

# 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**Proposed, Adopted, Emergency, Expedited, Withdrawn, Vetoed Rules;  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 22 April 2019  
Volume 43, Number 43  
Pages 1249 - 1270**

# Minnesota State Register

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

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

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- Withdrawn Rules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

### Printing Schedule and Submission Deadlines

Vol. 43 Issue Number	PUBLISH DATE ( <b>BOLDFACE</b> 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)
# 44	Monday 29 April	Noon Tuesday 23 April	Noon Thursday 18 April
# 45	Monday 6 May	Noon Tuesday 30 April	Noon Thursday 25 April
# 46	Monday 13 May	Noon Tuesday 7 May	Noon Thursday 2 May
# 47	Monday 20 May	Noon Tuesday 14 May	Noon Thursday 9 May

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<b>Governor:</b> Tim Walz (651) 201-3400	<b>Facilities Management Division:</b> Christopher A. Guevin (651) 201-2350	<b>Auditor:</b> Julie Blaha (651) 296-2551	<b>Editor:</b> Sean Plemons (651) 201-3204 sean.plemmons@state.mn.us
<b>Lieutenant Governor:</b> Peggy Flanagan (651) 201-3400	<b>Attorney General:</b> Keith Ellison (651) 296-3353	<b>Secretary of State:</b> Steve Simon (651) 296-2803	<b>Subscriptions Manager:</b> Loretta J. Diaz (651) 201-3202 loretta.diaz@state.mn.us
<b>Commissioner:</b> Alice Roberts-Davis (651) 201-2601		<b>Minnesota's Bookstore:</b> Justin Patrick (651) 201-3203	

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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 #1-26 inclusive (issue #26 cumulative for issues #1-26); issues #27-52 inclusive (issue #52, cumulative for issues #27-52 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. 43 Issues #1-26 are**  
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# Adopted Rules

A rule becomes effective after the requirements of *Minnesota Statutes* §§ 14.05-14.28 have been met and five working days after the rule is published in the *State Register*, unless a later date is required by statutes or specified in the rule. If an adopted rule is identical to its proposed form as previously published, a notice of adoption and a citation to its previous *State Register* publication will be printed. If an adopted rule differs from its proposed form, language which has been deleted will be printed with strikeouts and new language will be underlined. The rule's previous *State Register* publication will be cited.

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

## Pollution Control Agency

### Adopted Permanent Rules Relating to Underground Storage Tanks

The rules proposed and published at State Register, Volume 43, Number 9, pages 212-261, August 27, 2018 (43 SR 212), are adopted with the following modifications:

#### 7150.0030 DEFINITIONS.

Subp. 51a. **Unusual operating condition.** "Unusual operating condition" means:

- A. a condition, equipment deficiency, or occurrence that: results in a release of a regulated substance;
  - (1) ~~results in a release of a regulated substance;~~
  - (2) ~~indicates the possibility of a leak from a UST system;~~
  - (3) ~~creates a reasonable expectation that a leak from a UST system is probable; or~~
  - (4) ~~may cause an undetected leak;~~
- B. an unexplained presence of water in the tank; ~~or~~
- C. liquid in the interstitial space of secondary-containment systems;:
- D. erratic behavior of product dispensing equipment;
- E. a sudden loss of product from the UST system; or
- F. monitoring results that indicate the possibility of a leak from a UST system.

#### 7150.0205 DESIGN AND CONSTRUCTION.

Subp. 6. **Submersible pump sumps.**

B. Any submersible pump installed before December 22, 2007, and not in a secondarily contained sump used for interstitial monitoring must be accessible for visual inspection and must not be covered by soil, water, or other obstacles that prevent visual inspections.

# Adopted Rules

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€B. The following codes of practice are incorporated by reference under part 7150.0500 and must be used to meet the requirements of this subpart, as applicable:

## Subp. 7. **Dispenser sumps.**

A. Owners and operators must install secondary containment under a dispenser if:

- (4) the concrete or base material under the dispenser is replaced,~~repaired, or modified.~~

Subp. 8. **Emergency stops.** Owners and operators must have an emergency disconnect switch that complies with the Minnesota State Fire Code and is readily available to persons dispensing a regulated substance so as to disconnect electric power to pumps and dispensers, in accordance with the Minnesota State Fire Code, in the event of an emergency. For purposes of this subpart, “readily available” means that an emergency disconnect switch is located within 100 feet of, but not less than 20 feet from, an exterior dispenser, and, for interior dispensers, the emergency disconnect switch is installed at a location approved by the local fire chief or the chief’s designee.

