

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**Proposed, Adopted, Emergency, Expedited, Withdrawn, Vetoed Rules;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 24 June 2019
Volume 43, Number 52
Pages 1421 - 1512**

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- Withdrawn Rules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 (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)
# 1	Monday 1 July	Noon Tuesday 25 June	Noon Thursday 20 June
# 2	Monday 8 July	Noon Tuesday 2 July	Noon Thursday 27 June
# 3	Monday 15 July	Noon Tuesday 9 July	Noon Thursday 4 July
# 4	Monday 22 July	Noon Tuesday 16 July	Noon Thursday 11 July

PUBLISHING NOTICES: We need to receive your submission **ELECTRONICALLY in Microsoft WORD format**. Submit ONE COPY of your notice via e-mail to: sean.plemmons@state.mn.us. State agency submissions must include a "State Register Printing Order" form, and, with contracts, a "Contract Certification" form. Non-State Agencies should submit **ELECTRONICALLY in Microsoft WORD**, with a letter on your letterhead stationery requesting publication and date to be published. Costs are \$13.50 per tenth of a page (columns are seven inches wide). One typewritten, double-spaced page = 6/10s of a page in the State Register, or \$81. About 1.5 pages typed, double-spaced, on 8-1/2"x11" paper = one typeset page in the *State Register*. Contact editor with questions (651) 201-3204, or **e-mail**: sean.plemmons@state.mn.us.

SUBSCRIPTION SERVICES: Copies are available at Minnesota's Bookstore, 660 Olive Street, St. Paul, MN 55155. Order by phone: Metro area: (651) 297-3000 Toll free (800) 657-3757. TTY relay service phone number: 711. **NO REFUNDS.** E-mail subscriptions are available by contacting (651) 201-3202. Send address changes to Minnesota's Bookstore, 660 Olive Street, St. Paul, Minnesota 55155.

SEE THE Minnesota State Register free at website: <http://www.mn.gov/admin/bookstore>

- **Minnesota State Register: On-line subscription** – \$180, includes links, index, special section "CONTRACTS & GRANTS," with Sidebar Table of Contents, Early View after 4:00 pm Friday (instead of waiting for early Monday), and it's sent to you via **E-mail**.
- **Single issues** are available for a limited time: Minnesota State Register \$5.00.
- **"Affidavit of Publication"** includes a notarized "Affidavit" and a copy of the issue: \$15.00.
- **Research Services** - will look up, photocopy, and fax or send copies from past issues at \$1.00 per page.

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

Copyright © 2019 Facilities Management Division, Department of Administration, State of Minnesota.

USPS Publication Number: 326-630 (ISSN: 0146-7751)

THE MINNESOTA STATE REGISTER IS PUBLISHED by Facilities Management Division, Department of Administration, State of Minnesota, pursuant to Minnesota Statutes § 14.46 and is available on-line at: <http://www.mn.gov/admin/bookstore>

Minnesota Legislative Information

Senate Public Information Office

(651) 296-0504
State Capitol, Room 231, St. Paul, MN 55155
<https://www.senate.mn/>

Minnesota State Court System

Court Information Office (651) 296-6043
MN Judicial Center, Rm. 135,
25 Rev. Dr. Martin Luther King Jr Blvd., St. Paul, MN 55155
<http://www.mncourts.gov>

House Public Information Services

(651) 296-2146
State Office Building, Room 175
100 Rev. Dr. Martin Luther King Jr Blvd., St. Paul, MN 55155
<https://www.house.leg.state.mn.us/hinfo/hinfo.asp>

Federal Register

Office of the Federal Register (202) 512-1530; or (888) 293-6498
U.S. Government Printing Office – Fax: (202) 512-1262
<https://www.federalregister.gov/>

Minnesota Rules: Amendments and Additions.....1424

Proposed Rules

Board of School Administrators

Proposed Permanent Rules Relating to Administrative Licensure, including Administrator Preparation and Issuance and Renewal of Licenses; Enforcement of the Code of Ethics for School Administrators; and Modernization and Technical Changes to Administrative Licenses; Notice of Intent to Adopt Rules without a Public Hearing..... 1425

Board of Animal Health

Proposed Permanent Rules Relating to Poultry and Mycoplasma Requirements for Turkeys; Notice of Intent to Adopt Rules without a Public Hearing 1455

Department of Labor and Industry

Construction Codes and Licensing Division

Proposed Amendment to and Repeal of Rules Governing the Adoption of the International Existing Building Code; DUAL NOTICE: Notice of Intent to Adopt Rules Without a Public Hearing Unless 25 or More Persons Request a Hearing, and Notice of Hearing if 25 or More Requests for Hearing Are Received; Revisor's ID Number R-04511 1458

Expedited Emergency Rules

Department of Natural Resources

Adopted Expedited Emergency Game and Fish Rules: 2019 Waterfowl Season..... 1461

Expedited Rules

Department of Natural Resources

Proposed Expedited Permanent Game and Fish Rule: Technical Corrections to Restrictions on Designated Trout Streams..... 1468

Adopted Rules

Department of Agriculture

Adopted Permanent Rules Relating to Groundwater Protection 1489

Errata

Department of Agriculture

Adopted Exempt Permanent Rules Relating to Repeal of Obsolete Rules..... 1494

Official Notices

Minnesota Department of Agriculture

Division of Pesticide and Fertilizer Management

Request for Comments on Draft Water Quality Best Management Practices (BMPs) for Metolachlor and Draft Water Quality Best Management Practices for Metribuzin..... 1495

Department of Employment and Economic Development (DEED)

Notice of Public Hearing by the Minnesota Department of Employment and Economic Development with Respect to a Proposed Project and the Provision of Funds from the Minnesota Job Creation Fund Program under Minnesota Statutes 116J.8748 1496

Minnesota Higher Education Facilities Authority

Notice of Public Hearing on Revenue Obligations on Behalf of the College of St. Scholastica, Inc. 1496

Department of Human Services

Health Care Administration

Public Notice Regarding Changes to Payment Rates and Methodologies, and Services under the Medical Assistance Program and the MinnesotaCare Program 1497

Continuing Care for Older Adults Administration

Revisions to the Minnesota Nursing Facility Quality Measures Effective January 1, 2020 1502

State Grants & Loans

Department of Employment and Economic Development (DEED)

Notice of Grant Opportunity..... 1503

Department of Human Services

Behavioral Health Division

Notice of Request for Proposals for Qualified Grantee(s) to Develop Clinical Capacity to Provide Evidence-Based Mental Health Treatment to Children and Youth across Minnesota: TF-CBT 1503

Department of Public Safety

Office of Justice Programs

Request for Proposals: Sex Trafficking Investigation and Training Grants 1504

Department of Transportation (MnDOT)

Ports and Waterways Section

Applications sought for the Minnesota Port Development Assistance Program 1504

State Contracts

Department of Administration

Minnesota Multistate Contracting Alliance for Pharmacy (MMCAP)

Notice of Request for Proposals Contracts for Animal Healthcare Products and Services 1505

Minnesota State Colleges and Universities (Minnesota State)

Request for Proposal (RFP) FOR Enterprise Resource Planning (ERP) Solution 1505
Non-Construction Related Bid and Contracting Opportunities 1506

Bemidji State University

Notice of Request for Proposal (RFP) for Sponsorship & Sales Partnership 1507

Normandale Community College

Notice of Availability of Subcontractor Request for Qualifications (RFQ) for Student Services Renovation..... 1507

Winona State University

Updated Announcement Request for Proposals for Residence Hall Laundry Services 1508

Department of Health

Notice of Contract Opportunity for Technical Assistance for Healthy Food Retail 1508

Legislature - Minnesota House of Representatives

Request for Proposals for Groupwise Email System to Office 365 Migration..... 1508

Minnesota Department of Transportation (MnDOT)

Engineering Services Division

Notices Regarding Professional/Technical (P/T) Contracting 1509

Non-State Public Bids, Contracts & Grants

Metropolitan Airports Commission (MAC)

Notice of Call for Bids for 2019 Runway 4-22 Taxiway Lighting 1510
Notice of Call for Bids for 2019 Runway 14-32 Replacement – Phase 1 (30th Street Relocation) 1511

SUBSCRIBE
TO THE
STATE REGISTER!



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). A subject matter index is updated weekly and is available upon request from the editor. 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 in Vol. 43, #26 - Monday 24 December 2018) Volume 43, #52

Monday 31 December - Monday 24 June

Office of Administrative Hearings		Office of Higher Education	
1420.1850 (adopted).....	1083	4830.0150; 4850.0013; .0017 (adopted).....	831
Board of School Administrators		Department of Labor and Industry	
3512 (proposed).....	1425	1311 (proposed).....	1458
Department of Agriculture		Departmental Natural Resources	
1562.0100 (proposed exempt).....	828	6106.0050 (adopted exempt).....	778
1525 (adopted).....	917	6232.0400; .1600; .1980 (expedited emergency).....	877
1573.0010; .0030; .0040; .0050; .0070 (adopted).....	1489	6230.0200; .0400; 6236.0300; .0600; .1000; .1060;	
1562.0100 (adopted).....	1494	6240.2300 (expedited emergency).....	879
Board of Animal Health		6232.4900 (expedited emergency).....	987
1721.0270; .0280; .0290; .0320; .0344; .0300; .0310 (proposed)...	1455	6266.0400 (adopted expedited).....	988
Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience, and Interior Design		6264.0300; .0400 (adopted exempt).....	989
1805 (proposed).....	1137	6264.0400 (adopted exempt).....	1144
1800.0400; .0500; .1000; .1100; .1200; .2500; .2700;		6232.2800; .3000; .3100; .3200; .3300 (expedited emergency)....	1293
.2900 (adopted).....	607, 1301	6264.0400 (expedited emergency).....	1297
Board of Assessors		6232.4300; .4400; .4500 (expedited emergency).....	1390
1950.1035; .1050; .1060 (adopted).....	1145	6230.0100; .0400; .0600; .0700; 6234.0800; 6240.0100;	
Department of Employment and Economic Development (DEED)		.0200; .0250; .0610; .0630; .0640; .0950; .1150; .1200; .1800;	
3300.6000; .6005; .6010; .6015; .6020; .6035; .6045;		.1850; .2000 (expedited emergency).....	1461
.6060 (adopted).....	993	6264.0050 (expedited).....	1468
Environmental Quality Board		Board of Nursing	
4410.0200; .0500; .4300; .4400; .5200; .7904; .7906; .7926;		6316.0200 (proposed).....	1291
.4600 (proposed).....	775	Board of Peace Officer Standards and Training	
Gambling Control Board		6700.0600; .0800; .0900; .1000; .1600 (proposed).....	1385
7861; 7863; 7864 (proposed).....	931	Plumbing Board	
Department of Health		4716 (adopted).....	1276
4731; 4717.7000 (proposed).....	1289	Pollution Control Agency	
		7005.0100; 7007.1250; .1300; 7008.0100; .2300; .2400; .2500; .4100;	
		.4110 (adopted).....	797
		7048.1000 (adopted).....	825, 1276
		7150.0030; .0205; .0216; .0250; .0345; .0445 (adopted).....	1253
		Department of Revenue	
		8019.0405 (adopted exempt).....	886
		Department of Transportation	
		8835.0250; .0320; .0330 (proposed).....	1317

Proposed Rules

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.

Board of School Administrators

Proposed Permanent Rules Relating to Administrative Licensure, including Administrator Preparation and Issuance and Renewal of Licenses; Enforcement of the Code of Ethics for School Administrators; and Modernization and Technical Changes to Administrative Licenses; Notice of Intent to Adopt Rules without a Public Hearing

Proposed Revisions to Rules Governing School Administrators, *Minnesota Rules*, 3512: Revisor’s ID Number RD 4533

Introduction. The Board of School Administrators intends to adopt rules without a public hearing following the procedures in the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. You may submit written comments on the proposed rules and may also submit a written request that a hearing be held on the rules until July 30, 2019.

Agency Contact Person. You must submit comments or questions on the rules and written requests for a public hearing to the agency contact person. The agency contact person is: Dr. Anthony Kinkel at Minnesota Board of School Administrators, 1500 Highway 36 West, Roseville, Minnesota, 55113, 651-582-8236 (office), 651-797-1608 (fax). Anthony.Kinkel@state.mn.us

Proposed Rules

You may also review the proposed rule and submit written comments via the Office of Administrative Hearings Rulemaking eComments website at <https://minnesotaoah.granicusideas.com/discussions>.

Subject of Rules and Statutory Authority. The proposed rules are about modernizing outdated rules to conform to current practice, allowing additional flexibility in licensure, strengthening oversight of professional development activities, abolishing obsolete regulations which impede the board's ability to respond to the needs of the public and upgrading decades-old administrator competencies required in university preparation programs. The statutory authority to adopt the rules is *Minnesota Statutes*, section 122A.14. A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed.

Comments. You have until 4:30 p.m. on Tuesday, July 30, 2019, to submit written comment in support of or in opposition to the proposed rules and any part or subpart of the rules. Your comment must be in writing and the agency contact person must receive it by the due date. The Board encourages comment. Your comment should identify the portion of the proposed rules addressed and the reason for the comment. You are encouraged to propose any change desired. Any comments that you have about the legality of the proposed rules must also be made during this comment period.

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

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

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

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

Statement of Need and Reasonableness. The statement of need and reasonableness statement contains a summary of the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. It is now available from the agency contact person and can be found at the agencies web-site at <https://www.bosa.mn.us>. You may review it or obtain copies for the cost of reproduction by contacting the agency contact person.

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

Adoption and Review of Rules. If no hearing is required, the agency may adopt the rules after the end of the comment period. The agency will then submit the rules and supporting documents to the Office of Administrative Hearings for review for legality. You may ask to be notified of the date the Board submits the rules to the office. If you want to be

Proposed Rules

so notified, or want to receive a copy of the adopted rules, or want to register with the agency to receive notice of future rule proceedings, submit your request to the agency contact person listed above.

Date: June 18, 2019

Anthony G. Kinkel
Executive Director

3512.0100 DEFINITIONS.

Subpart 1. **Scope.** As used in ~~parts 3512.0100 to 3512.1700~~ this chapter, the terms defined in this part have the meanings given them.

Subp. 2. **Administrative licensure areas.** “Administrative licensure areas” means the licensure areas of directors, ~~superintendent~~ superintendents of schools, and school ~~principal~~ principals.

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

Subp. 3. **Commissioner.** “Commissioner” means the commissioner of ~~the Department~~ of education.

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

Subp. 5. **Director.** “Director” means the director and the assistant director of special education, or the director and assistant director of community education who perform ~~duties consisting of 50 percent or more~~ in of their duties in the areas of administration, personnel, supervision, evaluation, and curriculum.

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

Subp. 6. **Principal.** “Principal” means elementary, secondary, and kindergarten through grade 12 school principals and assistant principals who perform ~~duties consisting of 50 percent or more~~ in of their duties in the areas of administration, personnel, supervision, evaluation, and curriculum.

Subp. 7. **Superintendent.** “Superintendent” means superintendents and assistant superintendents who perform ~~duties consisting of 50 percent or more~~ in of their duties in the areas of administration, personnel, supervision, evaluation, and curriculum.

Subp. 8. **License definitions.**

A. “Professional license” means a two-year initial license or a five-year continuing license issued by the board to a qualified applicant who meets the program requirements and applicable administrative experience requirements for each administrative area in which the applicant seeks licensure.

B. “Initial license” means a two-year professional license issued by the board to a qualified applicant pursuant to part 3512.2100.

C. “Continuing license” means a five-year professional license issued by the board to a qualified applicant pursuant to part 3512.2300.

