; 4670.0810; 4670.0820; 4670.0830; 4670.0900; 4670.0910; 4670.0920; 4670.0930, subparts 1 and 2; 4670.0940; 4670.0950; 4670.1000; 4670.1010; 4670.1020; 4670.1110; 4670.1120; 4670.1130; 4670.1140; 4670.1200, subparts 1, 3, 3a, and 5; 4670.1210; 4670.1300; 4670.1310; 4670.1320; 4670.1330; 4670.1340; 4670.1500; 4670.1700; 4670.1800; 4670.1900; 4670.1910; 4670.1920; 4670.1930; 4670.1940; 4670.1950; 4670.1960; 4670.1970; 4670.1980; 4670.2000; 4670.2100; 4670.2200; 4670.2300; 4670.2400; 4670.2500; 4670.2510; 4670.2520; 4670.2530; 4670.2540; 4670.2550; 4670.2600; 4670.2610; 4670.2620; 4670.2630; 4670.2640; 4670.2650; 4670.2660; 4670.2670; 4670.2680; 4670.2690; 4670.2700; 4670.2710; 4670.2800; 4670.2810; 4670.2900; 4670.2910; 4670.2920; 4670.2930; 4670.2950; 4670.2960; 4670.2980; 4670.3200; 4670.3300; 4670.3500; 4670.3510; 4670.3520; 4670.3530; 4670.3550; 4670.3600; 4670.3700; 4670.3800; 4670.4010; 4670.4030; 4670.4100; 4670.4110; 4670.4120; 4670.4130; 4670.4140; 4670.4150; 4670.4200; 4670.4210, subpart 1; 4670.4220, subpart 1; and 4670.4230, subpart 1, are repealed.

Expedited Emergency Rules

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

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

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

Department of Natural Resources

Adopted Expedited Emergency Game and Fish Rules: Special Hunts for Managing Chronic Wasting Disease in Deer

Notice is hereby given that, pursuant to the Commissioner's authority set forth in Minn. Stat. § 84.027, subdivision 13 (b) to set hunting seasons and Minn. Stat. § 97A.045, subd. 11 to take action necessary to prevent or control wildlife disease, the Commissioner is adopting the following rule to prevent the spread of chronic wasting disease (CWD) among the deer population in and around Fillmore County. This rule is adopted as an emergency rule pursuant to the authority granted to the commissioner to adopt emergency rules in Minn. Stat. § 97A.045, subs. 2(b), 11. The emergency rule is necessitated by the presence of CWD in wild deer harvested within and beyond our disease management zone (permit area 603) during the 2018 regular deer hunting seasons. Because of potential damage that CWD could do to the wild deer population in the time it would take to use the Chapter 14 rulemaking process to adopt this rule, the DNR is using its emergency rulemaking authority pursuant to Minn. Stat. § 97A.045, et. seq.

CWD has been detected in or adjacent to deer permit areas 343, 345, 347, 348 and 603. Because CWD infectious agents are extremely resistant in the environment, transmission may be both direct and indirect. Concentration of deer in

Expedited Emergency Rules

certain areas likely increases the risk of transmission between individuals. Reducing the number of deer reduces the risk of transmission between individuals and likely removes some of the infected deer. Therefore, the DNR will hold special hunts in deer permit areas 347, 348, and 603, as well as portions of deer permit areas 343 and 345. All hunters will be required to present deer taken during these special hunts to the DNR for testing. By testing harvested deer, the DNR is able to track the spread of the disease and determine whether the risk to the wild deer herd is increasing and whether further action may be necessary.

To provide as much hunter access to the area as possible, the DNR is opening a state park and two Scientific Natural Areas (SNAs) that are not normally open to hunting. The agency is impartially limiting the number of hunters in Forestville State Park and Pin Oak Prairie SNA in deer permit area 603 to prevent hunter overcrowding by requiring a free Disease Hunt Surplus permit that will be available by telephone, online and at license vendors throughout the state on a first-come, first-served basis. The number of hunters who will be allowed in these areas will be consistent with past special hunts held to reduce deer numbers for resource management. The DNR is also opening Cherry Grove Blind Valley SNA, in the open portion of deer permit area 347, to all hunters. This SNA is adjacent to public land that is already open to hunting, making it unnecessary to limit numbers. If the SNAs and Forestville State Park were not open to hunting, deer could become concentrated in these areas to avoid hunting pressure. By opening the SNAs and Forestville State Park to hunting, the DNR is providing as much hunter access to the CWD zone as possible to lower overall deer numbers and deer density. This increases the likelihood of achieving the overall goal of reducing the risk of CWD transmission between deer and removing as many potentially CWD positive deer as possible. Because the hunts occur at a time of year when public use and agency operations on the SNA are minimized, they will not interfere with the normal function of the SNAs. Hunters must be qualified for these hunts by being legally eligible to purchase a deer hunting license and must meet any firearms safety requirements.

Dated: December 3, 2018

Tom Landwehr
Commissioner of Natural Resources

6232.0400 REGISTRATION OF DEER.

[For text of subpart 1, see Minnesota Rules]

[For text of subpart 2, see State Register, volume 43, page 117]

[For text of subparts 3 and 4, see Minnesota Rules]

[For text of subpart 5, see State Register, volume 43, page 117]

Subp. 6. [See repealer.]

[For text of subpart 7, see State Register, volume 43, page 117]

Subp. 8. Deer taken during disease management hunts.