## 7150.0216 OPERATING, MAINTAINING, AND TESTING UST SYSTEMS.

### Subpart 1. **General.**

A. Owners and operators must maintain, test, operate, and inspect tanks, piping, and associated components of a UST system as described in this part ~~and~~ in accordance with one of the following methods:

- (1) the requirements of the manufacturer;
- (2) ~~the following codes of practice developed by a nationally recognized association and incorporated by reference under part 7150.0500; the practices incorporated by reference in part 7150.0500, subpart 2, item G, subitems (2) and (4); or~~
  - (a) ~~Petroleum Equipment Institute, Recommended Practices for the Testing and Verification of Spill, Overfill, Leak Detection and Secondary Containment Equipment at UST Facilities, PEI/RP1200; and~~
  - (b) ~~Petroleum Equipment Institute, Recommended Practices for the Inspection and Maintenance of UST Systems, PEI/RP900; or~~

### Subp. 3. **Release-detection equipment.**

C. As applicable to the facility, testing under this subpart must, at a minimum, include the following components and criteria:

- (1) for automatic tank gauges and other controllers, the tester must test alarms, verify system configuration, and test battery backup.
- (2) for probes and sensors, the tester must inspect for residual buildup, ensure floats move freely, ensure the shaft is not damaged, ensure cables are free of kinks and breaks, and test alarm operability and communication with controller;
- (3) for automatic line-leak detectors, the tester must test the operation to ~~meet~~ ensure that it meets the criteria under part 7150.0340, subpart 2, item D;
- (4) for vacuum pumps and pressure gauges, the tester must ensure proper communication with sensors and controllers;
- (5) for spill buckets and containment sumps, the tester must visually inspect spill buckets and containment

sumps used for interstitial monitoring, including seals at piping, electrical, and other penetration points, for deficiencies; and

(6) for handheld leak-detection materials, the tester must ensure that any measuring sticks, fuel-finding pastes, or other handheld items used for leak detection are in a functional condition.

Subp. 5. **Overfill-prevention equipment.** Owners and operators must ensure overfill-prevention equipment is inspected at least every three years. The inspection must ensure that the overfill-prevention equipment is set to activate at the correct level, as specified in part 7150.0205, subpart 5, item A, subitem (2), and will activate when a regulated substance reaches that level. Beginning no later than October 13, 2020, inspections under this subpart must be performed by an agency-approved tester.

## **7150.0250 RESTORATION, CORRECTIVE ACTIONS, AND REQUIRED PERMANENT CLOSURE.**

### **Subp. 3. Replacement.**

A. Components of a UST system that do not meet the performance standards in part 7150.0100 must be repaired or replaced. Owners and operators must replace:

~~(1) any component that has corrosion that may cause the component to not function as intended by the manufacturer or that may cause a release of a regulated substance; and~~

~~(2) any component not functioning properly according to this chapter.~~

## **7150.0345 REPORTING, INVESTIGATING, AND CONFIRMING RELEASES.**

### **Subpart 1. Investigating and confirming.**

C. ~~Within 24 hours of~~ Upon discovering an unusual operating condition or confirming an unusual operating condition according to item B, subitem (2), ~~the owners and operators must initiate within 24 hours and complete within seven days the following:~~

Subp. 2. **Reporting releases or suspected releases.** A person who has knowledge of a release from a UST system under that person's control must immediately notify the Minnesota duty officer upon discovering the release by calling 1-800-422-0798 and must begin recovering the substance according to Minnesota Statutes, section 115.061. Notice under this subpart is also required if:

## **7150.0445 CLASS A, B, AND C OPERATOR REQUIREMENTS.**

### **Subp. 5. Class A and B operator examinations.**

B. A class B operator must retake the examination under item A within 30 days after a change in any of the following components of a UST system, unless the class B operator has been previously certified in the newly installed system component:

# Executive Orders

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

## Office of the Governor

### Emergency Executive Order 19-30: Declaring a State of Peacetime Emergency in the State of Minnesota

**I, Tim Walz, Governor of the State of Minnesota**, by the authority vested in me by the Constitution and applicable statutes, do hereby issue this Executive Order:

Beginning on March 12, 2019, rapid snowmelt floodwaters have inundated large portions of Minnesota, severely impacting communities across the state resulting in extensive damage to public infrastructure and private property.

On April 10, 2019, Winter Storm Wesley, with heavy snowfall and strong winds, created blizzard conditions in Minnesota, closing roads, damaging the electrical distribution system causing widespread power outages, and threatening public safety.

The resources of local, Tribal, county, and state government are being fully utilized to ensure immediate response to protect the life and safety of persons in the affected areas, and to protect property and infrastructure from additional damage.

The following Tribal Nations have been impacted: Prairie Island Indian Community, Red Lake Band of Chippewa, and Upper Sioux Community. As set forth in Minnesota Statutes 2018, section 12.31, subdivision 2, the State Director of Emergency Management has consulted with tribal authorities about this Executive Order.