D. “Provisional license” means a two-year nonrenewable license issued by the board pursuant to part 3512.2050.

3512.0200 EDUCATION AND EXPERIENCE REQUIREMENTS FOR SUPERINTENDENT, PRINCIPAL, AND DIRECTOR OF SPECIAL EDUCATION.

Subpart 1. **Scope.** A person ~~holding a position working~~ as a superintendent, assistant superintendent, principal, assistant principal, special education director, or assistant special education director must hold the appropriate license ~~as a superintendent, principal, or special education director.~~

Subp. 2. **Teaching experience.**

Proposed Rules

A. An applicant for licensure as a superintendent, or principal, or must have three years of combined experience as any of the following:

(1) a public school classroom teacher (i) teaching in a position that required a state-issued license, and (ii) holding the state-issued license for the position or permission from the licensing agency while holding an educator license;

(2) a nonpublic school teacher teaching in a school that (i) is accredited by an accrediting agency recognized by the state in which the school is operated, (ii) is directly recognized as a school by the state, or (iii) is a Bureau of Indian Education school; or

(3) a school psychologist, school social worker, speech-language pathologist, or school counselor working in a school if the person held the appropriate state-issued license at the time of the experience.

B. An applicant for licensure as a director of special education director shall must have three years of successful classroom teaching combined special education experience while holding a classroom teaching license valid for the position or positions in which the experience was gained. For purposes of this subpart, "classroom teaching license" means a license valid to teach granted by the Professional Educator Licensing and Standards Board. as any of the following:

(1) a public school special education classroom teacher (i) teaching in a position that required a state-issued license, and (ii) holding the state-issued license for the position or permission from the licensing agency while holding an educator license;

(2) a nonpublic school special education teacher teaching in a school that (i) is accredited by an accrediting agency recognized by the state in which the school is operated, (ii) is directly recognized as a school by the state, or (iii) is a Bureau of Indian Education school; or

(3) a school psychologist, school social worker, or speech-language pathologist working in a school if the person held the appropriate state-issued license at the time of the experience.

C. For purposes of this subpart, teaching may be in an in-person classroom, hybrid classroom, or online classroom.

Subp. 3. ~~K-12~~ Kindergarten through grade 12 superintendents, principals, and directors of special education.

A. An applicant for licensure as a superintendent, principal, or director of special education must complete: at a regionally accredited Minnesota graduate school

(1) a specialist or doctoral program of a minimum of 60 semester credits or a program consisting of 60 semester credits beyond the a bachelor's degree that includes a terminating graduate master's degree and topics preparatory for educational administration and the Minnesota competencies identified in preparation for completing the program requirements under part 3512.0510 leading to a professional license. Each program must be approved by the Board of School Administrators. The board must approve each licensure program pursuant to part 3512.2500, and be offered at a regionally accredited Minnesota graduate school; and

(2) item B for an applicant for superintendent or principal or item C for an applicant for director of special education.

B. An applicant for licensure as a superintendent or principal must have field experience of complete within 12 continuous months at least 320 hours or 40 eight-hour days to be completed within 12 continuous months in elementary, middle or junior high, and high schools as an administrative aide to a licensed and practicing school principal for principal licensure or a licensed and practicing superintendent for superintendent licensure of field experience in elementary,

Proposed Rules

middle or junior high, and high schools as an administrative intern to a licensed and practicing school principal for principal licensure or a licensed and practicing superintendent for superintendent licensure. The field experience applicant must include complete at least 40 hours or one week of field experience at each school level not represented by the applicant's primary teaching experience.

C. An applicant for licensure as a director of special education must have complete a practicum or field experience within 12 continuous months, that which must include a minimum of 320 hours in an administrative position under the immediate supervision of a licensed and practicing director of special education. The field experience will must include at least 40 hours or one week at a special education administrative unit other than the not represented by the applicant's primary special education experience of the applicant.

Subp. 4. **Licensed elementary and secondary school principals.** To qualify for a kindergarten through grade 12 principal license, a person licensed under this part as an elementary school principal must complete a field experience of at least 200 120 hours in secondary administration to qualify for licensure as a K-12 principal, and a person licensed under this part as a secondary school principal must complete a field experience of at least 200 120 hours in elementary administration to qualify for licensure as a K-12 principal. In addition to the field experience required in this subpart, an elementary or secondary school principal must meet the requirements in part 3512.0400, subparts 2 and subpart 3.

Subp. 5. [See repealer.]

Subp. 6. **Corrections.** A license issued in error is not valid. To correct a license issued in error, the board must expunge the license issued in error to the unqualified applicant or correct at no charge the incorrect license issued to the qualified applicant. A person denied an administrative license may appeal the denial under part 3512.1600.

3512.0300 SCHOOL SUPERINTENDENTS, PRINCIPALS, AND DIRECTORS OF SPECIAL EDUCATION.

Subpart 1. **License required.** A person who serves as or performs the duties of a superintendent, principal, or director of special education shall must hold a license appropriate to the that position of school superintendent, principal, or director of special education. Performance of A person must hold the appropriate professional license if 50 percent or more of the person's duties includes duties that provide assistance to involve assisting the superintendent, principal, or director of special education consisting of 50 percent or more in with administration; of personnel, employee supervision, employee evaluation, and curriculum implementation, or notwithstanding Minnesota Statutes, section 122A.40, subdivision 8, any of the person's duties including the duties listed in Minnesota Statutes, section 179A.03, subdivision 17.

The board may issue an initial licenses may be issued professional license for each administrative licensure area for which the applicant seeks licensure is sought. An provided the applicant must meet meets requirements for licensure as a superintendent of schools, as a school principal, or as a director of special education.

Subp. 2. **Institutional requirement.** An institution applying to the board for approval of a preparation program leading to licensure as superintendent, principal, or director of special education shall must comply with part 3512.2500. An approved institution with a board-approved program must include a description of describe how the institution evaluates the experience and preparation of licensure applicants for licensure may have their experience and preparation in those the areas listed in subpart 3 or 4 evaluated by an institution with an approved program. The evaluation must include representation. Representatives from college departments involved with the licensure program and licensed practicing superintendents, principals, and directors of special education must participate in the evaluation. This evaluation must result in a plan for the applicant to complete the knowledge, skills, and dispositions listed in part 3512.0510.

The competency and situational observation components of an approved program for the competency and situational observation component must include an exit evaluation that requires require a licensure candidate to demonstrate mastery of aptitude with the knowledge, skills, and dispositions in the competencies under part 3512.0510 as part of the exit evaluation.

Subp. 3. **Continuing licensure.** The board must issue or renew a continuing license shall be issued and renewed ac-

Proposed Rules

ording to part 3512.2300 governing continuing licenses.

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

Subp. 5. [See repealer.]

Subp. 6. [Repealed, 33 SR 658]

3512.0400 PROGRAM REQUIREMENTS.

Subpart 1. **Field experience.** ~~An approved~~ A board-approved school licensure program must include a 320-hour field experience. A person ~~taking part participating~~ in field experiences ~~shall~~must not replace ~~required~~ superintendents, principals, or directors of special education employed at the participating school or district. Field experience must be under the direction of a board-approved program and outcomes must focus on the knowledge, skills, and dispositions ~~evident~~ in the competencies ~~for school administrators~~ under part 3512.0510.

Subp. 2. [Repealed, 33 SR 658]

Subp. 3. **Situational observation component.** ~~An approved~~ A board-approved licensure program for superintendents, principals, or directors of special education must ~~include a component that requires~~ require a person to demonstrate mastery of the program knowledge, skills, and dispositions in part 3512.0510. The exit evaluation should focus on knowledge, skills, and dispositions ~~evident~~ in the competencies ~~for school administrators~~ under part 3512.0510 and may ~~contain a combination of~~ include objective examinations, portfolio reviews, and observations.

3512.0505 DIRECTORS OF COMMUNITY EDUCATION.

Subpart 1. **Scope.** A person who serves as a district director or assistant director of community education ~~or assistant director of community education~~ shall ~~must~~ hold a license as a director of community education.

Subp. 2. **License requirement.** An applicant recommended for licensure as a director of community education shall ~~must~~:

A. hold a baccalaureate degree from a regionally accredited college or university; and

B. satisfactorily complete a board-approved preparation program ~~listed in under~~ subpart 3, ~~approved by the board~~ leading to licensure of directors of community education.

Subp. 3. **Program requirement.** A licensure program ~~leading to the licensure of~~ for directors of community education must consist of a minimum of 20 semester hours, or the equivalent, and must provide a licensure candidate ~~recommended for licensure~~ with the knowledge, skills, and dispositions in ~~all of the~~ subjects listed in part 3512.0510, subparts 1 and 5.

The person candidate must complete a practicum, which is a field experience, ~~that includes~~ including at least 320 clock hours in an administrative position ~~under the supervision of~~ supervised by a licensed director of community education. During the field experience, the candidate ~~shall demonstrate the ability to~~ must apply the knowledge and skills ~~listed in under~~ part 3512.0510, subparts 1 and 5. A person prepared in another state as director of community education may substitute one year of experience as a ~~district wide~~ districtwide director of community education in another state for the field experience.

Subp. 4. **Institutional requirement.** An institution applying to the board for approval of a licensure program ~~leading to licensure as for~~ directors of community education ~~shall~~ must comply with part 3512.2500. ~~An approved institution with a board-approved program must include a description of~~ describe how the institution evaluates the experience and preparation of licensure applicants for licensure may have their experience and preparation in those the areas listed in subpart 3 ~~evaluated by an institution with an approved program~~. The evaluation ~~must include representation~~. Representatives from college departments involved with the licensure program and licensed practicing directors of community

Proposed Rules

education ~~must participate in the evaluation.~~ ~~This~~ The evaluation must result in a plan for the applicant to complete the knowledge, skills, and dispositions listed in subpart 3 and may include a reduction of ~~reduce~~ the required college credits ~~necessary~~ for an applicant ~~needs~~ to be recommended for licensure.

Subp. 5. **Situational observation component.** ~~An approved~~ A board-approved licensure program for superintendents, principals, or directors of special education must include a component that requires ~~require~~ a licensure candidate ~~person~~ to demonstrate mastery of the requirements in subpart 3 ~~program knowledge, skills, and dispositions in part 3512.0510 as part of the exit evaluation.~~ The extent of mastery must be evaluated by placing the candidate in a series of realistic hypothetical problem-solving situations while being observed by a team of at least four persons competent to evaluate the extent of mastery of the requirements in subpart 3. This component must allow the candidate to demonstrate mastery of all the requirements in subpart 3 during a single period of observation. The exit evaluation must focus on knowledge, skills, and dispositions in the competencies for school administrators under part 3512.0510 and may include objective examinations, portfolio reviews, and observations.

~~A written test to evaluate the extent of mastery must not count for more than 50 percent of the score evaluating mastery of all the requirements in subpart 3.~~

Subp. 6. **Issuance and renewal of licenses.** ~~The board must issue a license~~ must be issued according to part 3512.2000. ~~The board must renew a continuing licenses~~ must be renewed ~~license~~ according to part 3512.2300.

Subp. 7. [See repealer.]

Subp. 8. **Continuing license.** ~~The board must issue a continuing license to a person who has been~~ was issued an entrance ~~initial~~ license between July 1, 1984, and July 1, 1990, based upon one year of experience between July 1, 1984, and July 1, 1990, ~~shall be granted the first five-year continuing license after completing the human relations requirement in part 3512.2700 and who continues to hold an initial license if the person completes one year of experience as either a part-time or full-time director of community education while holding the entrance license as verified by the employing superintendent of schools. Later~~ The person must renew subsequent continuing licenses ~~must be renewed~~ according to part 3512.2300.

Subp. 9. [See repealer.]

3512.0510 PROGRAM REQUIREMENTS FOR ALL ADMINISTRATIVE LICENSES.

Subpart 1. **Core leadership competencies for Minnesota administrative licenses.** A person who serves as a superintendent, principal, director of special education, or director of community education ~~shall~~ must demonstrate competence in the ~~following core areas:~~ under this subpart.

A. ~~Leadership by~~ To demonstrate competence in leadership, a superintendent, principal, director of special education, or director of community education must:

(1) ~~demonstrate leadership by~~ collaboratively assessing and improving culture and climate ~~a professional culture of engagement, ethical and equitable practice, and systems perspective;~~

(2) ~~providing~~ demonstrate leadership by the development of an educational mission for the school or district, which provides purpose and direction for individuals and groups;

(3) ~~modeling~~ demonstrate shared leadership and decision-making strategies and empower and entrust teachers and staff with collective responsibility for meeting the academic, social, behavioral, emotional, and physical needs of each student pursuant to the mission, vision, and core values of the school;

(4) ~~demonstrating an understanding of issues affecting education~~ understand how education is impacted by historical, local, state, national, and international events and issues;

Proposed Rules

(5) ~~through a visioning process, formulating~~ formulate strategic plans and goals with staff and community to promote the academic success and well-being of each student;

(6) demonstrate setting priorities in the context of stakeholder needs;

(7) ~~servicing~~ demonstrate an ability to serve as a spokesperson for the welfare of all learners ~~in a multicultural context~~ to ensure high expectations; and

(8) ~~understanding how education is impacted by local, state, national, and international events;~~ understand the dynamics of change and demonstrate the ability to implement change and educational reform.

(9) ~~demonstrating the ability to facilitate and motivate others;~~ and

(10) ~~demonstrating the ability to implement change or educational reform;~~

B. To demonstrate competence in organizational management by, a superintendent, principal, director of special education, or director of community education must:

(1) ~~demonstrating~~ demonstrate an understanding of organizational systems, including structural and cultural dynamics;

(2) ~~defining and using~~ define and use processes for gathering, analyzing, managing, and using data to plan and make decisions for program evaluation;

(3) ~~planning and scheduling~~ plan and schedule personal and organizational work, establishing establish procedures to regulate activities and projects, and ~~delegating and empowering~~ delegate and empower others at appropriate levels;

(4) ~~demonstrating~~ demonstrate the ability to analyze need and allocate personnel and material resources;

(5) ~~developing and managing~~ develop and manage budgets and ~~maintaining~~ maintain accurate fiscal records;

(6) ~~demonstrating~~ demonstrate an understanding of facilities development, planning, and management; and

(7) ~~understanding and using~~ understand and use technology as a management tool;

C. Diversity To demonstrate competence in equity and culturally responsive leadership by, a superintendent, principal, director of special education, or director of community education must demonstrate knowledge and skills to:

(1) ~~demonstrating an understanding and recognition of the significance of diversity, and responding to the needs of diverse learners;~~

(2) ~~creating and monitoring a positive learning environment for all students;~~

(3) ~~creating and monitoring a positive working environment for all staff;~~

(4) ~~promoting sensitivity about diversity throughout the school community; and~~

(5) ~~demonstrating the ability to adapt educational programming to the needs of diverse constituencies;~~

(1) ensure that each student is treated fairly, respectfully, and with an understanding of each student's culture and context;

(2) recognize, respect, and employ each student's strengths, diversity, and culture as assets for teaching and

Proposed Rules

learning;

(3) ensure that each student has equitable access to effective teachers, learning opportunities, academic and social support, and other resources necessary for success;

(4) ensure policies and practices are in place that prevent problem behavior, encourage positive behavior, and respond to student behavior not aligned with expectations in a positive, fair, and unbiased manner;

(5) recognize, identify, and address individual and institutional biases;

(6) promote the preparation of students to live productively in and contribute to a diverse and global society;

(7) address matters of equity and cultural responsiveness in all aspects of leadership; and

(8) ensure policies and practices are in place that address student and staff mental and physical health and trauma.