A. Deer taken during the disease management hunts described in part 6232.1600, subpart 8, must be presented for mandatory registration and testing for chronic wasting disease at a department-staffed testing station within 24 hours of being harvested or no later than 10:00 a.m. the Monday after the hunt ends, whichever is sooner.

B. Except as specified in item C, carcasses from deer taken during the disease management hunts described in part 6232.1600, subpart 8, must remain in the hunt areas described in part 6232.1600, subpart 8, unless tagged by an authorized department representative or until results of a test for chronic wasting disease show the disease has not been detected in the harvested deer.

C. Cut and wrapped meat, quarters, or other portions of meat from a deer taken during the disease management hunts may be transported outside the hunt areas described in part 6232.1600, subpart 8, if no part of the spinal column or head is attached. Antlers, hides, teeth, finished taxidermy mounts, and antlers attached to skull caps that are cleaned of all brain tissue may be transported outside the hunt areas described in part 6232.1600, subpart 8.

Expedited Emergency Rules

D. The restrictions in part 6232.0350 do not apply to the hunts authorized in part 6232.1600, subpart 8.

6232.1600 SPECIAL HUNT PROCEDURES.

*[For text of subparts 1 to 6, see Minnesota Rules]
[For text of subpart 7, see State Register, volume 43, page 117]*

Subp. 8. Disease management hunts.

A. Except as specified in items C to G, the following areas are open December 21 through December 23, 2018, and December 28 through December 30, 2018, for taking an unlimited number of either-sex deer by firearms, muzzle-loader, and archery:

(1) deer permit areas 347, 348, and 603, as described in part 6232.4700, subparts 100, 101, and 163, published in the State Register, volume 43, page 117;

(2) those portions of deer permit area 343, as described in part 6232.4700, subpart 96, published in the State Register, volume 43, page 117, and deer permit area 345, as described in part 6232.4700, subpart 98, that are south of Interstate 90;

(3) Cherry Grove Blind Valley Scientific and Natural Area in deer permit area 347;

(4) the cities of Mable and Rushford in or adjacent to deer permit area 345 or 348; and

(5) the cities of Spring Valley, Stewartville, and Racine in or adjacent to deer permit area 343 or 347.

B. To participate in the hunt authorized in item A, hunters must purchase a disease management permit according to part 6232.1980 or possess a 2018 Minnesota landowner license, youth or adult firearm license, youth or adult muzzle-loader license, youth or adult archery license, or early-season antlerless license. During the hunt authorized in item A:

(1) hunters may tag deer of either sex with disease management tags or unused tags from a 2018 landowner license, youth or adult firearm license, youth or adult muzzleloader license, or youth or adult archery license;

(2) only antlerless deer may be tagged with bonus tags or early-season antlerless tags; and

(3) firearm hunters may use only legal shotguns loaded with single-slug shotgun shells, legal muzzle-loading long guns, legal handguns, or legal crossbows for taking deer.

C. To participate in the special hunts authorized in items D to G, hunters must obtain a free disease-hunt surplus permit from an electronic license system agent, the Department of Natural Resources License Center, or other authorized agents. Permits are available on a first-come, first-served basis. Hunters may select only one hunt from the special hunts described in items D to G. During the special hunts authorized in items D to G:

(1) hunters may tag deer of either sex with disease management tags or unused tags from a 2018 landowner license, youth or adult firearm license, or youth or adult muzzleloader license;

(2) only antlerless deer may be tagged with bonus tags or early-season antlerless tags; and

(3) firearm hunters may use only legal shotguns loaded with single-slug shotgun shells, legal muzzle-loading long guns, legal handguns, or legal crossbows for taking deer.

D. Forestville Mystery Cave State Park in Fillmore County is open December 21 through December 23, 2018, for taking an unlimited number of either-sex deer by firearms. This is special hunt 801.

E. Forestville Mystery Cave State Park in Fillmore County is open December 28 through December 30, 2018, for

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taking an unlimited number of either-sex deer by firearms. This is special hunt 802.

F. Pin Oak Prairie Scientific and Natural Area in Fillmore County is open December 21 through December 23, 2018, for taking an unlimited number of either-sex deer by firearms. This is special hunt 803.

G. Pin Oak Prairie Scientific and Natural Area in Fillmore County is open December 28 through December 30, 2018, for taking an unlimited number of either-sex deer by firearms. This is special hunt 804.

6232.1980 TAKING DEER BY ANY WEAPON USING DISEASE MANAGEMENT PERMITS.

Subpart 1. **Purchase.** An unlimited number of disease management permits may be purchased by a person who has purchased a valid deer license. ~~Disease management permits may be purchased for \$1.50 from an electronic license system agents agent, the Department of Natural Resources License Center, and or other authorized agents.~~

Subp. 2. **Restrictions.** ~~Disease management permits are valid only in deer area 101 as described in part 6232.4700, subpart 1a the hunts described in part 6232.1600, subpart 8.~~

Subp. 3. **Disease management hunts.** Disease management permits are valid in the special hunt areas described in part 6232.1600, subpart 8. Disease management permits may be purchased without first purchasing an archery, firearms, or muzzleloader license.

REPEALER. The expedited emergency amendments to Minnesota Rules, parts 6232.0400, subpart 7; 6232.1600, subpart 8; and 6232.1980, subparts 1 and 3, published in the State Register, volume 42, page 733, January 2, 2018, are repealed. The expedited emergency amendments to Minnesota Rules, parts 6232.0400, subpart 6; and 6232.1980, subpart 2, published in the State Register, volume 43, page 117, August 13, 2018, are repealed.