The electrical distribution system (power grid) has been damaged in the counties of Blue Earth, Brown, Cottonwood, Dodge, Faribault, Freeborn, Houston, Jackson, Le Sueur, Lyon, Mower, Murray, Nobles, Olmsted, Pipestone, Rock, Sibley, Steele, Waseca, and Yellow Medicine.

The Federated Rural Electric Cooperative in Southern Minnesota has requested mutual aid assistance from the Iowa Association of Electric Cooperatives to assist in repair and restoration of the power grid.

The Marshall County Sheriff has requested the assistance of the Minnesota National Guard, for personnel to assist with over watch of the cities' dikes and flood protection systems and to potentially support rescue and evacuation operations within the community of Oslo, Minnesota.

The counties Freeborn, Marshall, Mower, and Steele have requested Minnesota National Guard assistance with the rescue of stranded motorists, community safety patrols, and to provide local armories as emergency shelters.

The affected counties' emergency operations plans are activated. Many Cities, Tribes, and counties have declared local emergencies, and local jurisdictions are requesting state assistance and resources.

The Department of Public Safety, Division of Homeland Security and Emergency Management (HSEM) activated the State Emergency Operations Center and implemented the Minnesota Emergency Operations Plan and state agencies are providing assistance to local governments.



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# Executive Orders

For these reasons, I hereby order that:

1. A state of peacetime emergency pursuant to Minnesota Statutes 2018, section 12.31 exists in the impacted Tribal Nations of Prairie Island Indian Community, Red Lake Band of Chippewa, and Upper Sioux Community, as well as the counties of Anoka, Beltrami, Becker, Benton, Big Stone, Blue Earth, Brown, Carver, Cass, Chippewa, Chisago, Clay, Cottonwood, Dakota, Faribault, Fillmore, Freeborn, Goodhue, Grant, Hennepin, Houston, Isanti, Jackson, Kittson, Lac Qui Parle, Le Sueur, Lyon, Marshall, Martin, McLeod, Mille Lacs, Mower, Morrison, Murray, Nicollet, Nobles, Norman, Olmsted, Pennington, Pipestone, Polk, Ramsey, Red Lake, Redwood, Renville, Rock, Scott, Sherburne, Sibley, Stearns, Steele, Stevens, Swift, Todd, Traverse, Wabasha, Wadena, Waseca, Washington, Watonwan, Wilkin, Winona, Wright, Yellow Medicine.

2. The Adjutant General order to state active duty on April 11, 2019 in the service of the State, such personnel, equipment, and resources of the military forces needed to support emergency mitigation and response.

3. The Department of Public Safety, Division of Homeland Security and Emergency Management continue coordinating the provision of on-site support and assistance to affected local governments, and determine the need for supplementary emergency assistance.

4. All state agencies, in cooperation with appropriate federal agencies, provide the assistance necessary to help local units of government respond to and recover from this emergency.

This Executive Order is effective immediately. It remains in effect until emergency assistance and resources of the State are no longer required or it expires in accordance with Minnesota Statutes 2018, section 12.31, subdivision 2.

Signed on April 11, 2019.

**Tim Walz**  
Governor

Filed According to Law:

**Steve Simon**  
Secretary of State

## Office of the Governor

### Emergency Executive Order 19-31: Providing for Emergency Relief from Regulations to Motor Carriers Operating in Minnesota

I, **Tim Walz, Governor of the State of Minnesota**, by the authority vested in me by the Constitution and applicable statutes, issue the following Executive Order:

Winter Storm Wesley brought heavy snowfall, strong winds and blizzard-like conditions to several states throughout the Plains and Upper Midwest regions. Much of Minnesota has been impacted by the storm; resulting in road closures and damage to the electrical distribution system causing widespread power outages.

The citizens of approximately 20 counties in Southern Minnesota are without power. The resources of the state are being fully utilized to respond to the emergency, to protect the health and safety of persons in the affected areas and to protect property and infrastructure from additional damage.

The Federated Rural Electric Cooperative in Southern Minnesota has requested mutual aid assistance from the Iowa Association of Electric Cooperatives to assist in repair and restoration of the power grid in the impacted counties.

# Executive Orders

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On April 11, 2019, Emergency Executive Order 19-30 was issued, declaring a Peacetime State of Emergency in Minnesota; requesting assistance from the Minnesota National Guard; activating the Department of Public Safety, Division of Homeland Security and Emergency Management's State Emergency Operations Center; and implementing the Minnesota Emergency Operations Plan.

For these reasons, I order that:

1. The requirements for interstate vehicle registration and reciprocity in Minnesota Statutes 2018, section 168.187, the fuel tax requirements in Minnesota Statutes 2018, chapter 168D, and the registration requirements in Minnesota Statutes 2018, section 221.60 are hereby suspended throughout the duration of a motor carrier's direct assistance to emergency relief efforts and until assisting carriers and vehicles have returned to their base state.