D. To demonstrate competence in policy and law by, a superintendent, principal, director of special education, or director of community education must:

(1) ~~developing, adjusting, and implementing~~ understand and implement policy to meet local, state, and federal requirements and constitutional provisions, standards, and regulatory applications to promote student success;

(2) ~~recognizing and applying~~ recognize and apply standards of care involving civil and criminal liability for negligence, harassment, and intentional torts; and

(3) ~~demonstrating~~ demonstrate an understanding of state, federal, and case law, and rules and regulations governing general education, special education, and community education;

E. To demonstrate competence in political influence and governance by, a superintendent, principal, director of special education, or director of community education must:

(1) ~~exhibiting~~ exhibit an understanding of school districts as a political ~~system~~ systems, including governance models;

(2) ~~demonstrating the ability to involve~~ demonstrate an understanding of involving stakeholders in the development of educational policy;

(3) ~~understanding~~ understand the role and coordination of social agencies and human services to develop productive relationships and engage resources for the school community; and

(4) ~~demonstrating the ability~~ demonstrate an understanding of processes to align constituencies in support of school and district priorities and build coalitions for programmatic and financial support;

F. To demonstrate competence in communication by, a superintendent, principal, director of special education, or director of community education must:

(1) ~~formulating and carrying out plans for internal and external communications~~ understand the need to develop shared understanding of and commitment to mission, vision, and core values within the school and the community;

(2) ~~demonstrating~~ demonstrate individual and team facilitation skills;

(3) ~~recognizing and applying~~ recognize and apply an understanding of individual and group behavior in ~~normal~~

Proposed Rules

and stressful all situations;

(4) ~~facilitating teamwork~~;

(5) ~~(4) demonstrating demonstrate~~ an understanding of conflict resolution and problem-solving strategies relative to communication;

(6) ~~(5) making make~~ presentations that are clear and easy to understand;

(7) ~~(6) responding, reviewing, and summarizing respond to, review, and summarize~~ information for groups;

(8) ~~(7) communicating communicate~~ appropriately, through speaking, listening, and writing, for different audiences such as, including students, teachers, parents, the community, and other stakeholders; and

(9) ~~(8) understanding and utilizing understand and utilize~~ appropriate communication technology;.

G. To demonstrate competence in community relations by, a superintendent, principal, director of special education, or director of community education must:

(1) ~~articulating articulate~~ organizational purpose and advocate publicly for the needs and priorities to the community and media of students, families, and the community;

(2) ~~requesting and responding to community feedback demonstrate the ability to engage the extended community~~;

(3) ~~demonstrating the ability to build community consensus effectively generate and respond to various forms of communication through media~~;

(4) ~~relating political initiatives to stakeholders, including parental involvement programs~~;

(5) ~~identifying and interacting with internal and external publics~~;

(6) ~~understanding and responding to the news media~~;

(7) ~~(4) promoting promote~~ a positive image of schools and the school district;

(8) ~~(5) monitoring and addressing monitor and address~~ perceptions about school-community issues; and

(9) ~~(6) demonstrating demonstrate~~ the ability to identify and articulate critical community issues that may impact local education;.

H. To demonstrate competence in curriculum planning and development, instruction, and assessment for the success of all learners by, a superintendent, principal, director of special education, or director of community education must:

(1) ~~demonstrating the ability to enhance teaching and learning through curriculum assessment and strategic planning for all learners, including early childhood, elementary, middle and junior high school, high school, special education, gifted and talented, and adult levels~~;

(2) ~~demonstrating the ability to provide planning and methods to anticipate trends and educational implications~~;

(3) ~~demonstrating the ability to develop, implement, and monitor procedures to align, sequence, and articulate curriculum and validate curricular procedures~~;

Proposed Rules

(4) ~~demonstrating the ability to identify instructional objectives and use valid and reliable performance indicators and evaluative procedures to measure performance outcomes;~~

(5) ~~appropriately using learning technologies;~~

(6) ~~demonstrating an understanding of alternative instructional designs, curriculum, behavior management, and assessment accommodations and modifications; and~~

(7) ~~demonstrating an understanding of the urgency of global competitiveness;~~

(1) implement state academic standards, a coherent system of culturally responsive curriculum, instruction, and assessment that promotes the mission, vision, and core values of the district to embody high expectations for student learning;

(2) develop, assess, and support teachers' and staff members' professional knowledge, skills, and practice through differentiated opportunities and emerging trends for learning and growth, guided by understanding professional and adult learning and development;

(3) apply research and best practices on integrating curriculum, technology, and relevant resources to help all learners achieve at high levels;

(4) understand and assess the implementation of alternative instructional designs, curriculum, positive approaches to behavior management, and assessment accommodations and modifications as appropriate in all programs;

(5) demonstrate the ability to use data from valid assessments that are consistent with knowledge of child learning and development and technical standards of measurement to monitor student progress;

(6) lead and assess instructional practice that is consistent with knowledge of child learning and development, effective pedagogy, and the needs of each student; and

(7) promote instructional practice that is consistent with knowledge of child learning and development, intellectually challenging, authentic to student experiences, recognizes student strengths, and differentiated and personalized.

I- Instructional management for the success of all learners by:

(1) ~~demonstrating an understanding of research of learning and instructional strategies;~~

(2) ~~describing and applying research and best practices on integrating curriculum and resources to help all learners achieve at high levels;~~

(3) ~~demonstrating the ability to utilize data for instructional decision making;~~

(4) ~~demonstrating the ability to design appropriate assessment strategies for measuring learner outcomes;~~

(5) ~~demonstrating the ability to implement alternative instructional designs, curriculum, behavior management, and assessment accommodations and modifications; and~~

(6) ~~demonstrating the ability to appropriately use technology to support instruction;~~

J-I. To demonstrate competence in human resource management by, a superintendent, principal, director of special education, or director of community education must:

Proposed Rules

- (1) ~~demonstrating demonstrate~~ knowledge of effective personnel recruitment, selection, and retention;
- (2) ~~demonstrating demonstrate~~ an understanding of staff development to improve the performance of all staff members;
- (3) ~~demonstrating demonstrate~~ the ability to select and apply appropriate models for supervision and evaluation;
- (4) ~~describing and demonstrating describe and demonstrate~~ the ability to apply the legal requirements for personnel selection, development, retention, and dismissal;
- (5) ~~demonstrating demonstrate~~ an understanding of management responsibilities to act in accordance with federal and state constitutional provisions, statutory and case law, regulatory applications toward education, local rules, procedures, and directives governing human resource management;
- (6) ~~demonstrating demonstrate~~ an understanding of labor relations and collective bargaining; and
- (7) ~~demonstrating demonstrate~~ an understanding of the administration of employee contracts, benefits, and financial accounts;.

K. J. To demonstrate competence in values and ethics of leadership by, a superintendent, principal, director of special education, or director of community education must:

- (1) ~~demonstrating demonstrate~~ an understanding of the role of education in a democratic society;
- (2) ~~demonstrating demonstrate~~ an understanding of and model democratic value systems, ethics, and moral leadership;
- (3) ~~demonstrating demonstrate~~ the ability to balance complex community demands in the best interest of learners;
- (4) ~~helping help~~ learners grow and develop as caring, informed citizens; and
- (5) ~~demonstrating demonstrate~~ an understanding and application of the code of ethics for school administrators under part 3512.5200;.

L. K. To demonstrate competence in judgment and problem analysis by, a superintendent, principal, director of special education, or director of community education must:

- (1) ~~identifying identify~~ the elements of a problem situation by analyzing relevant information, framing issues, identifying possible causes, and reframing possible solutions;
- (2) ~~demonstrating demonstrate~~ adaptability and conceptual flexibility;
- (3) ~~assisting others in forming opinions about problems and issues;~~
- (4) ~~(3) reaching reach~~ logical conclusions by making quality, timely decisions based on available information;
- (5) ~~(4) identifying and giving identify and give~~ priority to significant issues;
- (6) ~~(5) demonstrating demonstrate~~ an understanding of and utilize appropriate technology in problem analysis; and
- (7) ~~(6) demonstrating demonstrate~~ an understanding of different leadership and decision-making strategies,

Proposed Rules

including but not limited to collaborative models and model appropriately their implementation; ~~and~~.

~~M-L. To demonstrate competence in safety and security by, a superintendent, principal, director of special education, or director of community education must:~~

~~(1) demonstrating demonstrate the ability to develop and implement policies and procedures for safe and secure educational environments; and~~

~~(2) demonstrate the means to address emergency and crisis situations.~~

~~(2) demonstrating the ability to formulate safety and security plans to implement security procedures including an articulated emergency chain of command, safety procedures required by law, law enforcement assistance, communication with the public, and evacuation procedures;~~

~~(3) demonstrating the ability to identify areas of vulnerability associated with school buses, buildings, and grounds and formulate a plan to take corrective action;~~

~~(4) demonstrating an understanding of procedural predictabilities and plan variations where possible; and~~

~~(5) demonstrating the ability to develop plans that connect every student with a school adult, eliminate bullying and profiling, and implement recommended threat assessment procedures.~~

Subp. 2. **Superintendent competencies.** A person who serves as a superintendent ~~shall~~ must demonstrate all core competencies described in subpart 1 and competence in the ~~following~~ specific areas: under this subpart.

A. To demonstrate competence in policy and law by, a superintendent must:

~~(1) demonstrating demonstrate an understanding of the role policy plays in school district governance and administration;~~

~~(2) demonstrating knowledge of know and apply statutory regulations affecting school board meetings, communications, procedures, and practices; and~~

~~(3) demonstrating demonstrate an understanding of the distinct roles and responsibilities of the school board; and superintendent.~~

B. To demonstrate competence in political influence and governance by, a superintendent must:

~~(1) demonstrating demonstrate an understanding of the role the political process plays in public education and the connection between them;~~

~~(2) demonstrating demonstrate an understanding of how to interact with local, ~~and state, and federal~~ governments; and~~

~~(3) demonstrating demonstrate an understanding of the roles played by other community leaders in the school district;.~~

C. To demonstrate competence in communication by, a superintendent must:

~~(1) demonstrating demonstrate knowledge of cultivating positive relationships between and with school board members; and~~

~~(2) demonstrating an understanding of the importance of communication leadership between school district and its community; demonstrate effective skills in communication leadership between the school district and the commu-~~

Proposed Rules

nity, including internal and external constituencies.

D. ~~Organization~~ To demonstrate competence in fiscal management by demonstrating, a superintendent must demonstrate knowledge of factors that affect school finance, including sources of revenue; expenditure classifications; generally acceptable accounting principles; and local, state, and federal finance calculations; and,

E. To demonstrate competence in judgment and problem analysis by demonstrating knowledge of how to, a superintendent must effectively balance varied and competing interests to ensure the mission and vision of the school district is carried forward.

Subp. 3. **Principal competencies.** A person who serves as a principal ~~shall~~ must demonstrate all core competencies described in subpart 1 and competence in the ~~following~~ specific areas under this subpart.

A. To demonstrate competence in instructional leadership by, a principal must:

(1) ~~demonstrating the ability to understand and apply schoolwide literacy and numeracy systems; and support teachers and staff in the implementation of state academic standards, coherent systems of culturally responsive curriculum, instruction, and assessment that promote the mission, vision, and core values of the school district to embody high expectations for student learning; and~~

(2) ~~demonstrating demonstrate the ability to understand and apply districtwide literacy and numeracy systems; lead schoolwide literacy efforts in all content areas including numeracy.~~

B. Monitor To demonstrate competence in monitoring student learning by, a principal must:

(1) ~~demonstrating demonstrate the ability to create a culture that fosters a community of learners;~~

(2) ~~demonstrating demonstrate an understanding of student guidance support systems and auxiliary services;~~

(3) ~~demonstrating demonstrate the ability to implement a positive and effective and monitor student management system data systems;~~

(4) ~~demonstrating the ability to develop and implement effective student discipline plans implement schoolwide policies and practices that encourage positive behavior, and respond to student misconduct in a positive, fair, and unbiased manner;~~

(5) ~~demonstrating demonstrate the ability to develop a master instructional schedule;~~

(6) ~~demonstrating demonstrate the ability to meet the enrichment, remediation, and special education diverse learning needs of all students; and~~

(7) ~~demonstrating demonstrate the ability to understand and support a comprehensive program of student activities; and,~~

C. Early childhood To demonstrate competence in prekindergarten through grade 12 leadership by, a principal must:

(1) ~~demonstrating demonstrate an understanding of the articulation and alignment of curriculum from pre-school prekindergarten through grade 12;~~

(2) ~~demonstrating demonstrate an understanding of different organizational systems and structures at early childhood prekindergarten, elementary, middle or junior high, and high school levels;~~

(3) ~~demonstrating demonstrate the ability to work with children of all ages;~~

Proposed Rules

(4) ~~demonstrating~~ demonstrate the ability to work with parents, teachers, and other staff in all levels of schooling;

(5) ~~demonstrating~~ demonstrate an understanding of the characteristics of effective transitions from one level of schooling to the next; and

(6) ~~demonstrating~~ demonstrate an understanding of the developmental needs of children of all ages.

Subp. 4. **Director of special education competencies.** A person who serves as a director of special education shall must demonstrate the core competencies described in subpart 1 and competence in the ~~following~~ specific areas: under this subpart.

A. To demonstrate competence in policy and law by, a director of special education must:

(1) ~~demonstrating~~ demonstrate an understanding of state and federal laws, rules, and procedures governing special education finance, budgeting, and accounting; and

(2) ~~demonstrating~~ demonstrate an understanding of state and federal regulations governing the monitoring of special education ~~programs~~ services.

B. To demonstrate competence in organizational management by, a director of special education must:

(1) ~~demonstrating an understanding of the role policy and procedure play in school district governance and administration;~~

(2) (1) ~~demonstrating~~ demonstrate knowledge of statutory regulations relative to school districts affecting board meetings, ~~policies,~~ communications, procedures, and practices that affect special education governance; and

(3) (2) ~~demonstrating~~ demonstrate an understanding of special education administrative models used in Minnesota.

C. To demonstrate competence in resource allocation by and fiscal management, a director of special education must:

(1) demonstrate an ability to apply state and federal laws, rules, and procedures governing special education finance, budgeting, and accounting to school district funding structures;

(1) (2) ~~demonstrating~~ demonstrate an understanding of special education program development including needs assessment, design, implementation, and evaluation; and

(2) (3) ~~demonstrating~~ demonstrate an understanding of the resources available, along with the agencies and organizations that serve students with a disability and their families.

Subp. 5. **Director of community education competencies.** A person who serves as a director of community education shall must demonstrate the core competencies described in subpart 1 and competence in the ~~following~~ specific areas: under this subpart.

A. To demonstrate competence in community education concepts by, a director of community education must:

(1) ~~understanding and describing~~ understand and describe the history and philosophy of community education;

(2) ~~demonstrating~~ demonstrate a knowledge and application of the principles of community education;

Proposed Rules

(3) ~~demonstrating~~ demonstrate a knowledge of the role of the local school district's administrative team ~~and the community education director's place within it;~~

(4) ~~demonstrating, facilitating, and leading~~ demonstrate, facilitate, and lead the integration of community education into the early childhood prekindergarten through grade 12 system;

(5) ~~demonstrating~~ demonstrate the skills necessary to conduct community needs assessments, ~~determine educational objectives, select learning experiences, schedule and promote programs, and establish and implement registration procedures~~ as required by statute and district policy;

(6) ~~demonstrating~~ demonstrate knowledge of the various assessment tools used to effectively evaluate community education programs and determine educational objectives and learning experiences; and

(7) ~~demonstrating~~ demonstrate an understanding of the resources available to support learners of all abilities and ages.

B. To demonstrate competence in community capital by, a director of community education must:

(1) ~~demonstrating~~ demonstrate a knowledge of the advisory councils, including their role, organization, functions, and development ~~of advisory councils;~~

(2) ~~demonstrating~~ demonstrate the ability to involve advisory councils in addressing community and school issues;

(3) ~~demonstrating~~ demonstrate the ability to build collaborative partnerships in the community;

(4) ~~demonstrating~~ demonstrate the ability to effectively identify the formal and informal community political structures, ~~both formal and informal;~~

(5) ~~demonstrating~~ demonstrate the ability to identify and effectively use local, civic, and business resources to enhance ~~the~~ lifelong learning opportunities within the community;

(6) ~~demonstrating the~~ demonstrate knowledge of the techniques used for developing leadership among community members;

(7) ~~demonstrating~~ demonstrate knowledge about sustaining community involvement in the community education process; and

(8) ~~demonstrating~~ demonstrate knowledge of factors that affect school finance, including sources of revenue; expenditure classifications; generally acceptable accounting principles; and local, state, and federal finance calculations.

3512.0700 ADMINISTRATIVE LICENSURE WITHOUT TEACHING EXPERIENCE FOR SUPERINTENDENTS, PRINCIPALS, AND DIRECTORS OF SPECIAL EDUCATION.