EFFECTIVE PERIOD. The expedited emergency amendments to Minnesota Rules, parts 6232.0400, 6232.1600, and 6232.1980, expire January 2, 2019.

Revenue Notices

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

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

Minnesota Department of Revenue

Revenue Notice # 18-03: Sales Tax - Capital Equipment - Revocation of Revenue Notice # 96-08

Introduction

Revenue Notice # 96-08, which instructs contractors on how to draft a purchasing agent agreement for use when they are purchasing and installing capital equipment into real property, is revoked.

Department Position

Enacted in 2017, *Minnesota Statutes*, section 297A.61, subdivision 58(b) excludes from the definition of “real property” for sales tax purposes any tools, implements, machinery and equipment installed into real property for use in a business or production activity conducted thereon that qualifies for exemption under *Minnesota Statutes*, section 297A.68

regardless of size, weight or method of incorporation into the real property.

Due to this law change, when a contractor installs machinery and equipment that qualifies for exemption under *Minnesota Statutes*, section 297A.68, subdivision 5, they are no longer improving real property but are making a retail sale of tangible personal property, regardless of how the item is incorporated into the real estate. Consequently:

- The contractor can purchase the qualifying machinery and equipment exempt for resale.
- The customer can purchase the qualifying machinery and equipment exempt by providing a completed exemption certificate to the contractor at the time of sale.

Note: If the customer is also purchasing other improvements to real property, they must specify in detail the exempt items or risk loss of the exemption under *Minnesota Statutes*, section 297A.73.

Due to this law change, the instructions provided in Revenue Notice # 96-08 are no longer needed.

Revenue Notice # 96-08 is hereby revoked effective for sales and purchases after May 31, 2017, the effective date for 2017 Laws, 1st Special Session, ch. 1, art. 3, sec. 8.

Publication Date: December 17, 2018

Lee Ho, Deputy Commissioner

Minnesota Department of Revenue

Revenue Notice # 18-04: Sales and Use Tax - Improvements to Real Property - Revocation and Replacement of Revenue Notice # 04-04

Introduction

Minnesota Statutes, section 297A.61, subdivision 58, provides that for chapter 297A, real property includes:

- Land
- Buildings, and structures erected on the land and intended to be permanent
- Improvements or fixtures incorporated into buildings and structures that both:
 - o Are intended to be of a permanent benefit given its present use
 - o Cannot be removed without causing substantial damage to the building or structure

Real property does not include tools, implements, machinery, and equipment that:

- Are attached or installed to real property for use in the business or production activity conducted thereon, and
- Qualify for exemption under *Minnesota Statutes* section 297A.68, regardless of size, weight, or method of incorporation into the real property

Minnesota Statutes, section 297A.61, subdivision 4(d), provides that building materials, supplies and equipment are subject to Minnesota sales or use tax at the time of purchase if they will be used to either:

- Erect buildings or structures
- Otherwise alter, repair, or improve real property

This Revenue Notice sets forth the Department of Revenue's position as to when tangible personal property becomes an improvement or fixture to real property. This Revenue Notice only applies to sales and use taxes imposed under Chapter 297A and cannot be used to classify property for any other purpose.

Department Position

Improvements or Fixtures to Real Property.

Tangible personal property becomes an improvement or fixture when it becomes part of the real property and loses its identity as separate tangible personal property. This occurs when the improvement or fixture is incorporated into and intended to be a permanent benefit to the real property given its current use, and would cause substantial damage to the

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real property if removed.

Therefore, the seller must collect sales tax from the purchaser on tangible personal property in the form of building materials, supplies, and equipment that both:

- Are purchased by an owner, contractor or subcontractor
- Will be used to construct, build, rebuild, repair or improve buildings or structures erected on the land.

“Building materials, supplies and equipment” include, but are not limited to: gravel, blacktop, bricks, cement, steel beams and rods, insulation, electrical supplies, glass, woodwork, paint and paint supplies, pipes and valves, aluminum sheathing, wood and composition sheathing, lumber, vapor barriers, moisture barriers, roofing, drywall, ceiling boards, lighting and plumbing fixtures, bathroom fixtures, furnaces and boilers for space heating, central air-conditioning units for space cooling, elevators, people movers, and built-in appliances.

Retail Sales of Tangible Personal Property.

Building materials, supplies, and equipment do not become real property when they are any of the following:

- Are free-standing or minimally incorporated into real property
- Intended to be temporary, and provide no permanent benefit to the real property given the present use
- Do not cause substantial damage to the real property when removed

Such items retain their identity as tangible personal property. The installer does not pay sales or use tax when purchasing the components to construct or install the item, but instead purchases them exempt for resale and charges sales tax when selling the items to a customer.

The amount subject to tax is determined by sales price, and can include delivery, installation and other charges as specified in *Minnesota Statutes*, section 297A.61, subdivision 7.

Business or Production Property Exclusion.

However, trade fixtures such as tools, implements, machinery or equipment that are used in a business or production activity remain tangible personal property- regardless of size, weight, or method of attachment to real property - when they both:

- Are installed into real property
- Qualify as exempt under *Minnesota Statutes*, section 297A.68

To qualify for this exclusion, the purchaser must provide the installer with a fully completed exemption certificate specifying each tool, implement, machine, or equipment that qualify for exemption under section 297A.68. Listing any non-qualifying items constitutes the improper use of an exemption certificate under *Minnesota Statutes*, section 297A.73.