2. In accordance with the Code of Federal Regulations, title 49, part 390.23, the requirements contained in the Federal Motor Carrier Safety Regulations, title 49, parts 390-399 do not apply to those interstate carriers who are providing direct assistance for the immediate restoration of essential electrical power. The relief from the Code of Federal Regulations, title 49, parts 390-399 provided in this order is valid for the duration of a motor carrier's direct assistance to the emergency relief effort or the duration of this order, whichever is less.

3. Motor carriers and drivers providing direct assistance to the emergency relief effort and operating under the terms of this order must comply with the following Federal Motor Carrier Safety Regulations: title 49, part 392.2 related to the operation of a commercial motor vehicle in accordance with state laws and regulations, including compliance with applicable speed limits and other traffic restrictions; title 49, part 392.3 prohibiting an ill or fatigued driver from operating a commercial motor vehicle; and title 49, parts 392.4 and 392.5 prohibiting a driver from operating under the influence of a controlled substance or alcohol or operating while in possession of a controlled substance or alcohol.

4. Nothing contained in this Emergency Executive Order relieves drivers or carriers from the regulations and requirements pertaining to controlled substances and alcohol use and testing, commercial drivers' licenses, financial responsibility (insurance), transportation of hazardous materials, applicable size and weight limits, or any other portion of the regulations not specifically authorized pursuant to the Code of Federal Regulations, title 49, part 390.23.

This Executive Order is effective immediately under Minnesota Statutes 2018, section 4.035, subdivision 2. It will remain in effect for 30 days, or until the direct assistance has ended, whichever occurs earlier. For purposes of this Executive Order, direct assistance to an emergency relief effort terminates when a driver or commercial motor vehicle is used to transport cargo not destined for the emergency relief effort, or when the carrier dispatches that driver or vehicle to another location for operations in regular commerce.

Signed on April 12, 2019.

**Tim Walz**  
Governor

Filed According to Law:

**Steve Simon**  
Secretary of State

# Appointments

*Minnesota Statutes*, Section 15.06, Subd. 5. requires notice of the designation of a commissioner or acting commissioner, or the assumption of office by a temporary commissioner, shall be filed with the president of the senate and the speaker of the house with a copy delivered to the secretary of state and published in the next available edition of the *State Register*.

## Office of the Governor

### Notice of Appointment for the Minnesota IT Services Commissioner

STATE OF MINNESOTA



**TIM WALZ**  
**GOVERNOR**

NOTICE OF APPOINTMENT

## Tarek Tomes

658 Cedar Street  
St. Paul, MN 55155  
County of Ramsey  
Congressional District 4

Because of the special trust and confidence I have in your integrity, judgment, and ability, I have appointed and commissioned you to have and to hold the office of:

**COMMISSIONER**

**MINNESOTA IT SERVICES**

Effective: April 29, 2019  
Term Expires: January 2, 2023

This appointment carries with it all rights, powers, duties, and emoluments granted by law and pertaining to this position until this appointment is superseded or annulled by me or other lawful authority or by any law of this State.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Minnesota to be affixed at the State Capitol in the City of Saint Paul, April 16, 2019.



Replacing: William Poirier

Handwritten signature of Tim Walz in black ink.

Governor

Handwritten signature of Steve Pimm in black ink.

Secretary of State

# Official Notices

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

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

## Minnesota State Board of School Administrators REQUEST FOR COMMENTS for Possible Amendments to Rules Governing School Administrators, *Minnesota Rules*, part 3512; Revisor's ID Number R-04546

**Subject of Rules.** The Minnesota Board of School Administrators requests comments on its possible amendments to rules governing school administrators. The Board seeks to modernize outdated rules to conform with current practice, allow additional flexibility in licensure, strengthen oversight of professional development activities, abolish obsolete and antiquated regulations which impede the Board's ability to respond to the needs of the public, upgrade decades-old administrator competencies required in university preparation programs, eliminate confusing, redundant and superfluous language, and reformat rules from a passive voice to an active voice.

**Persons Affected.** The amendment to the rules would likely affect school superintendents, principals, directors of special education, directors of community education, university preparation programs, school boards, and persons seeking an administrative license issued by the State of Minnesota.

**Statutory Authority.** *Minnesota Statutes*, section 122A.14, requires the Board of School Administrators to adopt rules for the licensing of school administrators, to evaluate and approve university preparation programs, to review and approve continuing education, and to administer the code of ethics.

**Public Comment.** Interested persons or groups may submit proposals, comments, or information on these possible rules in writing or orally for a period of 60 days. The board will not publish a notice of intent to adopt the rules until more than 60 days have elapsed from the date of this Request for Comments. The Board does not plan to appoint an advisory committee to comment on the possible rules. Any comments will go directly to the board for consideration. The public is also advised that, depending on the comments received, the Board may withdraw the proposed rules.