Subpart 1. **Scope.** This part is ~~intended for an applicant for licensure~~ applies to applicants for K-12 kindergarten through grade 12 principal, superintendent, and or director of special education completing an approved licensure who complete a board-approved licensure program; but lacking lack the teaching experience requirement required in part 3512.0200, subpart 2.

Subp. 2. **Degree requirement.** An applicant ~~shall~~ must meet the degree requirement in part 3512.0200, subpart 3.

Subp. 3. **Field experience.** An applicant ~~shall have~~ must satisfactorily ~~completed~~ complete a field experience in school administration as an intern in the license area sought. The applicant must attain the field experience ~~shall be~~ in a school district setting appropriate for the license ~~under the supervision of~~ while supervised by both educators from an

Proposed Rules

~~approved a board-approved~~ college or university school administration program and a licensed practicing school administrator working in the area of the intern's field experience. The field experience must consist of at least 320 hours, ~~of which with~~ at least 40 ~~must be~~ hours in each school level, ~~including elementary, middle grades or junior high, and high school, and is in addition to the teaching experience described in subpart 4.~~

Subp. 3a. **Teaching knowledge and skills.** An applicant ~~shall~~ must demonstrate basic teaching knowledge and skills as required by part 8710.2000. The applicant ~~shall~~ must

~~A. present a portfolio or other appropriate presentation, as determined by the approved board-approved school administration program demonstrating, to demonstrate the applicant's appropriate teaching knowledge and skills; or~~

~~B. meet the examination requirement of part 8710.0510, subpart 1, items A and B, and subpart 3, items A and B.~~

Subp. 4. **Teaching internship requirement.** An applicant ~~shall~~ must have experience and knowledge in curriculum, school organization, philosophy of education, early childhood education, and elementary, junior high, or middle school, and senior high schools. The internship ~~shall~~ must:

A. ~~include one school year with a minimum hour equivalency of 1,050 hours of classroom experiences, including eight weeks of supervised teaching experience for a principal or superintendent license or 1,050 hours of special education experience for a director of special education license. A candidate may count up to 250 hours of online classroom teaching experience toward meeting the 1,050 hours of classroom experience;~~

~~B. be under the supervision of supervised by~~ a licensed practicing school administrator;

~~C. include supervision provided by educators from an approved a board-approved school administration program; and~~

~~D. be based on subject to~~ a written agreement between the intern, the ~~approved board-approved~~ school administration preparation institution, and the school district ~~in which where~~ the internship is completed.

3512.0800 ALTERNATIVE PATHWAY LICENSURE FOR SCHOOL SUPERINTENDENTS.

Subpart 1. **Intent of alternative pathway to license.** An applicant for licensure through an alternative license ~~shall~~ pathway must demonstrate skills and competencies needed to perform the functions of a superintendent. This alternative pathway is intended for applicants who do not meet the requirements for superintendent licensure ~~as specified in part 3512.0200.~~

Subp. 2. **Procedures for licensure.** An applicant for licensure through an alternative license pathway must demonstrate that the applicant has substantive experience and education in areas including but not limited to administration, supervision, management, and executive leadership; ~~in either~~ education, health care, business or industry, labor, or government. A candidate also may consult with a board-approved program. An applicant for an alternative license ~~shall~~ must:

A. complete a written application;

B. provide a written description of the applicant's exceptional qualifications;

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

Subp. 3. **Credential review committee.** An applicant ~~shall~~ must appear before a credential review committee and present evidence relating to of the applicant's proposed effectiveness as a superintendent. The applicant may present data and information regarding about the applicant's leadership effectiveness shall be presented as through testimony from teachers, parents, students, site council members, community members, and other interested persons. The review committee ~~shall~~ must consist of a licensed administrator appropriate to the field, a college or university administration preparer, and a member of a local school board or person of similar background. The credential review committee ~~shall~~

Proposed Rules

make a recommendation must recommend to the executive director whether to approve or disapprove the applicant's initial application. The executive director may accept or reject the credential committee's recommendation based on board-approved criteria. If the executive director disapproves the application, the applicant may appeal the executive director's decision to the board.

Subp. 4. **Leadership experience.** The applicant ~~shall~~ must demonstrate a level of responsibility comparable to the position for which the applicant seeks a license is sought and must present a record of successful and effective administrative behavior. The level of responsibility ~~shall~~ applicant must include in the record any administrative, managerial, or supervisory positions the applicant held.

Subp. 5. **Education.** The candidate ~~shall~~ must have an undergraduate degree from a regionally accredited institution and broad formal preparation at the post-baccalaureate level including a master's degree or equivalent in areas such as those listed in subpart 2.

Subp. 6. **Issuance of license.** The board must issue initial and renewal licenses shall be issued and renew licenses according to this subpart.

A. ~~Based upon~~ The board must either accept or reject the executive director's licensure recommendation. If the board accepts the executive director's recommendation to approve licensure, the credential review committee recommendation, board must issue the applicant may be granted a two-year initial license. The board may also identify needed activities ~~which the candidate shall~~ individual must implement during the period of the initial license period to strengthen the individual's skills ~~which may lead to improved and improve the individual's results as a superintendent. This~~ These activities may include a mentoring experience or improving specific skills or competencies that need improvement.

B. ~~The two-year initial license may be renewed for~~ board must issue a five-year continuing license to an individual holding an initial license under this part after verification of verifying the individual completed one year of successful administrative experience. ~~Subsequent five-year renewals shall be granted~~ The board must consider any subsequent renewals of the individual's continuing license based upon continuing education requirements in part 3510.2700, subpart 4 3512.1200.

Subp. 7. **Appeal.** ~~If the candidate's initial application is rejected, an appeal may be filed with~~ The applicant may appeal the executive director's decision to the board within 30 days of the denial receiving notice of the decision.

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

3512.1200 CONTINUING EDUCATION PROGRAMS FOR DIRECTORS, PRINCIPALS, AND SUPERINTENDENTS.

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

Subp. 1a. **Approval.** The board, executive director, or board designee must approve all continuing education programs; and the clock hours which a licensee may be earned earn in each program, must be approved by the board. If clock hours are to be earned, approval must be secured before beginning a continuing education professional development activity. ~~Admission to all approved continuing education programs shall be open to any licensed Minnesota school administrator. The board shall disseminate lists of known approved continuing education programs twice annually.~~

Subp. 2. **Program initiator.** The initiator of a continuing education program ~~has complete responsibility is responsible~~ for conducting that the program. However, The initiator may use resources from professional associations, governmental agencies, and the private business sector to conduct the program. The program initiator is responsible for must:

A. ensure prior approval for continuing education programs. Programs not receiving prior approval or a waiver from the executive director must obtain a continuing education variance from the board to be considered meeting the standards for a continuing license as defined in part 3512.0100, subpart 8;

B. collect and verify attendance;

Proposed Rules

~~A. C. developing develop~~ proposals for continuing education programs in areas of study which have been identified in ~~cooperation cooperatively~~ with licensed directors, principals, and superintendents practicing in Minnesota school districts;

~~D. identify competency areas under part 3512.0510; and~~

~~B. E. forwarding forward~~ continuing education program proposals to the board for approval; ~~and,~~

~~C. maintaining communication with the board concerning the status of all approved continuing education programs offered.~~

Subp. 3. **Content of continuing education program.** Each continuing education program ~~shall~~ must consist of at least three clock hours and each program proposal ~~shall contain~~ must:

A. ~~a description of describe the~~ planning activities, including a list of the names, addresses, and positions of those involved in planning;

B. ~~a description of describe the~~ client group; or groups; for whom the program is designed;

C. ~~a statement of state the~~ program goals ~~which relates goals related~~ to client demands;

D. ~~a statement concerning state~~ any prerequisite education or experience required for program admission ~~to the program~~;

E. ~~a description of describe the~~ proposed continuing education program ~~which includes, including:~~

(1) ~~statements of~~ expected learning outcomes;

(2) ~~descriptions of~~ program components ~~designed~~ to develop specified learning outcomes; and

(3) ~~the means by which achievement of for achieving~~ specified learning outcomes ~~will be determined~~ for each program participant;

F. ~~statements indicating state~~ the number of clock hours requested for the proposed program;

G. state the length of time for which approval is being requested;

H. state the number of times ~~that~~ the program is ~~to be~~ offered during the approval period; and

I. evidence show that qualified staff ~~have been~~ are assigned to the program and ~~that other needed~~ resources ~~necessary are allocated~~ to the program ~~have been allocated~~.

Subp. 4. **Term of approval.** ~~The board may approve~~ programs ~~may be approved~~ for periods of time up to two years. ~~The board must approve~~ a program ~~will be approved~~ if it meets the requirements of the rules and if the board determines that the program is adequate to fulfill the purposes of fulfills continuing education requirements.

3512.1300 PROCEDURES FOR VOLUNTARY SURRENDER OF LICENSES.

Subpart 1. **Materials required to surrender license.** A person holding a license ~~granted issued~~ by the board may voluntarily surrender the license by submitting to the executive director of the board:

A. a written request to surrender ~~that specifies~~ specifying the license or licenses ~~to be being~~ surrendered;

B. the ~~applicant~~ applicant's copy of the license;

Proposed Rules

C. if still employed, the school ~~district~~ district's copy of the license with a written statement ~~that~~ indicating the employing school superintendent, or in the case of a superintendent license, the school board chair, ~~has been~~ was notified that the school ~~district~~ district's copy of the license ~~has been~~ was removed from the school district files; and

D. the required processing fee under part 3512.2000.

Subp. 2. **Surrender date.** When the board receives the materials listed in subpart 1 by January 1, the date of li-
cence surrender is July 1 of that year. If the board receives the materials ~~are received~~ after January 1, the date of license
surrender is July 1 of the following calendar year. An applicant may revoke the request to surrender a license. An
applicant must submit a written request for the revocation ~~must be made in writing~~ to the executive director ~~of the~~
~~board~~ no later than December 31 of the year in which the board received the applicant's request for ~~voluntary to volun-~~
~~tarily~~ surrender is received by the board the applicant's license.

Subp. 3. **When surrender is prohibited.** A person may not voluntarily surrender a license if:

A. the school board has begun proceedings to terminate the continuing contract, pursuant to Minnesota Statutes, section 122A.40, subdivision 9 or 13, or 122A.41, subdivision 6;

B. the board has begun proceedings to suspend or revoke the license pursuant to part 3512.5200 and Minnesota Statutes, sections 122A.20 and 214.10; or

C. any educational agency or board has begun proceedings that could result in ~~alteration of~~ altering the status of the license due to the person's conduct.

Subp. 4. **Initial license after surrender.** A person ~~whose~~ who voluntarily surrenders a Minnesota administrative or supervisory license ~~has been voluntarily surrendered~~ may apply for initial licensure in the field for in which ~~licensure~~
~~was the~~ previously surrendered license was issued. The board must issue an initial license ~~must be granted~~ to the applicant if:

A. a licensure rule exists in the field for in which ~~licensure was the~~ previously surrendered license was issued;

B. the applicant meets the initial licensure standards ~~that are~~ in effect in the field at the time of application and meets board procedures in board rules applicable to an initial license; and

C. the applicant submits the required processing fee under part 3512.2000 ~~accompanies with~~ the application for initial licensure.

Subp. 5. **Disclaimer.** Subparts 1 to 4 do not prohibit a person from holding or applying for a license in any administrative or supervisory field ~~upon surrender of~~ after surrendering an administrative or supervisory license in another field.

3512.1500 ~~THE~~ ISSUANCE AND RENEWAL OF LICENSES.

Subpart 1. **Renewal.** A license to serve as superintendent, principal, or director ~~shall~~ must bear the date of issue and the expiration date of expiration and may be renewed on or before July 1 in the year of expiration.

Subp. 2. **Expiration.** After July 1 in the year of expiration, a license to serve as superintendent, principal, or director ~~shall be deemed is~~ expired and ~~no longer~~ not valid for administration.

Subp. 3. **Fees.** Effective July 1, 2004, each application ~~for the issuance and/or renewal of~~ issuing or renewing a license to serve as superintendent, principal, or director ~~shall~~ must be accompanied by a \$57 processing fee ~~in the amount of \$57 effective July 1, 2004~~.

Proposed Rules

3512.1600 APPEALS.

Subpart 1. **Licensure denials.** A person denied an administrative license may appeal the denial under Minnesota Statutes, chapter 14, to a ~~final decision by the board of School Administrators.~~ The board's decision is final.

Subp. 2. **Appeal request.** A person entitled to a hearing under this part ~~shall~~ must file a written request for a hearing with the executive director within 30 days ~~from the date of receiving notice of the denial.~~ Failure to file a written request for a hearing within 30 days constitutes a waiver of the person's right to a hearing.

3512.1700 RULES REVIEW.

~~The board must review~~ licensure standards for superintendents, principals, and directors ~~shall be reviewed every even-numbered year beginning in the year 2008.~~

3512.2000 REQUIREMENTS FOR ISSUANCE AND RENEWAL OF LICENSES.

Subpart 1. **In general.** An applicant must qualify separately for each licensure area for which application is made and provide evidence of satisfactory completion of a board-approved program in the licensure area ~~that has been approved by the board.~~

Each application for the issuance or renewal of a license ~~shall~~ must be accompanied by the processing fee in part 8710.0200. The processing fee ~~shall~~ must be nonrefundable for applicants not qualifying for a license, except the fee is refundable when the applicant for a license already holds the license for which application is made and that license does not expire in the year the application is submitted.

The board must issue and renew all licenses ~~must be issued or renewed~~ according to criteria established in board rules of the board, and the licenses are valid for the period ~~of time~~ specified in this part. All licenses must bear the date of issuance and expire on the specified number of years from July 1 nearest the date ~~licensure was~~ the board approved the license. ~~Applications for renewal must be accepted by the Minnesota Department of Education, Division of Educator Licensing and Teaching Quality.~~ The Professional Educator Licensing and Standards Board must accept applications to renew a license after January 1 of the year of expiration. The renewal period begins on July 1 of the year of expiration. After June 30 in the year of expiration, all licenses not renewed expire and are no longer valid.

Subp. 1a. **Provisional license.** The provisional license issued in any licensure area is a two-year license. The board must issue provisional licenses to persons who meet all requirements of applicable statutes and rules.

Subp. 2. **Initial license.** ~~The initial license issued in any licensure area is an entrance license, valid for two years a two-year license. The board must issue licenses valid for administration and supervision in Minnesota schools must be granted to persons who meet all requirements of applicable statutes and rules and who complete board-approved licensure programs approved by the board leading to licensure in Minnesota institutions that are approved by the board pursuant to under part 3512.2500 to prepare persons for licensure.~~

Subp. 3. **Failure to complete school year of experience affecting entrance initial license.** ~~When a person does not complete one school year of administrative or supervisory experience is not completed before the expiration of an entrance initial license expires, the board must issue another entrance initial license in that licensure area must be issued upon application after receiving the person's licensure renewal application. If an entrance initial license in any licensure area is allowed to lapse, it shall be renewed, upon application, lapses, the board must renew the license after receiving the person's licensure renewal application. The board must continue to renew the license until the applicant has had completes one school year of administrative or supervisory experience while holding a valid entrance initial license, after which time an applicant must qualify qualifies for a continuing license.~~

Subp. 4. **Continuing license.** The board must issue and renew a continuing license, valid for five years, must be issued and renewed upon after receiving an application according to provisions enumerated in the specific licensure board rules of the board for the issuing and renewing continuing license being issued or renewed licenses.

Proposed Rules

Subp. 5. **Conduct review.** All applicants for licensure and license renewals are subject to a criminal history background check as required under Minnesota Statutes, section 122A.18, subdivision 8, and a conduct review performed by the board. The board may refuse to issue a license or deny a license renewal based on the results of the background check or conduct review. An applicant who is denied a license or license renewal as a result of the background check or conduct review may appeal the board's decision pursuant to part 3512.1600.

3512.2050 PROVISIONAL LICENSE.

A. The board may issue a two-year nonrenewable license to an applicant who has not met all Minnesota preparation program requirements. The applicant must enroll and make progress in a board-approved program leading to licensure as a superintendent, a director of special education, or a kindergarten through grade 12 principal at a regionally accredited college or university during the applicant's two-year provisional status. The applicant must:

- (1) have completed an applicable preparation program in another state; or
- (2) hold an appropriate administrative license.