Revenue Notice # 04-04 is hereby revoked.

Publication Date: December 17, 2018

Lee Ho, Deputy Commissioner

Minnesota Department of Revenue

Modification of Revenue Notice # 16-02: Sales and Use Tax — Admissions — Features of Admission

Introduction

The sale of the privilege of admission to places of amusement, recreation areas, and athletic events is taxable under *Minnesota Statutes*, section 297A.61, subdivision 3(g)(1). This includes the privilege of admission to places like theaters, performance halls, and stadiums. The amount subject to sales tax is measured by sales price. *Minnesota Statutes*, section 297A.61, subdivision 7. Sales price includes the total amount of consideration required by the seller to purchase the privilege of admission.

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The sales price to purchase a privilege of admission may vary for the same amusement, recreation area, or athletic event depending on which features of admission the seller requires a customer to purchase. Features of admission required by the seller can be sold itemized separately or for a single non-itemized price. Features of admission may include but are not limited to:

- viewing locations, such as: guarantees, memberships, licenses, required gifts or donations
- exclusive entrances, restrooms, restaurants, lounges, clubs, or other areas
- interactive experiences with performers or players
- food or beverage
- parking services
- will call desk services
- concierge services
- other promotional offers
- other amenities

Features of admission are not required by the seller when the buyer (1) can purchase a privilege of admission for a particular seat or location and (2) add or decline any feature or features to that admission at the buyer's choice.

Department Position

Whether sold itemized separately or for a single non-itemized price, all charges required by the seller to purchase the privilege of admission are included in sales price and subject to sales tax, including all amounts paid to obtain any feature of that admission.

Features of admission sold itemized separately and not required by the seller to purchase the privilege of admission are not included in the sales price for that privilege of admission.

If a purchaser later resells the privilege of admission and that purchaser is not in the business of making retail sales of the privilege of admission, the resale is exempt from sales tax as an isolated and occasional sale under *Minnesota Statutes*, section 297A.67, subdivision 23. If the purchaser is in the business of making retail sales of the privilege of admission and later resells the privilege, the provisions of *Minnesota Statutes*, section 297A.68, subdivision 43 regarding ticket resellers apply.

This Revenue Notice does not apply to sales of the privilege of admission to which an exemption for nonprofit organizations applies under *Minnesota Statutes*, section 297A.70, stadium builder's licenses exempt under *Minnesota Statutes*, section 297A.68, subdivision 36, and does not address the sales tax treatment purchasing a personal seat license, seat guarantee, or of renting, or leasing a box seat, skybox, or suite.

Publication Date: February 29, 2016

Ryan Church, Deputy Commissioner

Publication Date: December 17, 2018

Lee Ho, Deputy Commissioner

Official Notices

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

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

Department of Education

Notice of Summer Food Service Program (SFSP) Waivers

The United States Department of Agriculture (USDA) Office of Inspector General recently found that USDA provided waivers from SFSP requirements on a national level, which according to law may be waived only upon request from a state agency. The affected SFSP waivers will be canceled effective October 11, 2018. MDE will request that USDA re-approve the SFSP waivers for Minnesota before the 2019 summer program begins. SFSP sponsors do not need to individually request the waivers.

[View USDA Memorandum Rescinding Earlier Waivers](#)

MDE will request the following SFSP requirements be waived for Minnesota:

- That only school food authorities may use Offer vs. Serve (OVS) in SFSP.
- That school meal pattern rules must be followed when using OVS.
- That all SFSP sites receive first-week site visits. SFSP sites that operated the program successfully in the previous summer and have no serious deficiency findings would be exempt from this requirement.
- The regulatory limitations on meal service times. Flexibilities would be allowed.
- That all closed enrolled sites, even if located in an eligible area, must qualify for SFSP based on the income eligibility of children attending the site.

Contact:

Camille Jones, SFSP Administrator
1500 Highway 36 West, Roseville, MN 55113
651 582-8575
Camille.jones@state.mn.us

Minnesota Department of Health

Notice of Completion of Annual Health Care Quality Measures Rule Review

NOTICE: The Commissioner of Health announces that the Department of Health has completed its annual review required under *Minnesota Rules*, Chapter 4654. The Department affirms that its existing quality measures will continue as the 2019 set of quality measures with no added measures.

Subject of the Rules and Statutory Authority. The Minnesota Department of Health adopted *Minnesota Rules*, Chapter 4654, in December 2009 to implement part of the comprehensive 2008 state health reform law. Consistent with *Minnesota Statutes*, section 62U.02, these rules established a standardized set of quality measures that the Department uses to assess the quality of services offered by health care providers. These measures include the specific details for the data that physician clinics and hospitals must submit annually to the Minnesota Department of Health or to the Commissioner's designee for public reporting. The rules also specify:

- requirements that physician clinics and hospitals to submit quality data to the Minnesota Department of Health or its designee;
- obligations for physician and hospitals to cooperate with data validation procedures;

- a restriction on health plans prohibiting them from requiring providers to use and report data on quality measures not included in the standardized set; and
 - annual review by the Minnesota Department of Health of existing quality measures and evaluation and adoption of new measures into the standardized set.

The Commissioner is required to review the adopted quality measures annually.