**Rules Drafts.** The Board of School Administrators has drafted the possible rules amendments. A draft is available for review online at <https://bosa.mn.gov/bosa/index.htm> then click on "Final Rule 3512."

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

Dr. Tony Kinkel, Executive Director  
Board of School Administrators  
1500 Highway 36 West, Roseville, MN 55113  
(651)-582-8236 (office), (651)-797-1608 (fax), [Anthony.kinkel@state.mn.us](mailto:Anthony.kinkel@state.mn.us),

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

**NOTE:** Comments received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the Administrative Law Judge if and when a proceeding to adopt rules is started. The agency is required to submit to the judge only those written comments received in response to the rules after they are proposed. If

you submitted comments during the development of the rules and you want to ensure that the Administrative Law Judge reviews the comments, you should resubmit the comments after the rules are formally proposed.

Signed by Executive Director Dr. Anthony G. Kinkel  
Board of School Administrators  
April 6, 2019

## Minnesota Board of Electricity REQUEST FOR COMMENTS for Possible Amendment to Rules Governing the Minnesota Electrical Code, *Minnesota Rules*, Chapter 1315

**Subject of Rules.** The Minnesota Board of Electricity (“Board”) requests comments on its possible amendment to rules governing the Minnesota Electrical Code. The Board is considering rule amendments that adopt the *2020 National Electrical Code*.

**Persons Affected.** The amendment to the rules would likely affect electrical contractors, master and journeymen electricians; electrical installers, maintenance electricians, electrical equipment suppliers; elevator contractors and constructors; power limited technicians; code enforcement authorities; employers of persons who perform electrical work; persons who wish to perform electrical work; engineers; residential and commercial building contractors; and building owners, in Minnesota.

**Statutory Authority.** Minnesota Statutes, section 326B.32 establishes the Board of Electricity and the powers and duties of the Board, among other things. Specifically, Minnesota Statutes, section 326B.32, subdivision 2(a)(3) (2018), provides the power and authority for the Board to adopt the Minnesota Electrical Code, which must be the most current edition of the National Electrical Code (“NEC”), and any amendments thereto.

**Public Comment.** Interested persons or groups may submit comments or information on these possible rules in writing until further notice is published in the *State Register* that the Board intends to adopt or to withdraw the rules. The Board will not publish a notice of intent to adopt the rules until more than 60 days have elapsed from the date of this Request for Comments.

The National Electrical Code is adopted from time to time, generally every three years, by the National Fire Protection Association (“NFPA”). The NFPA is in the process of amending and adopting the final 2020 National Electrical Code/NFPA 70 and the Board intends to adopt it by reference, with any necessary amendments, as the Minnesota Electrical Code in Minnesota Rules, chapter 1315.

Interested persons or groups may view a free online draft of the 2020 National Electrical Code at the NFPA website. The website address is [www.nfpa.org](http://www.nfpa.org).

The link to all the proposals considered by the NFPA Electrical Code Committees and the actions taken with respect to those proposals, including the latest version of the proposed draft of the 2020 National Electrical Code/NFPA 70, can be found at: <https://www.nfpa.org/Codes-and-Standards/All-Codes-and-Standards/List-of-Codes-and-Standards>. To access the latest 2020 NEC draft, click on this link and select “NFPA 70®” from the list on the left-hand margin. Once the NFPA 70® page loads, select “Next Edition” and click on the most recent “Draft Report” version. You will then be asked to either sign-in or create a free profile for access to the copyrighted draft version. It is expected that these online resources will remain accessible during the comment period and updated as more current draft and final versions become available. For assistance with accessing the latest draft or final versions of the 2020 NEC/NFPA 70, please contact the Agency Contact Person listed below.

**Rule Drafts.** A draft of the rule adopting the 2020 NEC, including possible amendments, is being compiled. When the Board has approved a near-final draft version of the proposed rule, the draft and other information about the rulemaking will be posted on the Board of Electricity rulemaking docket at: <http://www.dli.mn.gov/about-department/boards-and-councils/board-electricity>.

# Official Notices

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**Agency Contact Person.** Written comments, questions, requests to receive a draft of the rules when it has been prepared, and requests for more information on these possible rules should be directed to: John Williamson at the Department of Labor and Industry, 443 Lafayette Road North, St. Paul, MN 55155, **Phone:** (651) 284-5823, or **Email:** [john.williamson@state.mn.us](mailto:john.williamson@state.mn.us), **fax:** (651) 284-5725.

**Alternative Format.** Upon request, this Request for Comments can be made available in an alternative format, such as large print, Braille, or cassette tape. To make such a request, please contact the agency contact person at the address or telephone number listed above.