B. The board may extend a provisional license issued under this part for one additional school year if the board determines an extension is warranted based on board-adopted criteria.

C. A candidate for a provisional license under this part may substitute one year of full-time experience as a superintendent, assistant superintendent, principal, assistant principal, or director of special education in another state for the field experience required in part 3512.0400, subpart 1.

3512.2100 INITIAL LICENSE.

A. ~~Licensure applicants must meet the requirements must be met~~ for each administrative area where ~~the applicant seeks licensure is sought~~. ~~The board must issue an initial license shall be issued~~ to an applicant who ~~has met meets~~ all of the following requirements. An applicant must:

~~A-~~ (1) fulfill the requirements of ~~parts part~~ 3512.2000, subparts 1 and 2, ~~and 3512.2700~~; and

~~B-~~ (2) be recommended for licensure by a ~~Minnesota Board of School Administrators approved board-~~ approved Minnesota college or university which, in making such a recommendation, attests to ~~satisfactory completion of the applicant satisfactorily completing~~ the approved program ~~by the applicant~~. An applicant coming to Minnesota from another state must present to the ~~Minnesota Department of Education, Division of Educator Licensing and Teacher Quality, Professional Educator Licensing and Standards Board application intake staff~~ a college or university transcript of college or university work to be analyzed in order to determine ~~program comparability of program~~.

B. A candidate who does not qualify for a continuing license issued under part 3512.2300 may apply to renew an initial license every two years and is not required to complete any clock hours of continuing education in order to renew an initial license.

3512.2300 CONTINUING LICENSE.

Subpart 1. **Continuing license for those holding ~~entrance initial~~ license.** The board must issue a five-year continuing license to an applicant who completes at least one school year of administrative or supervisory experience in a licensure area while holding an ~~entrance initial~~ license ~~shall be issued a continuing license, valid for five years~~. ~~Supervisory experience includes the tasks listed in Minnesota Statutes, section 179A.03, subdivision 17~~. When ~~an applicant adds a licensure area is added~~ to a continuing license already in ~~force effect~~, ~~the board must issue a continuing license is issued, and with the same~~ expiration date ~~becomes that already established for the continuing license already in force effect~~.

Proposed Rules

Subp. 2. **Life license.** ~~The board must issue a five-year continuing license to an applicant who holds a life license and who subsequently completes an approved a board-approved program in an additional licensure area shall be issued a continuing license, valid for five years. The board must issue the license for the additional licensure area.~~

Subp. 3. **Renewal of continuing licenses.** ~~The renewal of board must renew the continuing licenses must be issued to license of an applicant who provides evidence of completion of completing 125 clock hours of approved administrative and supervisory continuing education earned according to part 3512.1200 during the five-year period immediately before renewal of renewing the continuing license. Approval of The board must approve continuing education programs; and the clock hours that may be earned an applicant may earn in each program, must be according to part 3512.1200. An applicant may apply relevant courses completed at accredited colleges and universities may be used toward the clock-hour clock-hour requirement. One quarter college credit equals 15 clock hours; and one semester college credit equals 20 clock hours. An applicant must meet the renewal requirements must be met during the five-year period of each continuing license, and no clock hours shall carry forward into any subsequent five-year licensure period. The applicant may appeal to the board for a continuing education variance to allow credits the applicant earned outside the five-year period to count toward the 125-clock-hour requirement.~~

Subp. 4. **Lapsed license.** ~~If an applicant allows a continuing license has been allowed to lapse for more than 60 days and the applicant has not been is currently employed as an administrator or supervisor during the year immediately before the application for renewal, the applicant must provide evidence that, the applicant must obtain a variance from the board while the board renews the license. If the applicant was not employed as an administrator or supervisor during the year immediately before applying to renew the license, the applicant must demonstrate to the board that the applicant:~~

A. ~~earned 125 clock hours of approved administrative and supervisory continuing education have been earned according to this part during the five-year period immediately before the application applying for a continuing license, in which case the board must issue a five-year continuing license must be granted; or~~

B. ~~was offered a position has been offered contingent upon holding a valid license; and demonstrate that if the applicant demonstrates there is insufficient time to complete 125 clock hours of approved administrative and supervisory continuing education, in which case the board may issue a nonrenewable one-year license may be granted. Upon expiration of. When the applicant's nonrenewable one-year license expires, the applicant must qualify for a continuing license according to subpart 3.~~

3512.2400 SUSPENSION AND REVOCATION OF LICENSES.

Subpart 1. **Cause.** ~~The board may revoke or suspend the license of a superintendent, principal, or director may be revoked or suspended for any of the following causes:~~

- A. ~~immoral character or conduct;~~
- B. ~~a breach of contract of employment without justifiable cause;~~
- C. ~~overall gross inefficiency or willful neglect of duty;~~
- D. ~~fraud or misrepresentation in obtaining a license;~~
- E. ~~felony conviction which directly relates to the occupation for which licensure is held; or~~
- F. ~~violation of the code of ethics for school administrators under part 3512.5200; code of ethics for school administrators.~~

Subp. 2. **Procedure for suspension and revocation of licenses.** ~~The board may act to suspend or revoke the a person's license of a person whose license was granted by the board after if the following procedures have been in this subpart are followed:~~

Proposed Rules

A. A student, a parent, a community member, or the school board employing the licensee must file a written complaint that specifies with the board specifying the nature and character of the charges against the licensee is filed with the board by a student, parent, community member, or the school board employing the person.

B. The board notifies ~~must notify~~ the licensee of the allegations contained in the complaint, ~~giving and give~~ the licensee an opportunity to respond to the allegations.

C. ~~The board must hold~~ a hearing conducted according to the rules of the Office of Administrative Hearings, ~~if not waived, must be held unless the licensee waives the licensee's right to a hearing.~~

Subp. 3. **Revocation.** Revocation includes the cancellation or repeal of a license or renewal privilege. Revocation disqualifies a person from performing any function that is permitted on the basis of by holding a license issued under the board rules of the board. Revocation is final, except that a person whose license has been is revoked may petition the board for licensure under subpart 6.

Subp. 4. **Suspension.** Suspension includes the temporary withdrawal of a license or renewal privilege. Suspension disqualifies a person from performing any function that is permitted on the basis of by holding a license issued under the board rules of the board. The board must determine the length of each suspension and attach any terms and conditions attached to the suspension must be determined by the board on consideration of after considering:

- A. the activity of the individual that led to the license suspension;
- B. any relevant mitigating factors that provided by the individual may interpose;
- C. the prior administrative, supervisory, or teaching record of the individual; and
- D. other similar factors.

Subp. 5. **Applicability.** Unless otherwise provided by the board, a revocation or suspension applies to each license or renewal privilege held by the individual at the time the board takes final action is taken by the board. The board must not issue any other license to a person whose license or renewal privilege has been is suspended or revoked is ineligible to be issued any other license by the board during the pendency of the suspension or revocation.

Subp. 6. **Issuance of license after revocation.** A person whose license or renewal privilege has been was revoked by the board may apply for and may be granted issued an initial license upon presentation of after presenting reliable evidence that the person fulfilled all the terms and conditions that the board imposed have been fulfilled, and upon meeting current licensure standards.

Subp. 7. **Issuance or reinstatement of license after suspension.** A person whose license or renewal privilege has been was suspended by the board may apply for reinstatement of that to the board to have the license according to reinstated under this subpart.

A. If the person's suspended license was is an entrance initial license that has lapsed during the suspension, the board must reinstate that license must be reinstated upon proper application if the person:

- (1) properly applies to the board after the period of suspension has expired and upon presentation of expires;
- (2) presents reliable evidence that the person met all terms and conditions that the board imposed have been fulfilled, if the applicant has; and
- (3) had less than one year of administrative or supervisory experience while holding the entrance initial license.

If the applicant has person gained a year or more of experience on the entrance initial license before the suspension and the license has lapsed during the suspension, the board must issue a five-year continuing license must be granted after the person meets all other conditions stated in this part have been met.

Proposed Rules

B. If the person's suspended license is an entrance initial license that has not lapsed during the suspension, the person may resume administrative or supervisory functions for whatever period of time remains on that license after the period of the suspension has expired expires and upon presentation of the person presents reliable evidence to the board that the person met all terms and conditions that the board imposed have been fulfilled.

C. If the suspended license is a continuing license that has not lapsed during the period of the suspension, the person may resume administrative or supervisory functions for whatever period of time remains on the continuing license after the suspension has expired expires and upon presentation of after the person presents reliable evidence to the board that the person met all terms and conditions that the board imposed have been fulfilled.

D. If the suspended license is a continuing license that lapsed during the period of the suspension, the person may apply for another continuing license that must be granted. The board must issue the person a continuing license if:

(1) the suspension has is expired;

(2) the person presents reliable evidence that the person met all terms and conditions the board imposed have been fulfilled; and demonstrates

(3) the person completed the current continuing education requirements have been completed.

E. If the suspended license was a life license, the person may resume administrative or supervisory functions after the period of the suspension has expired expires and after presenting reliable evidence to the board that the person met all terms and conditions imposed by the board have been fulfilled.

3512.2500 PROCEDURES FOR APPROVAL OF LICENSURE PROGRAMS.

Subpart 1. **Request for approval.** Institutions approved by the board approves under this part 3512.2500 to prepare persons for licensure may request board approval by the board of licensure programs in administration and supervision. The board must evaluate the programs shall be evaluated for initial approval and thereafter shall be audited audit the programs for continuing approval according to under this part.

Subp. 2. **Content of program description.** The administrator of the defined administrative and instructional unit of each institution shall must forward from the administrator of the defined administrative and instructional unit of that institution to the board a program description for of each licensure program for which board approval is requested. The licensure program description shall include must:

A. a statement which verifies verify the institutional institution's commitment to the licensure program;

B. a description of the describe the institution's organizational structure of the institution and;

C. procedures describe the process to align strategic planning, assessment, and decision-making for implementing or sustaining the licensure program;

~~C. D.~~ a description of describe the anticipated role for which persons who enroll in the licensure program are being prepared;

~~D.~~ an enumeration of the specific knowledge, skills, and dispositions to be achieved by persons completing the licensure program;

E. a description of list and describe how the licensure program which relates individual program components to the knowledge, skills, and dispositions to be achieved by that persons completing the licensure program must achieve;

F. a description of describe the field-based experience, the assessment of prior experience and preparation, and the

Proposed Rules

situational observation component;

G. ~~a description of~~ describe the systematic procedure for ~~evaluation of~~ evaluating the licensure program which ~~assures that to ensure that all persons recommended for licensure meet all licensure requirements for licensure have been met by all persons recommended for licensure;~~

H. ~~a specific identification of~~ specifically identify the plans for assessing the performance of each person who is ~~to be judged as having~~ successfully completed the licensure program;

I. ~~evidence that list the college departments involved with the licensure program, licensed practicing education personnel, school administrators, and interested citizens who participated in developing the licensure program forwarded for approval has been developed with participation from the college departments involved with the licensure program, licensed practicing education personnel, school administrators, and interested citizens; and~~

J. ~~a description of~~ describe the procedures to establish and maintain an internal process for ~~systematic evaluation of to systematically evaluate~~ the licensure program; ~~and~~

K. include program review data as mandated by the legislature and the board and describe how that data are utilized.

Subp. 3. **Evidence required in program description.** Each program description ~~forwarded to the board by that an institution forwards to the board~~ for each licensure program for which ~~seeking board approval is requested shall must~~ include evidence that the licensure program:

A. meets board rules of the board governing the licensure program are met;

B. allocates necessary faculty and physical resources are allocated to implement and maintain the licensure program; and

C. provides adequate supervision for practicum experiences required by individual licensure rules is provided.

Subp. 4. **Appraisal of Program appraisal.** ~~Before initial approval for initially approving the licensure program is granted, persons designated the board designates as program auditors by the board may must~~ visit the institution to examine the licensure program for the purpose of ~~verifying to verify~~ the program description and ~~making make~~ a recommendation regarding approval status. During the operation of an approved licensure program, the board may arrange, in consultation with the institution, an audit visit to verify that the approved program complies with this part may be arranged in consultation with the institution. Program auditors ~~shall must~~ make a written report of their findings to the board and to the institution.

Board staff or persons ~~designated the board designates as program auditors by the board,~~ in consultation with the institution ~~shall, must~~ make audit visits on a five-year cycle to verify program descriptions and ~~to make a recommendation regarding the approval status of each licensure program.~~

Based ~~upon on the institution's appraisal of the program description prepared by the institution and the auditors' written report of the auditors,~~ the board ~~shall must~~:

A. grant initial approval;

B. grant continuing approval;

C. grant conditional approval, state the conditions, and establish time lines for ~~meeting the program to meet~~ the stated conditions; or

D. disapprove the licensure program, state the reasons for disapproval, and, if needed, stipulate a termination

Proposed Rules

date that will to accommodate persons enrolled in the program.

Subp. 5. **Conditional approval.** If ~~the board conditionally approves~~ a licensure program is conditionally approved, the board shall must reconsider the licensure program's approval status of the licensure program upon verification that the after verifying that the board's stated conditions are met. If ~~the board's stated conditions are not met within the established time lines,~~ the board must withdraw its conditional approval must be withdrawn.

Subp. 6. **Programs that vary in curricular design.** ~~The board must approve~~ licensure programs that vary in curricular design ~~must be approved provided that if the program components meet the approval criteria for approval in this part.~~

Subp. 7. **Revisions made in program.** If an institution ~~makes revisions in an approved~~ revises a board-approved licensure program, the administrator of the defined administrative and instructional unit of that institution shall must forward to the board a written description of the licensure program revision. ~~The board must undertake an audit must be made to verify that the revised licensure program continues to meet board rules of the board.~~ Each verified licensure program revision is an amendment to the approved licensure program.

Subp. 8. **Revocation or suspension due to failure to meet rules.** The board shall must revoke or suspend the approval of a licensure program if the board determines that an approved licensure program no longer complies with this part.

3512.2600 LICENSURE FOR PERSONS PREPARED IN STATES OTHER THAN MINNESOTA.

Subpart 1. Criteria.

A. ~~The board must issue~~ Minnesota licenses ~~shall be granted~~ to persons who otherwise meet applicable statutory requirements and who complete programs leading to licensure in colleges and universities located outside Minnesota and the requirements of this part. The board must issue licenses ~~shall be granted~~ only in licensure fields for which the board has established rules governing licensure programs leading to licensure. Persons prepared in other states other than Minnesota shall must present their credentials to the board for approval. The board has jurisdiction on all matters concerning administrative licensure. ~~The licenses shall be issued according to either item A or B as follows:~~

~~A. Persons who complete approved programs in colleges and universities leading to licensure within states which have signed contracts with Minnesota according to the Interstate Agreement on Qualification of Educational Personnel shall be granted a Minnesota initial license. No licenses shall be issued on the basis of teaching experience only.~~

B. The board must issue an initial professional license to persons who complete administrative preparation programs leading to licensure in colleges and universities within states outside Minnesota which have not signed contracts with Minnesota shall be granted a Minnesota initial license when all of the following criteria are met:

(1) the college or university is regionally accredited by the Association for the Accreditation of Colleges and Secondary Schools;

(2) the program ~~leading to licensure has been~~ the applicant completed is recognized by the state as qualifying the applicant ~~completing the program for such employment as an administrator or~~ licensure within that state;

(3) the program ~~leading to licensure~~ the applicant completed by the applicant is essentially equivalent in content to approved programs offered by Minnesota colleges and universities under ~~the board rules of the Board of School Administrators governing the licensure field. A person licensed under this part must achieve educational equivalency with persons licensed in Minnesota by the time the person's initial professional license expires.~~ Educational equivalency includes 30 semester credits beyond a master's degree or 60 semester credits beyond a bachelor's degree, including a master's, specialist, or doctoral degree; and

(4) the college or university ~~which offers~~ offering the program ~~leading to licensure~~ verifies that the applicant has completed an approved ~~licensure~~ administrative preparation program at that institution and recommends the

Proposed Rules

applicant for a license in a licensure field at a licensure level if licensure is required by that state.