Results. Each year since the Minnesota Department of Health adopted its rules, the department has updated the standardized set of quality measures through expedited rulemaking. During 2018, we have been developing a quality measurement framework as directed by the legislature. To do this, we gathered comments from a broad range of stakeholders about measurement priorities, essentially the same review the Department has customarily performed for its annual reviews. This year's work showed that the Department does not need to add new measures for the 2019 report year. The Department will simply retain most of its current physician clinic and hospital quality measures. Therefore adopting expedited rules this year is unnecessary. As per the Department's usual practice of remaining as consistently as possible with federal measurement initiatives and reducing providers' reporting burdens, the Department removed two obsolete hospital quality measures, and will conduct the ambulatory health information technology survey on a biennial rather than annual basis. The Department has posted updated technical guidance for the 2019 report year on its website at <http://www.health.state.mn.us/healthreform/measurement/measures>.

Agency contact person. Denise McCabe at Minnesota Department of Health, P.O. Box 64882, St. Paul, MN 55164-0882, phone (651) 201-3550, fax (651) 201-5179, and health.sqrms@state.mn.us.

December 6, 2018
Jan K. Malcolm, Commissioner
Minnesota Department of Health

Department of Labor & Industry (DLI) Notice of Certification of Commercial Prevailing Wage Rates

The Commissioner of Labor & Industry will certify prevailing wage rates for Commercial construction projects in all 87 counties on Monday, December 17, 2018. These rates were identified by annual survey of commercial construction projects in Minnesota collected by the Department.

Wage rate determinations are available online at:
<http://dli.mn.gov/business/employment-practices/prevailing-wage-information>

Questions regarding determinations may be directed to the following:

Division of Labor Standards & Apprenticeship
443 Lafayette Road N
St. Paul, MN 55155
Phone: 651-284-5091
Email: dli.prevwage@state.mn.us

Department of Natural Resources Notice of Proposed Changes Affecting Recreational Trails within Huntersville and Lyons State Forests

NOTICE IS HEREBY GIVEN that the Minnesota Department of Natural Resources (DNR) is considering changes to recreational trails and within Huntersville and Lyons State Forests in Wadena County.

The proposed changes include: designating new motorized trail segments, undesignating motorized trail segments and designating new horse trails.

Official Notices

Huntersville and Lyons State Forests are classified as "Limited." Off-highway vehicles are permitted only on forest roads and trails that are signed "open." The DNR does not propose to change the limited classification.

Minnesota Statutes, section 89.19, subdivision 2 governs designations of forest trails and changes to existing designations.

The DNR will hold a public meeting to present information and receive public comments on the proposed changes. The meeting is scheduled for February 20, 2019, from 6:00 PM to 8:00 PM at the Menahga Public School, 216 Aspen Ave. SE, Menahga, MN.

Summaries of the proposals and related maps are on the DNR website at www.dnr.state.mn.us/input/mgmtplans/ohv/designation/revisions.html. Questions regarding the proposals and the public review period should be directed to:

Joe Unger, Parks and Trails Division
Minnesota Department of Natural Resources
500 Lafayette Road
St. Paul, MN 55155-4039
Phone: (651) 259-5584
E-mail: joe.unger@state.mn.us

Written comments on the proposals can be submitted to the above address until **4:30 p.m. on March 13, 2019**.

Board of Nursing Notice of Meetings of the Minnesota Board of Nursing

NOTICE IS HEREBY GIVEN that the February - December 2019 meetings of the Minnesota Board of Nursing have been scheduled at 8:30 a.m., at 2829 University Avenue SE, 4th Floor, Conference Rooms A & B, Minneapolis, Minnesota on the following dates:

February 7, 2019
April 4, 2019
June 6, 2019
August 1, 2019
October 3, 2019
December 5, 2019

A portion of each meeting is review of disciplinary cases and is closed to the public.

For details about time of the open meeting, the agenda or other information, please access the Board of Nursing website: <http://mn.gov/health-licensing-boards/nursing/?agency=NursingBoard>

The following 2019 meetings are for review of disciplinary cases and are closed to the public:

January 3, 4:30 p.m.
March 7, 7:30 a.m.
May 2, 4:30 p.m.
July 11, 7:30 a.m.
September 5, 4:30 p.m.
November 7, 7:30 a.m.

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 Administration

Governor's Council on Developmental Disabilities

Notice of Cosponsorship Funds for Leadership Training Conferences

The Governor's Council on Developmental Disabilities (GCDD) is pleased to announce the availability of a total of \$20,000 in cosponsorship funds for training conferences held in Minnesota and supporting the participation of Minnesota residents. Conferences should focus on providing best practices information in the field of developmental disabilities and leadership skills training. The primary audience for these conferences must be people with developmental disabilities and their families.

Conferences must be held **no later than September 14, 2019**. **Eligible applicants are** Minnesota associations/organizations that provide services to individuals with developmental disabilities and their families, advocates, providers, or professionals; Minnesota chapters of national organizations; or national organizations that are holding a conference in Minnesota. **Application deadline is Thursday, January 17, 2019 at 3:00 p.m.** Please note: The GCDD reserves the right to award less than the maximum of \$2,000 to an applicant, refuse to cosponsor a conference, or withdraw the availability of funds with or without notice.

For additional information or to request an application form, please contact:

Mary Jo Nichols
Governor's Council on Developmental Disabilities
Minnesota Department of Administration
370 Centennial Office Building
658 Cedar Street
St. Paul, Minnesota 55155
Phone: (651) 282-2899 Toll free: (877) 348-0505
Minnesota Relay Service: (800) 627-3529 OR 711
Email: admin.dd@state.mn.us

The application is available for download at <http://mn.gov/mnddc/council/rfp-grants.html>.