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

Dated: April 9, 2019

Daniel Westberg, Chair  
Minnesota Board of Electricity

## Department of Health Division of Health Regulation – Managed Care Systems Section Notice of Application for Essential Community Provider Status

**NOTICE IS HEREBY GIVEN** that an application for re-designation as an Essential Community Provider (ECP) has been submitted to the Commissioner of Health by Cook Area Health Services, Inc., dba Scenic Rivers Health Services. Clinical services are offered at 20 5th Street SE, Cook; 135 Pine Tree Drive, Bigfork; 410 Second St. NW, Big Falls; 810 Poplar Street, Floodwood; 12052 Main Street; 12052 Main Street, Northome; 415 N. 2nd Street, Tower; 415 N. 2nd Street, Suite # 2, Tower; 12 River Street, Cook; 601 Hwy 73, Floodwood; 303 Main Avenue, Bigfork.

An ECP is a health care provider that serves high-risk, special needs, and underserved individuals. In order to be designated as an ECP, a provider must demonstrate that it meets the requirements of *Minnesota Statutes* Section 62Q.19 and *Minnesota Rules* Chapter 4688. The public is allowed 30 days from the date of the publication of this notice to submit written comments on the application. The commissioner will approve or deny the application once the comment period and compliance review is complete.

For more information contact:

Anne Kukowski  
Managed Care Systems Section  
Division of Health Regulation  
Minnesota Department of Health  
P.O. Box 64882  
St. Paul, MN 55164-0882  
651-201-5173

## Department of Human Services

### Health Care Administration

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

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

Effective for services provided on or after April 23, 2019, the Department will pay for partial hospitalization services provided to an adult for a period of time that is less than 24 hours, at the lesser of the submitted charge, or \$322.40 per session. The Department will pay for partial hospitalization services provided to a child for a period of time that is less than 24 hours, at the lesser of the submitted charge, or \$217.17 per session. We are making this change because of revisions made to the national coding set that require us to convert our current payment methodology to a per session payment methodology. This change will have no impact on MA program costs.

For more information, or questions about submitting or reviewing comments, please contact Sean Barrett at 651-431-2298 or [sean.barrett@state.mn.us](mailto:sean.barrett@state.mn.us). Comments may also be mailed to Sean Barrett at P.O. Box 64983, St Paul, MN 55164. Copies of this notice, and any comments received, may be reviewed by appointment at the Elmer L. Anderson Human Services building located at 540 Cedar St, St Paul, MN 55101.

## Department of Human Services

### Provider and Enrollment Division

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

Notice is hereby given that the Minnesota Health Care Programs provider participation list for April 2019 is now available. The provider participation list is a compilation of health care providers who are in compliance with DHS Rule 101 (Minnesota Rules, Parts 9505.5200 to 9505.5240). If a provider name is not on the list, the Department considers the provider non-compliant. The list of providers is separated by provider type, each section is in alphabetical order, by provider name, and there is no additional information on the list other than the provider's name. This list is distributed on a quarterly basis to the Department of Employee Relations, the Department of Labor and Industry, and the Department of Commerce. To obtain the list, contact **Andrea Thomas**, Rule 101 Specialist, at **651-431-2700** or toll-free at 1-800-366-5411. You may fax your request to 651-431-7462 or mail to the Department of Human Services, PO Box 64987, St. Paul, MN 55164-0987.

Tony Lourey, Commissioner  
Department of Human Services

# State Grants & Loans

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

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

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

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

## Minnesota Housing Application for Funding Notice for Administrators for the 2019 - 2021 Homeownership Education, Counseling and Training (HECAT) Fund

The Minnesota Housing Finance Agency (Minnesota Housing), Minnesota Homeownership Center (the Center), Greater Minnesota Housing Fund (GMHF) and Family Housing Fund (FHF) announce the availability of funds under the Homeownership Education, Counseling and Training (HECAT) Fund to provide financial support to eligible organizations to deliver a variety of homeownership education, counseling and training services to Minnesotans. Services include the following: 1) in-person group homebuyer education; 2) one-on-one homeownership advising services which include financial wellness and homebuyer counseling; 3) home equity conversion counseling; and 4) foreclosure prevention counseling. We are seeking proposals from community-based non-profit organizations that have 501 (c) (3) status and governmental organizations.

The Application for Funding, supporting information, and technical assistance webinar registration will be available on Monday, April 22, 2019 on [www.mnhousing.gov](http://www.mnhousing.gov) > Lenders & Homeownership Partners > Community Development > Homeownership Education & Counseling > Homeownership Education, Counseling and Training Fund (HECAT)

All application materials must be completed and received by Minnesota Housing no later than **3:00 p.m. CST Tuesday, May 21, 2019.**

If you have questions please contact Que Vang at (651) 297-3128 or [que.vang@state.mn.us](mailto:que.vang@state.mn.us).