Notwithstanding part 3510.4000 governing human relations, persons who have been prepared for licensure in states other than Minnesota shall be granted a Minnesota initial license based upon the provisions of this part.

Subp. 2. [See repealer.]

Subp. 3. **Field experience equivalency.** A licensure candidate may substitute one year of full-time experience as a superintendent, assistant superintendent, principal, assistant principal, or director of special education in another state for the field experience required by part 3512.0400, subpart 1.

3512.5200 CODE OF ETHICS FOR SCHOOL ADMINISTRATORS.

Subpart 1. **Scope.** This part applies to all persons licensed as school administrators as defined in part 3512.0100, subparts 5 to 7.

Subp. 2. **Standards of professional conduct.** The standards of professional conduct for school administrators are listed in items A to K.

A. A school administrator ~~shall~~ must provide professional educational services in a nondiscriminatory manner.

B. A school administrator ~~shall~~ must take reasonable action to protect students and staff from conditions harmful to health and safety.

C. A school administrator ~~shall~~ must take reasonable action to provide an atmosphere conducive to learning.

D. A school administrator ~~shall~~ must not ~~misuse~~ use professional relationships with students, parents and caregivers, staff, or colleagues to private advantage.

E. A school administrator ~~shall~~ must disclose confidential information about individuals only when a compelling professional purpose is served in accordance with state and federal laws; and school district policies.

F. A school administrator ~~shall~~ must not knowingly falsify or misrepresent records or facts relating to the administrator's qualifications; or to the qualifications of other staff or personnel.

G. A school administrator ~~shall~~ must not knowingly make false or malicious statements about students, students' families, staff, or colleagues.

H. A school administrator ~~shall~~ must not accept gratuities, gifts, or favors that impair professional judgment, nor offer any favor, service, or item of value to obtain special advantage.

I. A school administrator ~~shall~~ must only accept a contract for a position when licensed for the position or when a school district is ~~granted~~ issued a variance ~~or letter of approval~~ by the board.

J. A school administrator, in filling positions requiring licensure, ~~shall~~ must employ, recommend for employment, and assign only appropriately licensed personnel, or persons for whom the school district has been ~~granted~~ issued a variance by the appropriate state board or agency, unless, after making reasonable efforts to obtain a variance, an appropriately licensed person cannot be assigned and the position must be filled to meet a legitimate emergency educational need.

K. A school administrator ~~shall~~ must not engage in conduct involving dishonesty, fraud, or misrepresentation in the performance of professional duties.

Subp. 3. **Statutory enforcement of code, complaints, investigation, and hearing.** ~~The board must enforce this part shall be enforced in accordance with~~ according to Minnesota Statutes, section 214.10, subdivisions 1, 2, and 3.

Proposed Rules

Subp. 4. **Complaints handled by board.** When oral complaints alleging violations of the code of ethics for school administrators are received, the board shall request the complaining party to submit a written complaint. Upon receipt of a written complaint, the administrator named in the complaint shall be notified in writing of the complaint.

A. When the board receives complaints alleging violations of the code of ethics for school administrators, the board must require the complaining party to submit:

(1) a signed, written complaint specifying the nature and character of the allegations; and

(2) a consent form provided by the board.

B. The board must consider only those complaints that comply with this subpart. The administrator shall be is entitled to be represented by the administrator's own counsel or representative at each stage of the investigation and hearing.

Subp. 5. **Enforcement procedures.** The board may impose one or more of the following penalties when it has found finds a violation of a standard under subpart 2. ~~These actions shall be taken only after previous efforts at remediation have been exhausted.~~

A. The board may enter into agreements with administrators accused of violating the code of ethics that would to suspend or terminate proceedings against the administrator on conditions agreeable to both parties.

B. The board may send a letter of censure from the board may be sent to the person determined to be in violation of it determines is violating the standards of the code of ethics. The board must keep the letter shall be kept on file for a period of time not to exceed up to one calendar year.

C. The board may place an administrator who has been found to have it finds violated the code of ethics may be placed on probationary licensure status for a period of time to be determined by the board. The board may impose conditions on the administrator during the probationary period which are to be directed toward improving the administrator's performance in the area of the violation. During this period, the administrator's performance or conduct shall be is subject to board review by the board. The board must direct the review shall be directed toward monitoring the administrator's activities or performance with regard to whatever and the conditions may be placed on the administrator during the probationary period. Before the end of the probationary period ends, the board shall must decide to extend or terminate the administrator's probationary licensure status or to take further disciplinary actions as consistent with this rulesubpart.

D. The board may suspend the license to practice of the person determined to be in violation of it determines is violating the standards of the code of ethics may be suspended for a period of time determined by the board. The board must determine the time period of any suspension.

E. The board may revoke the license to practice of the person determined to be in violation of it determines violated the standards of the code of ethics may be revoked by the board.

3512.5300 VARIANCE.

Subpart 1. **Scope.** Pursuant to Minnesota Statutes, section 14.055, a person or entity may apply for a variance from any rule or portion of a rule under the jurisdiction of the board of school administrators. The board may not consider a request for a variance from a statute or court order.

Subp. 2. **Application.** The applicant must file an application for a variance in writing on a form provided by the board. The application form must comply with Minnesota Statutes, section 14.056, subdivision 1, and must include instructions for completing the form and a description of the variance process.

Subp. 3. **Criteria.** In reviewing a variance request, the board must consider the information required under Minnesota

Proposed Rules

Statutes, section 14.056, subdivision 1, and the following:

A. ~~whether application of the rule to the individual circumstances of the applicant would serve the purpose of the rule~~ variance from the rule would serve a compelling public purpose;

B. whether application of the rule to the individual circumstances of the applicant would result in hardship or injustice;

C. whether variance from the rule would be consistent with the public interest and the educational interests of students, school districts, and the profession;

D. whether variance from the rule would positively serve an educational need or opportunity;

E. whether variance from the rule would compromise the purpose of the rule; and

F. whether variance from the rule would prejudice the substantial legal or economic rights of any person or entity.

Pursuant to Minnesota Statutes, section 14.055, subdivision 3, the board must ~~grant issue~~ grant issue a variance from a rule if the applicant ~~can provide~~ provides evidence that ~~application of~~ applying the rule to the applicant's individual circumstances of the applicant would not serve the purpose of the rule. The board may not ~~grant issue~~ grant issue a variance under any circumstances if the variance would compromise the purpose of the rule or the variance would prejudice the substantial legal or economic rights of any person or entity.

Subp. 4. **Oral argument.** Upon ~~the applicant's request from the applicant,~~ the board may permit an applicant to present an oral argument ~~in defense of~~ defending a variance application.

Subp. 5. [See repealer.]

Subp. 6. **Order; timing.** Within 60 days of ~~receipt of~~ receiving a completed variance application, the board must issue ~~a written order granting or denying~~ deny a variance and ~~specifying~~ specify the scope and period of the variance. The board must not ~~grant issue~~ grant issue a discretionary variance for a period longer than one year. The board's order must ~~include a statement of state~~ therelevant facts and the reasons for the board's action.

Subp. 7. **Limitations.** ~~The board may issue a variance may be granted to the applicant only for the specific circumstances for which the request is made~~ the applicant described in the variance application. The applicant may not apply the variance to other circumstances without specific board approval from the board, and ~~is prohibited from transferring a variance is not transferable~~ to other individuals or entities in similar situations without specific board approval from the board.

Subp. 8. **Fees.** ~~The application must include a nonrefundable processing fee of \$25. An application is not complete until the board receives the processing fee. The applicant may be charged additional fees if the cost for the board to process the variance application exceeds \$25. The fee for the variance application must be charged consistent with Minnesota Statutes, section 14.056.~~

Subp. 9. **Reconsideration.** ~~A board decision of the board to grant issue or deny a variance is final unless the board reverses the decision is reversed by through a subsequent board action.~~ The applicant may submit an application for reconsideration if the applicant ~~is able to submit~~ submits additional information ~~in to support of its the~~ variance request.

Subp. 10. **Record.** The board must maintain a record of all orders ~~granting issuing~~ issuing and denying variances in compliance with Minnesota Statutes, section 14.056, subdivision 7.

Subp. 11. **Variance for director of community education.** Subject to the conditions in this subpart, the board must annually issue an administrative variance to a school district to allow the district to use an individual who is not fully licensed as the community education director if the school district is unable to employ a fully licensed director of

community education.

A. The board must issue an administrative variance to school districts only if the individual is enrolled in a board-approved program leading to licensure as a director of community education and can show evidence the individual will complete the program within three school years.

B. A school district must apply annually for an administrative variance and must not exceed the three years stated in item A for any one individual.

C. The school superintendent must verify in writing the district's inability to contract with a fully licensed director of community education for a position. The superintendent must verify how the district advertised the director of community education position and that the district did not place a licensed director of community education interested in the position on unrequested leave of absence.

REPEALER. Minnesota Rules, parts 3512.0200, subpart 5; 3512.0300, subpart 5; 3512.0505, subparts 7 and 9; 3512.2600, subpart 2; 3512.2700; and 3512.5300, subpart 5, are repealed.

Board of Animal Health

Proposed Permanent Rules Relating to Poultry and Mycoplasma Requirements for Turkeys; Notice of Intent to Adopt Rules without a Public Hearing

Proposed Revisions of Minnesota Rule Chapter 1721 Amending the Rules Governing Poultry and Mycoplasma Requirements in Turkeys; Revisor's ID Number RD4533

Introduction. The Board of Animal Health (Board) intends to adopt rules without a public hearing following the procedures in the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. You may submit written comments on the proposed rules and may also submit a written request that a hearing be held on the rules until 4:30 p.m. on July 26, 2019.

Agency Contact Person. You must submit comments or questions on the rules and written requests for a public hearing to the agency contact person. The agency contact person is: Dr. Shauna Voss at Minnesota Board of Animal Health, 622 Business Hwy 71 NE, P.O. Box 126, Willmar, MN 56201, 320-231-5170 (phone), 320-231-6071 (fax), shauna.voss@state.mn.us.

You may also review the proposed rule and submit written comments via the Office of Administrative Hearings Rulemaking eComments website at <https://minnesotaoah.granicusideas.com/discussions>.

Subject of Rules and Statutory Authority. The proposed rules address the requirements for *Mycoplasma gallisepticum* and *Mycoplasma synoviae* testing for turkey hatcheries and breeding flocks found under Minnesota Rules, Parts 1721.0270, 1721.0280, 1721.0290, 1721.0320, 1721.0344, 1721.0300, 1721.0310. The statutory authority to adopt the rules is *Minnesota Statutes*, section §§29.051, 35.03, 35.05, 35.245, 35.251. A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed.

- The current set of Board rules relating to Mycoplasma were promulgated and adopted in 2013. The Board sees a need to amend its current rules that relate to Mycoplasma testing requirements in turkeys because while the Mycoplasma requirements are critical to the commercial turkey industry, they are putting an unnecessary burden on small producers and hobbyists.
- As part of this rule change, the Board also provides a definition of commercial egg-type chicken, commercial meat-type chicken and commercial turkey.

Proposed Rules

- The proposed rules amendments would remove the Mycoplasma testing and hatching requirement for small, backyard Minnesota producers and hobbyists who have an interest in raising heritage or exhibition breeds of turkeys. The amendments would also apply to people outside of Minnesota who wish to import the same types of turkeys into Minnesota.

Comments. You have until 4:30 p.m. on Friday, July 26, 2019, to submit written comment in support of or in opposition to the proposed rules and any part or subpart of the rules. Your comment must be in writing and the agency contact person must receive it by the due date. The Board encourages comment. Your comment should identify the portion of the proposed rules addressed and the reason for the comment. You are encouraged to propose any change desired. Any comments that you have about the legality of the proposed rules must also be made during this comment period.

Request for a Hearing. In addition to submitting comments, you may also request that the Board hold a hearing on the rules. Your request must be in writing and the agency contact person must receive it by 4:30 p.m. on July 26, 2019. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rules that you object to or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and the Board cannot count it when determining whether it must hold a public hearing. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

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

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

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

Statement of Need and Reasonableness. The statement of need and reasonableness contains a summary of the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. It is now available from the agency contact person and can also be found on the Board's website at: <https://www.bah.state.mn.us/public-rule-making/>. You may review it or obtain copies for the cost of reproduction by contacting the agency contact person.

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

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

Date: June 17, 2019

Beth S. Thompson
State Veterinarian

Proposed Rules

1721.0270 DEFINITIONS.

[For text of subparts 1 to 6, see Minnesota Rules]

Subp. 6a. **Commercial egg-type chicken.** “Commercial egg-type chicken” means a chicken bred, hatched, or raised for egg production. Commercial egg-type chicken does not include a chicken raised for an exhibition or hobby interest.

Subp. 6b. **Commercial meat-type chicken.** “Commercial meat-type chicken” means a chicken bred, hatched, or raised for meat production. Commercial meat-type chicken does not include a chicken raised for an exhibition or hobby interest.

Subp. 6c. **Commercial turkey.** “Commercial turkey” means a turkey bred, hatched, or raised for meat production. Commercial turkey does not include a turkey raised for an exhibition or hobby interest.

[For text of subparts 7 to 14, see Minnesota Rules]

1721.0280 IMPORTATION OF HATCHING EGGS, POULTRY, AND RATITES.

[For text of subparts 1 to 4, see Minnesota Rules]

Subp. 5. **Mycoplasma gallisepticum and Mycoplasma synoviae.** Chicken hatching eggs, chicks, and chickens from commercial egg-type or meat-type chicken hatcheries or breeding flocks and all turkey hatching eggs, poults, and turkeys from commercial turkey hatcheries or breeding flocks imported into the state must:

[For text of items A and B, see Minnesota Rules]

[For text of subparts 6 to 8, see Minnesota Rules]

1721.0290 POULTRY DEALERS.

[For text of subparts 1 to 3, see Minnesota Rules]

Subp. 4. **Mycoplasma gallisepticum and Mycoplasma synoviae.** Chicken hatching eggs, chicks, and chickens from commercial egg-type or meat-type chicken hatcheries or breeding flocks and all turkey hatching eggs, poults, and turkeys from commercial turkey hatcheries or breeding flocks distributed in the state by poultry dealers must:

[For text of items A and B, see Minnesota Rules]

[For text of subparts 5 to 7, see Minnesota Rules]

1721.0320 HATCHERIES AND BREEDING FLOCKS.

[For text of subparts 1 and 2, see Minnesota Rules]

Subp. 3. **Mycoplasma gallisepticum and Mycoplasma synoviae.** All commercial egg-type chicken, commercial meat-type chicken, or commercial turkey hatcheries or breeding flocks in the state must meet the requirements of the Mycoplasma gallisepticum and Mycoplasma synoviae clean programs of the plan.

[For text of subparts 4 to 6, see Minnesota Rules]

1721.0344 MYCOPLASMA GALLISEPTICUM AND MYCOPLASMA SYNOVIAE.

Subpart 1. **Positive tests results.** Commercial egg-type chicken, commercial meat-type chicken, or commercial turkey breeding flocks that have a positive test result for Mycoplasma gallisepticum or Mycoplasma synoviae must be retested according to plan procedures or other equivalent procedures approved by the board.

Subp. 2. **Quarantine.** Commercial egg-type chicken, commercial meat-type chicken, or commercial turkey hatcheries or breeding flocks determined by the board to be infected with Mycoplasma gallisepticum or Mycoplasma synoviae must be quarantined and participate in an approved salvage program or be disposed of in a manner approved by the board.

REPEALER. Minnesota Rules, parts 1721.0300, subpart 4; and 1721.0310, subpart 4, are repealed.