Go to "The Council" and then "RFPs and Grants."

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/>

State Grants & Loans

Department of Human Services

Behavioral Health Division

Notice of Request for Proposals to Provide Targeted Opioid Treatment, Prevention & Recovery Services

NOTICE IS HEREBY GIVEN that the Minnesota Department of Human Services is requesting proposals to provide targeted opioid treatment, prevention and recovery services.

Work is proposed to start March 1, 2019. For more information, or to obtain a copy of the Request for Proposal, contact:

Faye K. Bernstein
Department of Human Services
Behavioral Health Division
444 Lafayette Road N.
St. Paul, MN 55164-0977
Faye.Bernstein@state.mn.us

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

Proposals submitted in response to this Request for Proposals must be received at the address above no later than **4:00 p.m., Central Time, January 25, 2019. 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.

Department of Human Services

Child Development Services Division

Addendum to Request for Proposals for a Qualified Grantee to Conduct Classroom Assessment Scoring System (“CLASS™”) Observation for Child Care Centers Participating in the Parent Aware Quality Rating and Improvement System, and Support Parent Aware and CLASS™ Coaches

NOTICE IS HEREBY GIVEN that the Minnesota Department of Human Services through its Child Development Services Division has published an Addendum to its Request for Proposal for a Qualified Grantee to Conduct Classroom Assessment Scoring System (“CLASS™”) Observation for Child Care Centers Participating in the Parent Aware Quality Rating and Improvement System, and Support Parent Aware and CLASS™ Coaches that was published in the November 26, 2018 State Register. In the addendum, the language in Appendix C was revised to reflect the correct deliverables that pertains to conducting Classroom Assessment Scoring System (“CLASS™”) observations for child care centers participating in the Parent Aware Quality Rating and Improvement System, and supporting Parent Aware and CLASS™ coaches.

State Grants & Loans

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

Attention: Missy Lorey
Child Development Services
Minnesota Department of Human Services
PO Box 64962
Saint Paul, MN 55164-0962
Phone (651) 431-3865

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

The text of the RFP Addendum can also be viewed by visiting the Minnesota Department of Human Services RFP web site <http://mn.gov/dhs/partners-and-providers/grants-rfps/open-rfps/index.jsp?id=1053-359798>

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

Child Development Services Division

Addendum to Request for Proposals for a Qualified Grantee to Increase the Supply of High Quality, Affordable Child Care Including Business Planning and Low Interest Loans

NOTICE IS HEREBY GIVEN that the Minnesota Department of Human Services through its Child Development Services Division has published an Addendum to its Request for Proposal for a Qualified Grantee to Increase the Supply of High Quality, Affordable Child Care Including Business Planning and Low Interest Loans that was published in the November 26, 2018 State Register. In the Addendum, the language in Appendix C was revised to reflect the correct deliverables that pertain to increasing the supply of high quality, affordable child care including business planning and low interest loans.

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

Attention: Missy Lorey
Child Development Services
Minnesota Department of Human Services
PO Box 64962
Saint Paul, MN 55164-0962
Phone (651) 431-3865

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

The text of the RFP Addendum can also be viewed by visiting the Minnesota Department of Human Services RFP web site: <http://mn.gov/dhs/partners-and-providers/grants-rfps/open-rfps/index.jsp?id=1053-359794>

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.

Department of Administration Notice of Call for Bids of Sale of Property

State of Minnesota is offering for sale approximately .5 acres of vacant land, subject to an encroachment easement for a septic system, retaining wall, and deck. For a bid package, see <https://mn.gov/admin/government/real-estate/sales-acquisitions/for-sale-and-lease.jsp>

Minnesota Judicial Branch 9th Judicial District Request for Proposal – Video Conferencing Systems

The Ninth Judicial District, of the Minnesota Judicial Branch (MJB), is using a competitive selection process to select possible vendors to provide Video Conferencing Systems throughout the District. The counties where the work will be conducted are Aitkin, Beltrami, Cass, Crow Wing, Hubbard, Kittson, Koochiching, Norman, and Roseau.

The Ninth Judicial District, of the Minnesota Judicial Branch (MJB), is seeking proposals from vendors, to provide, install, and train on both new and replacement Video Conferencing Systems.

The request for proposal does not obligate the MJB to award a contract or complete the project, and the MJB 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 MJB no later than **4:00 pm CST, 01/17/2019**. The proposals must be delivered to:

Wade Young
Ninth Judicial District Administration Office Minnesota Judicial Branch
616 America Ave NW, Suite 250
Bemidji, MN 56601

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 www.mncourts.gov.

Minnesota Judicial Branch

State Court Administrator's Office

Request for Proposal for The State Court Administrator seeks Human Resources Consultation Services

The State Court Administrator's Office of the Minnesota Judicial Branch (MJB), are using a competitive selection process to select a vendor to provide job analysis and recommendations on a clerical classification assessment.

The request for proposal does not obligate the MJB to award a contract or complete the project, and the MJB 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 MJB no later than **4:00 CST, December 27, 2018**. The sealed proposal must include four (4) paper copies and one (1) electronic PDF copy either on disc or flash drive. No facsimile submissions will be accepted.