## Department of Human Services Behavioral Health Division Notice of Request for Proposals for a Qualified Grantee to serve as a Health Project Coordinator for A Randomized Controlled Trial of the Rochester Forensic Assertive Community Treatment (FACT) Model in Minnesota

NOTICE IS HEREBY GIVEN that the Minnesota Department of Human Services is requesting proposals to from qualified Responders to serve as a Health Project Coordinator for a randomized control trail of the Rochester Forensic Assertive Community Treatment (FACT) Model in Minnesota.



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# State Grants & Loans

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

Kacie Norlien  
Department of Human Services  
Mental Health Division  
P.O. Box 64981  
444 Lafayette Road North, St. Paul, MN 55155 0981  
Phone: (651) 431-4375, Fax: (651) 431-7566  
*kacie.norlien@state.mn.us*

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

Proposals submitted in response to this Request for Proposals must be received at the address above no later than **4:00 p.m., Central Time, May 13th 2019** (note the modified date for extension of time). **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](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

### Economic Assistance and Employment Supports Division

#### Notice of Request for Proposals: Refugee Resettlement Program's RFP for the Development of Regional Resettlement Networks in Greater MN

**NOTICE IS HEREBY GIVEN** that the Minnesota Department of Human Services is seeking proposals from qualified Responders to assist people granted certain forms of humanitarian protection status (refugee, asylum, victim of trafficking, Cuban/Haitian entrants, special immigrant visa) to develop Regional Resettlement Networks in Greater MN throughout their first five years in the United States.

Work is proposed to start 10/1/2019. For general information, or to obtain a copy of the Request for Proposal, contact:

Seble Doble  
Department of Human Services  
Economic Assistance and Employment Supports Division  
P.O. Box 64951  
444 Lafayette Road North, St. Paul, MN 55155-0951  
Phone: (651) 431-5781  
*Seble.Doble@state.mn.us*

For questions pertaining to the RFP content, contact:

Rachele King  
Department of Human Services  
Economic Assistance and Employment Supports Division  
P.O. Box 64951  
444 Lafayette Road North, St. Paul, MN 55155-0951  
Phone: (651) 431-3837  
*Rachele.King@state.mn.us*

# State Grants & Loans

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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, 6/21/2019. Late proposals will not be considered.** Faxed proposals will not be considered.

The RFP can be viewed by visiting the Minnesota Department of Human Services RFP web site:  
[http://www.dhs.state.mn.us/id\\_000102](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 Economic Assistance and Employment Supports Division Notice of Request for Proposals: Refugee Resettlement Program's RFP for Family Supportive Services

**NOTICE IS HEREBY GIVEN** that the Minnesota Department of Human Services is seeking proposals from qualified Responders to assist people granted certain forms of humanitarian protection status (refugee, asylum, victim of trafficking, Cuban/Haitian entrants, special immigrant visa) to provide family supportive services throughout their first five years in the United States. This announcement seeks services within the Twin Cities Metro Area, which includes Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington counties.

Work is proposed to start 10/1/2019. For general information, or to obtain a copy of the Request for Proposal, contact:

Seble Doble  
Department of Human Services  
Economic Assistance and Employment Supports Division  
P.O. Box 64951  
444 Lafayette Road North, St. Paul, MN 55155-0951  
Phone: (651) 431-5781  
***Seble.Doble@state.mn.us***

For questions pertaining to the RFP content, contact:

Rachele King  
Department of Human Services  
Economic Assistance and Employment Supports Division  
P.O. Box 64951  
444 Lafayette Road North, St. Paul, MN 55155-0951  
Phone: (651) 431-3837  
***Rachele.King@state.mn.us***

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, 6/21/2019. Late proposals will not be considered.** Faxed proposals will not be considered.

The RFP can be viewed by visiting the Minnesota Department of Human Services RFP web site:  
[http://www.dhs.state.mn.us/id\\_000102](http://www.dhs.state.mn.us/id_000102)

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

# State Contracts

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

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

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

## Minnesota State Colleges and Universities (Minnesota State)

### Northland Community and Technical College

#### Notice of Request for a LiDAR Enabled Drone

**NOTICE IS HEREBY GIVEN** that Northland Community & Technical College Request for Proposal (RFP) for a LiDAR Enabled Drone. The vendor selected will provide a LiDAR Enabled Drone to assist in developing imagery and geospatial analysis of terrain. To receive a copy of the full RFP, please contact Kari Conner either by telephone (218) 683-8636 or email at [kari.conner@northlandcollege.edu](mailto:kari.conner@northlandcollege.edu).

Proposals are due by **4:00 p.m. central time, Friday, April 26th, 2019** and are to be addressed to Shannon Jesme, Northland Community and Technical College, 1101 Highway 1 East, Thief River Falls, MN 56701. Any questions must be directed via email to [kari.conner@northlandcollege.edu](mailto:kari.conner@northlandcollege.edu). Late responses will not be considered.