Proposed Rules

Department of Labor and Industry

Construction Codes and Licensing Division

Proposed Amendment to and Repeal of Rules Governing the Adoption of the International Existing Building Code; DUAL NOTICE: Notice of Intent to Adopt Rules Without a Public Hearing Unless 25 or More Persons Request a Hearing, and Notice of Hearing if 25 or More Requests for Hearing Are Received; Revisor's ID Number R-04511

Proposed Amendment to and Repeal of Rules Governing the Adoption of the *International Existing Building Code, Minnesota Rules, Chapter 1311*

Introduction. The Department of Labor and Industry (the “Department” or “agency”) intends to adopt rules without a public hearing following the procedures in the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. If, however, 25 or more persons submit a written request for a hearing on the rules by 4:30 p.m. on July 24, 2019, the Department will hold a public hearing in the Minnesota Room, Department of Labor and Industry, 443 Lafayette Road N., St. Paul, Minnesota 55155, starting at 9:00 a.m. on Monday, August 26, 2019, and continuing until the hearing is completed. To find out whether the Department will adopt the rules without a hearing or if it will hold the hearing, you should contact the agency contact person after July 24, 2019, and before August 26, 2019.

Agency Contact Person. Submit any comments or questions on the rules or written requests for a public hearing to the agency contact person. The agency contact person is: Amanda Spuckler at the Department of Labor and Industry, 443 Lafayette Road N., St. Paul, Minnesota 55155, phone (651) 284-5006, and email to: dli.rules@state.mn.us.

Subject of Rules and Statutory Authority. The Department is updating the Minnesota Conservation Code for Existing Buildings by incorporating by reference, with amendments, the 2018 edition of the International Existing Building Code (“IEBC”). The proposed rules encourage the use and reuse of existing buildings while requiring reasonable safety upgrades and improvements. Specifically, the proposed rules incorporate chapters of the IEBC that will apply, and amends the IEBC provisions regarding the following topics: references to other International Code Council Codes; definitions; administration; window cleaning anchors; accessibility for existing buildings; repairs where gravity load-carrying components have sustained substantial structural damage; the application to additions; the application to alterations, including requirements for carbon monoxide alarms; requirements for fire escapes; requirements for windows and emergency escape and rescue openings; requirements for a change of occupancy; replacement window emergency escape and rescue openings; addition or replacement of roofing or replacement of equipment; the scope of IEBC chapter 8; existing structural elements carrying gravity loads; existing structural elements resisting lateral loads; electrical requirements for new and existing installations; increased demands on plumbing; energy conservation for level 2 alterations; compliance requirements for level 3 alterations; demand-capacity ratio requirements for structural elements, considering a change in occupancy; plumbing requirements for a change in occupancy; applicability of IEBC chapter 9 for a change in occupancy; fire sprinkler systems for change in occupancy; additional gravity loads and lateral force-resisting systems; requirements for carbon monoxide alarms in existing portions of a building; requirements for storm shelters for additions to schools in certain counties; reports for historic buildings; applicability of IEBC chapters 6 through 13 to work done on structures existing before the effective date of the rule; hazardous buildings or unsafe conditions; and requirements for relocated or moved structures, including requirements regarding wind loads and snow loads. The proposed rules also repeal existing Minnesota Rules amending the IEBC in connection with the following topics: the scope of IEBC chapter 4; special use and occupancy; fire-resistance rating; means of egress for single-exit buildings; existing structural elements carrying gravity load; gravity loads for change of occupancy; snow drift loads; and height of existing guards.

The statutory authority to adopt the rules is in *Minnesota Statutes*, sections 326B.02, subdivision 5, 326B.101, and 326B.106, subdivision 1(a). A copy of the proposed rules is published on the Department's web site at: <https://www.dli.mn.gov/about-department/rulemaking/rulemaking-docket-minnesota-rules-chapter-1311>. A free paper copy of the rules is available upon request from the agency contact person listed above.

Proposed Rules

Comments. You have until 4:30 p.m. on Wednesday, July 24, 2019, to submit written comments in support of or in opposition to the proposed rules or any part or subpart of the rules. Your comments must be in writing and received by the agency contact person by the due date. Comments are encouraged. Your comments should identify the portion of the proposed rules addressed, the reason for the comments, and any change proposed. You are encouraged to propose any change that you desire. Any comments that you have about the legality of the proposed rules must also be made during this comment period.

Request for a Hearing. In addition to submitting comments, you may also request that the Department hold a hearing on the rules. You must make your request for a public hearing in writing, which the agency contact person must receive by 4:30 p.m. on Wednesday, July 24, 2019. You must include your name and address in your written request. In addition, you must identify the portion of the proposed rules that you object to or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and the agency cannot count it when determining whether it must hold a public hearing. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

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

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

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

Cancellation of Hearing. The Department will cancel the hearing scheduled for August 26, 2019, if the agency does not receive requests for a hearing from 25 or more persons. If you requested a public hearing, the agency will notify you before the scheduled hearing whether the hearing will be held. You may also call the agency contact person at (651) 284-5006 after July 24, 2019, to find out whether the hearing will be held. On the scheduled day, you may check for whether the hearing will be held by calling (651) 284-5006 or going on-line at <https://www.dli.mn.gov/about-department/rulemaking/rulemaking-docket-minnesota-rules-chapter-1311>.

Notice of Hearing. If 25 or more persons submit valid written requests for a public hearing on the rules, the Department will hold a hearing following the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The Department will hold the hearing on the date and at the time and place listed above. The hearing will continue until all interested persons have been heard. Administrative Law Judge Barbara Case is assigned to conduct the hearing. Judge Case can be reached at the Office of Administrative Hearings, 600 North Robert Street, P.O. Box 64620, Saint Paul, Minnesota 55164-0620, telephone (651) 361-7875, and fax (651) 539-0310.

Hearing Procedure. If the Department holds a hearing, you and all interested or affected persons, including representatives of associations or other interested groups, will have an opportunity to participate. You may present your views either orally at the hearing or in writing at any time before the hearing record closes. All evidence presented should relate to the proposed rules. You may also submit written material to the Administrative Law Judge to be recorded in the hearing record for five working days after the public hearing ends. At the hearing the Administrative Law Judge may order that this five-day comment period is extended for a longer period but not more than 20 calendar days. Following the comment period, there is a five-working-day rebuttal period when the agency and any interested person may respond in writing to any new information submitted. No one may submit new evidence during the five-day rebuttal period. The

Proposed Rules

Office of Administrative Hearings must receive all comments and responses submitted to the Administrative Law Judge via the Office of Administrative Hearings Rulemaking eComments website at <https://minnesotaoah.granicusideas.com/discussions> no later than 4:30 p.m. on the due date. All comments or responses received will be available for review at the Department or on the Department's website at <https://www.dli.mn.gov/about-department/rulemaking/rulemaking-docket-minnesota-rules-chapter-1311>. This rule hearing procedure is governed by *Minnesota Rules*, parts 1400.2000 to 1400.2240, and *Minnesota Statutes*, sections 14.131 to 14.20. You may direct questions about the procedure to the Administrative Law Judge.

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

Statement of Need and Reasonableness. The statement of need and reasonableness summarizes the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. It is now available from the agency contact person. You may review or obtain copies for the cost of reproduction by contacting the agency contact person. The statement of need and reasonableness may be viewed at: <https://www.dli.mn.gov/about-department/rulemaking/rulemaking-docket-minnesota-rules-chapter-1311>.

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

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

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

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

Date: June 11, 2019

Nancy J. Leppink, Commissioner
Department of Labor and Industry

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: 2019 Waterfowl Season

Notice is hereby given that the above entitled rules have been adopted through the process prescribed by *Minnesota Statutes*, section 84.027, subdivision 13(b). The statutory authority for the content of the rules is *Minnesota Statutes*, sections 97A.091, subd. 2; 97A.092, 97A.137, subd. 2; 97A.401, subd. 5; 97B.105, 97B.112 and 97B.731, subd. 1(b).

The following conditions do not allow compliance with *Minnesota Statutes*, sections 97A.0451 to 97A.0459. The waterfowl hunting season dates are based on annual determinations of season timing and selection of options as allowed under federal frameworks for migratory bird hunting. Provisions for taking waterfowl on refuges are based on annual population data that show the harvestable surplus of species and selection of options as allowed under annual federal frameworks for migratory bird hunting.

Dated: May 3, 2019

Sarah Strommen
Commissioner of Natural Resources

6230.0100 DEFINITIONS.

[For text of subpart 1, see Minnesota Rules]

Subp. 1a. **Early goose season.** "Early goose season" has the meaning given in part 6240.0100, subpart 1a.

[For text of subparts 2 and 3, see Minnesota Rules]

6230.0400 SPECIAL PROVISIONS FOR STATE GAME REFUGES.

[For text of subpart 1, see Minnesota Rules]

Subp. 2. **Bemidji Game Refuge, Beltrami County.** The Bemidji Game Refuge in Beltrami County is open to:

[For text of item A, see State Register, volume 43, page 153]

B. ~~Canada~~ goose hunting during the early goose season, except on Lake Bemidji, the Mississippi River, and Stump Lake;

[For text of items C and D, see Minnesota Rules]

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

Subp. 5. **Clay County Game Refuge, Clay County.** The Clay County Game Refuge in Clay County is open to:

[For text of item A, see State Register, volume 43, page 153]

[For text of items B and C, see Minnesota Rules]

Expedited Emergency Rules

D. ~~Canada~~ goose hunting during the early goose season.

[For text of subpart 6, see Minnesota Rules]

[For text of subpart 7, see State Register, volume 42, page 733, and volume 43, page 879]

[For text of subparts 8 to 10, see Minnesota Rules]

Subp. 11. **Evansville Game Refuge, Douglas County.** The Evansville Game Refuge in Douglas County is open to:

A. trapping;

B. ~~Canada~~ goose hunting during the early goose season; and

C. deer and bear hunting by firearms.

[For text of subpart 12, see State Register, volume 43, page 153]

Subp. 13. **Fox Lake Game Refuge, Martin County.** The Fox Lake Game Refuge in Martin County is open to:

[For text of items A and B, see Minnesota Rules]

C. ~~special goose hunts~~ goose hunting during the early goose season;

[For text of items D and E, see Minnesota Rules]

[For text of subparts 14 to 32, see Minnesota Rules]

Subp. 33. **Ocheda Lake Game Refuge, Nobles County.** The Ocheda Lake Game Refuge in Nobles County is open to:

[For text of items A to C, see Minnesota Rules]

D. ~~Canada~~ goose hunting during the early season and from the first Saturday in December through the end of the statewide goose season, except that hunting is prohibited within 100 yards of surface water during the early goose season; and

[For text of item E, see Minnesota Rules]

[For text of subparts 34 to 40, see Minnesota Rules]

Subp. 41. **St. James Game Refuge, Watonwan County.** The St. James Game Refuge in Watonwan County is open to:

A. trapping; and

B. ~~special goose hunts~~ goose hunting during the early goose season.

[For text of subpart 42, see Minnesota Rules]

Subp. 43. **Schoolcraft Game Refuge, Hubbard County.** The Schoolcraft Game Refuge in Hubbard County is open to:

A. small game hunting, except waterfowl, through the Thursday nearest November 4 and after the close of the 100-series firearms deer season;

[For text of items B and C, see Minnesota Rules]

[For text of subparts 44 to 48, see Minnesota Rules]

[For text of subpart 49, see State Register, volume 43, page 153]

[For text of subparts 50 to 53, see Minnesota Rules]

Subp. 54. [See repealer.]

[For text of subpart 55, see State Register, volume 43, page 153]

[For text of subparts 56 to 60, see Minnesota Rules]

[For text of subparts 61 to 63, see State Register, volume 43, page 153]

[For text of subpart 64, see State Register, volume 43, page 879]

Expedited Emergency Rules

Subp. 65. **Butterball Game Refuge, St. Louis County.** The Butterball Game Refuge in St. Louis County is open November 25 through May 15 for trapping any species for which there is an open season.

Subp. 66. **Little Rice Game Refuge, St. Louis County.** The Little Rice Game Refuge in St. Louis County is open November 25 through May 15 for trapping any species for which there is an open season.

6230.0600 DESCRIPTIONS OF CONTROLLED HUNTING ZONES.

[For text of subparts 1 and 2, see Minnesota Rules]

Subp. 3. **Lac qui Parle zones, Chippewa and Lac qui Parle Counties.**

A. On the Lac qui Parle Wildlife Management Area in Chippewa and Lac qui Parle Counties, the controlled hunting zone includes the following:

The Northwest Quarter of the Southwest Quarter (NW 1/4 SW 1/4) and the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) of Section 32, Township 119 North, Range 42 West, and the Northwest Quarter of the Northeast Quarter (NW 1/4 NE 1/4) and the East Half of the Northwest Quarter (E 1/2 NW 1/4) of Section 5, Township 118 North, Range 42 West, all in Lac qui Parle County.

And also the East Half of the Northwest Quarter (E 1/2 NW 1/4), the East Half of the Southwest Quarter (E 1/2 SW 1/4) and the West Half of the West Half of the Southeast Quarter (W 1/2 W 1/2 SE 1/4) of Section 12, Township 118 North, Range 42 West, ~~the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4), the Northeast Quarter (NE 1/4) except that part lying northeasterly of State Highway 7, the East Half of the Southeast Quarter (E 1/2 SE 1/4), and those parts of the Northwest Quarter (NW 1/4) owned by the state and posted as “Wildlife Management Area, Controlled Hunting Zone,”~~ all in Section 1, Township 118 North, Range 42 West, all in Chippewa County.

And also all state owned land posted as “Wildlife Management Area, Controlled Hunting Zone” located between U.S. Highways 7 and 59 and County State-Aid Highways 32 and 33, Chippewa County, in Sections 6 and 7, Township 118 North, Range 41 West, and Section 36, Township 119 North, Range 42 West, all in Chippewa County.

[For text of items B and C, see Minnesota Rules]

[For text of subparts 4 to 8, see Minnesota Rules]

6230.0700 LAC QUI PARLE SPECIAL PROVISIONS.

[For text of subpart 1, see Minnesota Rules]

Subp. 2. **Hunting stations.**

[For text of item A, see Minnesota Rules]

B. From the third Thursday in October through November 30, waterfowl and small game hunters ~~may reserve~~ must use designated hunting stations according to regulations available at the Lac qui Parle Wildlife Management Area headquarters. ~~Reservation dates may not be changed, which are available on a first-come, first-served basis.~~

[For text of item C, see Minnesota Rules]

Subp. 3. [See repealer.]

[For text of subparts 4 and 5, see Minnesota Rules]

Subp. 6. [See repealer.]

[For text of subparts 7 to 9, see Minnesota Rules]

6234.0800 HUNTING BY FALCONRY.

[For text of subparts 1 to 3, see Minnesota Rules]

Subp. 4. **Open season and hours for migratory game birds.** Woodcock, sora and Virginia rails, mourning dove,

Expedited Emergency Rules

and common snipe may be taken by falconry from September 1 to December 16. Ducks, coots, and moorhens (Gallinules) may be taken by falconry ~~from the Saturday nearest October 1 to the Saturday nearest January 14~~ during the open seasons prescribed in part 6240.0640, subpart 1, and statewide from December 14 through January 27, 2020. Geese may be taken by falconry during any open goose season. Crows may be taken by falconry during the open season. Falconry hours are from one-half hour before sunrise to sunset, except during the regular waterfowl season when falconry hours are the same as waterfowl shooting hours.

6240.0100 DEFINITIONS.

[For text of subpart 1, see Minnesota Rules]

Subp. 1a. **Early goose season.** “Early goose season” means goose seasons ~~beginning before open~~ September 16 ~~1~~ through September 15.

[For text of subparts 2 to 4, see Minnesota Rules]

6240.0200 GENERAL RESTRICTIONS FOR TAKING AND POSSESSION OF MIGRATORY GAME BIRDS.

Subpart 1. **Shooting hours.** Shooting hours for migratory waterfowl, coots, gallinules, rails, and snipe are one-half hour before sunrise to sunset, except as follows:

A. ~~on the opening day of the duck season, shooting hours begin at 9:00 a.m.; and~~

B. ~~from the opening day of the duck season to the Saturday nearest~~ through October 8 ~~4~~, shooting hours end at 4:00 p.m.

Subp. 2. **Possession limits.** The possession limit is ~~twice~~ three times the daily limit, except for rails where the daily and possession limits are the same. All restrictions specific to a species or gender apply.