Kendra Hash
Human Resources and Development Specialist
Human Resources and Development
State Court Administrator's Office
25 Rev. Dr. Martin Luther King Jr. Blvd.
St. Paul, Minnesota 55155
kendra.hash@courts.state.mn.us

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 www.mncourts.gov

Department of Military Affairs/ State Department of Administration Notice of Availability of Request for Proposal (RFP) for Designer Selection for: RENOVATION OF REC CENTER (Bldg. 6-97), Camp Ripley, Little Falls, Minnesota (SDSB Project # 18-13) (DMA Project No. 19107)

The State of Minnesota, acting through The Department of Military Affairs, through the State Designer Selection Board, is soliciting proposals from interested, qualified consultants for architectural and engineering design services for the above referenced project.

A full Request for Proposals is available on the Minnesota Department of Administration's website at <https://mn.gov/admin/government/construction-projects/sdsb/projects/> (click 18-13).

A **non-mandatory** informational meeting is scheduled for **Wednesday, December 19, 2018 at 10:00 AM CT at the Facilities Management Office, Building 2-1, Camp Ripley, 15000 Highway 115, Little Falls, MN 56345**. All firms interested in this meeting should contact Mr. Dennis Arntson at dennis.m.arntson.nfg@mail.mil to sign up to attend the meeting.

Any questions should be directed to Dennis Arntson at dennis.m.arntson.nfg@mail.mil. Project questions will be taken by this individual only. Questions regarding this RFP must be received by **Friday, December 21, 2018 no later than 4:30 p.m. Central Time**.

Proposals must be delivered to Jennifer Barber, Executive Secretary, State Designer Selection Board, Real Estate and Construction Services, Room 309, Administration Building, 50 Sherburne Ave., St. Paul, MN 55155 (651.201.2389) not later than **12:00 noon CT on THURSDAY, January 3, 2019**. Late responses will not be considered.

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

State Contracts

Minnesota State Retirement System (MSRS) Request for Proposals for Public Relations Consultation & Messaging Development

Minnesota State Retirement System (MSRS) is seeking professional public relations consultation to discuss messaging and strategies to promote MSRS, for both the mandatory pension plans and the optional defined-contribution plans it administers. The selected firm will work in a support and advisement capacity; it will not be permitted to speak on behalf of MSRS or provide legal counsel to MSRS.

MSRS requests proposals for a contractor to assist MSRS in the development and implementation of communication strategy, building on its brand, and the topic of pensions and overall retirement savings – that can be modified for various stakeholders including the public, participants, and potential plan participants.

The contract will begin on the date stated in the contract or upon full execution of the contract, whichever is later, and conclude two (2) years later, with the option to extend up to three (3) years in increments determined by the State of Minnesota. Price will be a significant factor in the evaluation of proposals.

To receive the RFP, or for Responders who have any questions regarding this RFP, contact:

Daniel McLean, Contracts Administrator
Minnesota State Retirement System
60 Empire Drive, Suite 300
St. Paul, MN 55103
Email: daniel.mclean@msrs.us
Phone: (651) 284-7789

Proposals submitted in response to this RFP must be received at the address above no later than **Friday, January 18, 2019 at 3:00 p.m. CT.**

Late proposals and proposals received in any way other than that described in the RFP will not be considered. This request does not obligate the State to complete the work contemplated in this notice. The State reserves the right to cancel the solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder.

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.

Non-State Public Bids, Contracts & Grants

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

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

Metropolitan Airports Commission (MAC) Notice of Call for Bids for 2019 Air Handling Unit Replacement P7

Airport Location: Minneapolis-St. Paul International Airport
Project Name: 2019 Air Handling Unit Replacement P7
MAC Contract No: 106-2-886
Bids Close At: 2:00 p.m. on January 15, 2019

Notice to Contractors: Sealed Bid Proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040-28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated. This project will replace air handling units, make-up air units, VAV boxes, exhaust fans, heating and cooling coils, and a drinking fountain.

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

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

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

Project Labor Agreement: This project is subject to the MAC's Project Labor Agreement requirements.

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

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids for this project will be available on December 17, 2018, at MAC's web address of <http://www.metroairports.org/Airport-Authority/Business-Opportunities/Solicitations.aspx> (construction bids).

Non-State Public Bids, Contracts & Grants

Metropolitan Airports Commission (MAC)

Notice of Call for Bids for 2019 Emergency Power Upgrades P10

Airport Location: Minneapolis-St. Paul International Airport
Project Name: 2019 Emergency Power Upgrades P10
MAC Contract No: 106-2-884
Bids Close At: 2:00 p.m. on January 15, 2019

Notice to Contractors: Sealed Bid Proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040-28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated. The scope of work for this project includes the replacement of transfer switches at Terminal 1-Lindbergh Energy Management Center, Concourse A and valet parking garage area, including the associated generator system network upgrades related to the transfer switches being replaced.

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

Targeted Group Businesses (TGB): The goal of the MAC for the utilization of TGB on this project is 5%.

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

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

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids for this project will be available on December 17, 2018, at MAC's web address of <http://www.metroairports.org/Airport-Authority/Business-Opportunities/Solicitations.aspx> (construction bids).

Metropolitan Airports Commission (MAC)

Notice of Call for Bids for 2019 Electrical Infrastructure Program P11

Airport Location: Minneapolis-St. Paul International Airport
Project Name: 2019 Electrical Infrastructure Program P11
MAC Contract No: 106-2-883
Bids Close At: 2:00 p.m. on January 15, 2019

Notice to Contractors: Sealed Bid Proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040-28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated. This work includes performing maintenance and relabeling on Main Terminal Unit Substations S06, 57, 11A, 16A and all associated distribution. Other work includes replacement of Motor Control Center MCC-1 in the Energy Management Center.