Minnesota State Colleges and Universities is not obligated to complete the proposed project and reserves the right to cancel the solicitation.

## Minnesota State Colleges and Universities (Minnesota State)

### South Central College

#### Request for Proposal (RFP) for Online Career Focused Non Credit Education Programs

The State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities (Minnesota State), on behalf of South Central College (SCC) is requesting proposal for Online Career Focused Non Credit Education Programs.

A full Request for Proposals (RFP) is available on South Central College website:  
<http://www.southcentral.edu/OnlineCareerNCEduProg>

Any questions should be directed by email only, to Jeff McCabe at [jeff.mccabe@southcentral.edu](mailto:jeff.mccabe@southcentral.edu).

# State Contracts

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Please submit your original, signed, sealed proposal and endorse upon the outside of the envelope "Proposal Online Career" to:

South Central College  
Donna Sampson  
Business Office  
1920 Lee Blvd.  
North Mankato, MN 56003

Sealed proposals must be received NO later than **2:00 p.m. Central Time on Monday, May 6, 2019**

**Proposals received after this date and time will be returned to the responder unopened.**

**Fax and e-mail responses will not be considered.**

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

## **Minnesota Historical Society (MNHS) Request for Proposals for Concrete & Roof Repairs at Mill City Museum Complex**

The Minnesota Historical Society is soliciting proposals from qualified contractors to replace the roof as well as complete concrete structural repairs to the roof decks of the head house on Elevator No. 1 as well as the roof of the Wheel House, as well as add an internal roof drainage system to the head house roof of Elevator No. 1. This work will take place at the Mill City Museum at the Washburn Crosby "A" Mill Complex, located at 704 S. 2nd Street in Minneapolis, Minnesota.

This project is prevailing wage and requires jobs reporting.

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

There will be a **MANDATORY** pre-bid meeting for all interested parties on **11:00 A.M. on Monday, May 6, 2019** at the Site, which is located at Mill City Museum, 704 S 2nd Street in Minneapolis, MN, 55401. .

Proposals must be received by Mary Green Toussaint, MNHS Contract Manager, or her agent by **2:00 P.M. on Tuesday, May 21, 2019. Late proposals will not be accepted.** Authorized agents for receipt of proposals are staff located at the Information Desk on the 1st floor of the Minnesota History Center, 345 Kellogg Boulevard West, St. Paul, Minnesota 55102.

## **Minnesota Historical Society (MNHS) Request for Proposals for Visitor Center HVAC Replacement at Charles Lindbergh House & Museum**

The Minnesota Historical Society is seeking recommissioning services by a qualified Commissioning Authority/ Agent (CxA) to verify that all of the Charles Lindbergh House & Museum Visitor's Center HVAC mechanical, electrical, and plumbing systems are complete and functioning properly upon occupancy; the new systems integrate appropriately with existing building systems and infrastructure; and that facility staff have adequate system documentation and training. The project is located at the Charles Lindbergh House & Museum Visitor's Center at 1620 Lindbergh Drive South, Little Falls, Minnesota, 56345. Note that the HVAC project will need to comply with requirements of the Minnesota B3 benchmarking program. Please also note that this project requires jobs reporting.

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

There will be a **MANDATORY** pre-bid meeting for all interested parties on **11:00 A.M. Tuesday, April 30, 2019** at Charles Lindbergh House & Museum Visitor's Center at 1620 Lindbergh Drive South, Little Falls, Minnesota, 56345.

Proposals must be received by Mary Green Toussaint, MNHS Contract Manager, or her agent by **2:00 P.M. Local Time on Wednesday, May 15, 2019**. Late proposals will not be accepted. Authorized agents for receipt of proposals are staff located at the Information Desk on the 1st floor of the Minnesota History Center, 345 Kellogg Boulevard West, St. Paul, Minnesota 55102.

## **Minnesota 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](http://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 Emergency Services Board (MESB) Request for Proposals for Development of Comprehensive Stress Management Program (CSMP)

The Metropolitan Emergency Services Board (MESB) is soliciting proposals from qualified independent contractors to research and develop a Comprehensive Stress Management Program (CSMP) that can be implemented by 9-1-1 emergency communications centers (ECC) within the 10-county Minneapolis/St. Paul metropolitan region to reduce the impact of acute, traumatic, and chronic stress on the 9-1-1 telecommunicators.

To see full Request for Proposals document, go to [www.mn-mesb.org](http://www.mn-mesb.org). All questions and correspondence should be directed to Jill Rohret, Executive Director, in writing at 2099 University Ave. W., St. Paul, MN 55104 or via telephone at (651) 643-8394.

Proposals are due by **4:00 p.m. on Friday, May 24, 2019.**