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

— Non-State Public Bids, Contracts & Grants

Targeted Group Businesses (TGB): The goal of the MAC for the utilization of TGB on this project is 5%.

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

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

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids for this project will be available on December 17, 2018, at MAC's web address of <http://www.metroairports.org/Airport-Authority/Business-Opportunities/Solicitations.aspx> (construction bids).

Metropolitan Airports Commission (MAC) Notice of Call for Bids for 2019 Parallel Taxiways Reconstruction – Taxiway Bravo & 2019 Taxilanes – South Building Area Pavement Rehab

Airport Location: Lake Elmo Airport
Project Name: 2019 Parallel Taxiways Reconstruction – Taxiway Bravo & 2019 Taxilanes – South Building Area Pavement Rehab
MAC Contract No.: 111-1-028 & 111-1-029
Bids Close At: 2:00 p.m. on Tuesday, January 15, 2019

Notice to Contractors: Sealed Bid Proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040-28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated. Major work items include: Pavement removal excavation, geotextile fabric, P-208 aggregate base, P-401 bituminous pavement, pavement marking, jointing, and turf restoration.

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

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

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

Availability of Bidding Documents: Bidding documents are on file for inspection at the office of Short Elliott Hendrickson Inc., 3535 Vadnais Center Drive, Saint Paul, MN 55110; at the Minnesota Builders Exchange; Dodge Data and Analytics; and NAMC-UM Plan Room. Bidders desiring bidding documents may secure a complete set from: Northstar Imaging Services, Inc.; 1325 Eagandale Court Suite 130; Eagan, MN 55121; PH: 651.686.0477. Make checks payable to: Northstar Imaging Services, Inc. Deposit per set (nonrefundable): \$65 (includes shipping).

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids for this project will be available on December 17, 2018, at MAC's web address of <http://www.metroairports.org/Airport-Authority/Business-Opportunities/Solicitations.aspx> (construction bids).

Non-State Public Bids, Contracts & Grants ==

Metropolitan Airports Commission (MAC)

Notice of Call for Bids for 2019 Taxiway B & Q Centerline Lights

Project Location: Minneapolis-St. Paul International Airport
Project Name: 2019 Taxiway B & Q Centerline Lights
MAC Contract No. MAC Contract No. 106-1-281
Bids Close At: 2:00 PM on January 15, 2019

Notice to Contractors: Sealed bid proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040 28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated. This project provides for the installation of in-pavement taxiway centerline lights on Taxiways B and Q. Work also includes the creation of two, 'no-taxi' islands using pavement markings, elevated taxiway edge lights, and signs at the intersection of Taxiways A/B/C/D and Taxiways C/D/P/Q.

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

Disadvantaged Business Enterprises (DBE): The goal of the MAC for the utilization of DBE on this project is 6%.

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

Project Labor Agreement: This project is subject to the MAC's Project Labor Agreement requirements.

Availability of Bidding Documents: Bidding documents are on file for inspection at the office of TKDA, the Minnesota Builders Exchange, Dodge Data and Analytics, and NAMC-UM Plan Room. Bidders desiring bidding documents may secure a complete set from TKDA; 444 Cedar Street, Suite 1500; St. Paul, MN, 55101; PH: (651) 292-4400; FX:(651) 292-0083. Make checks payable to: TKDA. Deposit per set (refundable): \$200.00. Requests for mailing sets will be invoiced for mailing charges. Deposit will be refunded upon return of bidding documents in good condition within ten (10) days of opening of bids.

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids for this project will be available on December 17, 2018, at MAC's web address of <http://www.metroairports.org/Airport-Authority/Business-Opportunities/Solicitations.aspx> (construction bids).

— Non-State Public Bids, Contracts & Grants

Metropolitan Airports Commission (MAC)

Notice of Call for Bids for 2019 Terminal 1-Lindbergh Passenger Boarding Bridge Replacement

Project Location: Minneapolis-St. Paul International Airport
Project Name: 2019 Terminal 1-Lindbergh Passenger Boarding Bridge Replacement
MAC Contract No. 106-2-895
Bids Close At: 2:00 PM on January 15, 2019

Notice to Contractors: Sealed bid proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040-28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated. This project provides for the replacement of four (4) Passenger Boarding Bridges, new boarding bridge fixed walkways, and all associated controls, equipment, accessories, and foundations.

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

Targeted Group Businesses (TGB): The goal of the MAC for the utilization of TGB on this project is 5%.

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

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

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids for this project will be available on December 17, 2018, at MAC's web address of <http://www.metroairports.org/Airport-Authority/Business-Opportunities/Solicitations.aspx> (construction bids).

Minnesota's Bookstore

Several convenient ways to order:

- **Retail store** Open 8 a.m. - 3 p.m. Monday - Friday, 660 Olive Street, St. Paul
- **Phone** (credit cards): 8 a.m. - 4 p.m. Monday - Friday, 651.297.3000 (Twin Cities) or 1.800.657.3757 (nationwide toll-free)

- **On-line orders:** www.mnbookstore.com

- **Minnesota Relay Service:** 711

- **Fax** (credit cards): 651.215.5733 (fax line available 24 hours)

- **Mail orders:** Orders can be sent to Minnesota's Bookstore, 660 Olive Street, St. Paul, MN 55155

Minnesota's Bookstore accepts VISA, MasterCard, American Express & Discover for all purchases.

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

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

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

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