[For text of subpart 3, see Minnesota Rules]

Subp. 4. **Use of motorized watercraft.** A person may use motorized watercraft in the waterfowl feeding and resting area established on South Heron Lake during the early goose season established in part 6240.1200.

[For text of subparts 5 and 6, see Minnesota Rules]

Subp. 7. **Taking in open water.** A person may take migratory waterfowl, coots, gallinules, rails, and snipe in open water on the following waters of Minnesota with the restrictions given:

A. the area of the Mississippi River and backwaters within the boundary beginning at the intersection of U.S. Highway 61 and the Minnesota boundary in Dakota County; thence along U.S. Highway 61 to U.S. Highway 63; thence along U.S. Highway 61/63 to U.S. Highway 61; thence along U.S. Highway 61 to U.S. Highway 14; thence along U.S. Highway 61/14 to Interstate 90; thence along Interstate 90/U.S. Highway 61/14 to State Trunk Highway (STH) 16; thence along STH 16 to STH 26; thence along STH 26 to the state’s southern boundary; thence along the southern boundary to the eastern boundary; thence along the eastern boundary to the point of the beginning; hunting is allowed not more than 100 feet from any shoreline, including islands, from boats that must be at anchor;

B. Lake Pepin, Lake of the Woods, and Lake Mille Lacs: hunting is allowed from boats that must be at anchor; and

C. Lake Superior north and east of the Minnesota Park Point peninsula: hunting is allowed from boats that must be at anchor.

6240.0250 TAKING MOURNING DOVES.

Subpart 1. **Open season.** Mourning doves may be taken during the ~~60-day~~ 90-day period beginning September 1.

[For text of subpart 2, see Minnesota Rules]

Expedited Emergency Rules

6240.0610 YOUTH WATERFOWL HUNTING ~~DAY~~ WEEKEND.

Subpart 1. **Dates, eligibility, and license requirements.** Ducks, mergansers, coots, moorhens, and Canada dark or light geese may be taken statewide on Youth Waterfowl Hunting ~~Day~~Weekend, September 7 and 8, by resident and nonresident hunters 15-17 years of age or younger. An adult resident or nonresident mentor 18 years of age or older, who is authorized by the youths parent or guardian, must accompany the youth hunter at all times during the hunt. The accompanying adult may not hunt. No hunting license or state waterfowl stamps are required, except all youths age 16 and older are required to have a federal migratory bird stamp.

Subp. 2. **Shooting hours.** Shooting hours are one-half hour before sunrise to 4:00 p.m. sunset.

Subp. 3. **Bag limits.** The daily bag limit for ducks, mergansers, coots, and moorhens is as allowed by federal rule. The daily bag limit for geese is five Canada dark geese and 20 light geese.

6240.0630 TAKING SANDHILL CRANE.

Subpart 1. **Open season.** Sandhill cranes may be taken from September 14 through October 20.

Subp. 2. **Shooting hours.** Shooting hours for sandhill cranes are one-half hour before sunrise to sunset, except beginning on the opening day of duck season, shooting hours are the same as shooting hours for the duck season as described in part 6240.0200, subpart 1.

Subp. 3. **Open area; taking restrictions.**

A. Sandhill cranes may be taken only in the Northwest Goose Zone as described in part 6240.0860, subpart 1.

B. Taking sandhill cranes is prohibited on or within 100 yards of all surface waters.

C. Sandhill cranes may be taken by bow and arrow or shotgun with nontoxic shot approved by the United States Fish and Wildlife Service. A person may not take sandhill cranes with a rifle or handgun.

Subp. 4. **License and permit requirements.**

A. Sandhill cranes may only be taken with:

(1) a valid permit to take sandhill cranes issued by the commissioner for a fee of \$3; and

(2) a small-game license, unless exempted.

B. A hunter must have a permit to take sandhill cranes in possession when taking or possessing sandhill cranes.

C. A hunter must not have had small- or big-game hunting privileges revoked within one year of purchasing a permit to take sandhill cranes.

Subp. 5. **Bag and possession limits.** A person may not take more than one sandhill crane per day or have more than three sandhill cranes in possession.

Subp. 6. **Game and waterfowl refuges.** All state game refuges closed to migratory-waterfowl hunting are closed to taking sandhill cranes under this part. All waterfowl refuges closed by posting to taking ducks or geese during any portion of the fall waterfowl seasons are closed to taking sandhill cranes under this part.

Subp. 7. **Penalties.** Violating this part or the conditions of any permit issued under this part results in revocation of the permit and any other penalty provided by state or federal law.

Expedited Emergency Rules

6240.0640 TAKING COOTS, MOORHENS, AND DUCKS.

Subpart 1. **Open seasons.** Coots, moorhens, ducks, and mergansers may be taken as follows:

A. in the North Waterfowl Zone, as described in part 6240.0620, subpart 2, during the 60-day period from September 21 through November 19;

B. in the Central Waterfowl Zone, as described in part 6240.0620, subpart 4, during the 60-day period that includes September 21 through September 29 and October 5 through November 24; and

C. in the remainder of the state, during the 60-day period that includes September 21 through September 29 and October 12 through December 1.

Subp. 2. **Daily limits.** In any one day, a person may not take more than six ducks, five mergansers, and a total of 15 coots and moorhens. The daily limit of ducks, other than mergansers, may not include more than four mallards, including two female mallards; one pintail; two redheads; three scaup; three wood ducks; two black ducks; and two canvasback. The daily limit of mergansers may not include more than two hooded mergansers.

6240.0950 TAKING GEESE.

Subpart 1. **Open seasons.** Geese may be taken as follows:

A. statewide during the early goose season, for which a special-season goose license is required under Minnesota Statutes, section 97B.802;

B. in the North Waterfowl Zone, as described in part 6240.0620, subpart 2, September 21 through December 21;

C. in the Central Waterfowl Zone, as described in part 6240.0620, subpart 4, September 21 through September 29 and October 5 through December 26; and

D. in the South Waterfowl Zone, as described in part 6240.0620, subpart 3, September 21 through September 29 and October 12 through January 2, 2020.

Subp. 2. **Daily limits.** From September 1 through September 15, the bag limit for dark geese is five combined and the bag limit for light geese is 20 combined. After September 15, a person may not take more than three dark geese or 20 light geese statewide. Dark geese are Canada, brant, and white-fronted geese. Light geese are snow, blue, and Ross's geese.

Subp. 3. **Taking near water.**

A. Taking geese during the early goose season is prohibited on or within 100 yards of all surface waters:

(1) in the Northwest Goose Zone, as described in part 6240.0860;

(2) in the Swan Lake Goose Zone, as described in part 6240.0860; and

(3) within the boundaries of the Carlos Avery Wildlife Management Area.

B. Taking geese on or within 100 yards of surface waters during the early goose season is allowed for youth hunters participating in youth waterfowl hunting days and on specific bodies of water in closed zones as described or shown on maps provided by the commissioner.

Expedited Emergency Rules

6240.1850 REFUGES OPEN TO TAKING GEESE.

[For text of subpart 1, see Minnesota Rules]

Subp. 2. Game refuges.

A. ~~The following refuges are open to goose hunting during the first two days of the regular goose season: Fox Lake Game Refuge in Martin County and The Saint James Game Refuge in Watonwan County is open to goose hunting during the first two days of the regular goose season.~~

B. ~~The Fox Lake Game Refuge is open to goose hunting for the last seven days of the statewide goose season. There is no goose hunting within 100 yards of Fox and Temperence Lakes.~~

[For text of subpart 3, see Minnesota Rules]

6240.2000 MIGRATORY WATERFOWL FEEDING AND RESTING AREA RESTRICTIONS.

[For text of subparts 1 to 3, see Minnesota Rules]

Subp. 4. **Use of electric motors.** On the lakes listed in items A to ~~J~~K, a person may use an electric motor with battery power of 12 volts or less within the designated migratory waterfowl feeding and resting area during the open waterfowl season:

[For text of items A to E, see Minnesota Rules]

F. Kandiyohi County: ~~Wagona Lake~~Wakanda, Lake Lillian;

[For text of items G and H, see Minnesota Rules]

I. Pope County: Nelson Lake; ~~and~~

J. Traverse County: Mud Lake; ~~and~~

K. Le Sueur County: Diamond Lake, Dora Lake, Sanborn Lake.

REPEALER. Minnesota Rules, parts 6230.0400, subpart 54; 6230.0700, subparts 3 and 6; 6240.1150, subpart 2; 6240.1200, subparts 3, 4, and 5; and 6240.1800, subpart 1, are repealed.

EFFECTIVE PERIOD. The emergency amendments to Minnesota Rules, parts 6230.0100, 6230.0400, 6230.0600, 6230.0700, 6234.0800, 6240.0100, 6240.0200, 6240.0250, 6240.0610, 6240.1150, 6240.1200, 6240.1800, 6240.1850, and 6240.2000, expire January 30, 2020. After the emergency amendments expire, the permanent rules as they read before those amendments again take effect, except as they may be amended by permanent rule. Minnesota Rules, parts 6240.0630, 6240.0640, and 6240.0950, expire January 30, 2020.

Expedited Rules

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

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

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

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

Department of Natural Resources

Proposed Expedited Permanent Game and Fish Rule: Technical Corrections to Restrictions on Designated Trout Streams

6264.0050 RESTRICTIONS ON DESIGNATED TROUT LAKES AND STREAMS.

[For text of subparts 1 to 3, see Minnesota Rules]

Subp. 4. **Listing of designated trout streams.** The following described streams and portions of streams and their tributaries within the section specified are designated as trout streams, and counties whose names appear in parentheses contain portions of those streams:

Name	Location		
	Township	Range	Section

[For text of item A, see Minnesota Rules]

B.	Becker County:			
----	----------------	--	--	--

[For text of subitems (1) to (6), see Minnesota Rules]

(7)	Toad River	138	38	6, 7, 18, 19, 30, 31
		139	38	30 , 31
		139	39	25, 36
		138	39	25, 36
(8)	unnamed stream	138	38	9, 16
(9)	unnamed stream	139	38	30, 31, 36
		139	39	36

[For text of items C to F, see Minnesota Rules]

G.	Carlton County:			
----	-----------------	--	--	--

[For text of subitems (1) to (32), see Minnesota Rules]

(33)	Spring Creek	46	17	3, 4, 5, 6
------	--------------	----	----	-----------------------

[For text of subitems (34) to (43), see Minnesota Rules]

[For text of item H, see Minnesota Rules]

I.	Cass County:			
----	--------------	--	--	--

[For text of subitems (1) to (5), see Minnesota Rules]

(6)	Hay Creek	135	31	8, 9, 16 , 17
(7)	Hoblin Creek	137	30	17, 18, 19
(8)	Mosquito Creek	135	31	8, 9, 16, 17

Expedited Rules

	Name	Location		
		Township	Range	Section
(8) (9)	Olson Brook	136	30	12, 13, 14
(9) (10)	Peterson Creek	134	30	29, 32
(10) (11)	Pine River, South Fork	138	31	14, 23
(11) (12)	Rogers Brook	134	30	29, 32
(12) (13)	Spring Brook	139	26	3, 10, 11, 14
(13) (14)	Stoney Brook	135	29	5, 8, 9
		136	29	30, 31, 32
		136	30	20, 21, 22, 25, 26, 27, 29, 30
		136	31	25, 26
(14) (15)	Stoney Brook, N.Fk.	136	31	24, 25
(15) (16)	unnamed creek	137	31	4, 5
(16) (17)	unnamed creek	139	26	3, 10
(17) (18)	unnamed stream	136	32	2, 3
(18) (19)	unnamed stream	136	32	19, 30, 31
(19) (20)	unnamed stream	135	30	15, 16, 21

[For text of items J to L, see Minnesota Rules]

M.	Cook County:			
----	--------------	--	--	--

[For text of subitems (1) to (4), see Minnesota Rules]

(5)	Beaver Dam Creek	63	3E	2, 3, 4, 5
		64	3E	32, 33, 34, 35

[For text of subitems (6) to (11), see Minnesota Rules]

(12)	Caribou River (Lake)	59	5W	29
(13) (12)	Carlson Creek (Stony Br.)	62	4E	4, 9, 10
		63	4E	31, 32, 33
(14) (13)	Cascade River	60	2W	1
		61	2W	1, 12, 13, 24, 25, 26, 35, 36
		62	2W	3, 10, 11, 14, 23, 24, 25, 36
(15) (14)	Cedar Creek	59	5W	2
		60	5W	22, 23, 26, 35
(16) (15)	Cliff Creek	61	2E	3, 4, 5, 9, 10
		62	2E	30, 31, 32
(17) (16)	Colville Creek, East	61	3E	5
		62	2E	25
		62	3E	30, 31, 32

Expedited Rules

Name		Location		
		Township	Range	Section
(18)(17)	Cross River (Lake)	58	4W	6
		58	5W	1
		59	4W	31
		59	5W	4, 5, 9, 15, 16, 21, 22, 23, 25, 26, 35, 36
		60	5W	30, <u>31</u> , 32
(19)(18)	Cutface Cr. (Good Harbor Cr.)	61	1W	27, 28, 29, 34
(20)(19)	Deer Yard Cr. (Spruce Cr.)	60	2W	4, 5, 8, 9, 10, 15, 16, 17
		61	2W	32
(21)(20)	Devil Track River	61	1E	1 , 3, 10, 11, 12, 13
		62	1E	31, 32, 33, 34
(22)(21)	Devil Track R., Little	61	1E	6, 7, 8, 9, 10
		61	1W	1, 2, 11, 12
(23)(22)	Durfee Creek	61	2E	5, 6, 8
		62	1E	25, 36
		62	2E	31
(24)(23)	Elbow Creek	62	1E	3, 4, 10, 15, 22, 27, 34
		63	1E	33
(25)(24)	Farquhar Creek	62	4E	2, 11
		63	4E	35
(26)(25)	Fiddle Creek	63	1W	2, 3, 10, 15
		64	1W	35
(27)(26)	Flute Reed River	62	3E	1, 2, 3, 10, 11, 13, 14, 15
		62	4E	17, 18, 20
		63	3E	35, 36
(28)(27)	Fredenberg Creek	58	5W	2, 3
		59	5W	27, 34
(29)(28)	Fox Farm Creek	62	1E	19, 30
(30)(29)	Fry Creek	62	1W	30, 31
		62	2W	25
(31)(30)	Gauthier Creek	62	3E	16, 20, 21, 22, 27
(32)(31)	Grand Portage Creek	63	5E	1
		63	6E	4, 6
		64	6E	31, 32, 33
(33)(32)	Greenwood River	63	2E	2, 3, 11, 12, 13, 22 , 23, 24
		64	2E	34
(34)(33)	Heartbreak Creek	59	4W	18, 19
		59	5W	2, 11, 12, 13
		60	5W	27, 28, 33, 34, 35

Expedited Rules

Name		Location		
		Township	Range	Section
(35)(34)	Hollow Rock Creek	63	5E	14, 15, 16, 23, 24, 25
(36)(35)	Honeymoon Cr. (Spring Cr.)	61	4W	28, 31, 32, 33
(37)(36)	Indian Camp Creek	60	2W	3, 10, 11
(38)(37)	Irish Creek	63	3E	8, 9, 10, 13, 14, 15
		63	4E	17, 18
(39)(38)	Jonvick Creek	60	2W	7, 19
		60	3W	12, 13, 14, 24
(40)(39)	Junco Creek	62	1W	11, 12, 14, 15, 16, 21, 28
		62	1E	6, 7
		63	1E	29, 30, 31
(41)(40)	Kadunce Creek	61	2E	2
		62	2E	10, 13, 14, 15, 22, 23, 24, 26, 35
(42)(41)	Kimball Creek	61	2E	3, 4, 10
		62	2E	17, 18, 20, 21, 28, 33
(43)(42)	Koski Creek	61	4W	5, 8
		62	4W	31, 32
(44)(43)	Lullaby Creek	63	1E	4, 5, 8, 9
(45)(44)	Mark Creek	61	2W	1, 2, 3, 4, 5, 6, 9
(46)(45)	Mississippi Creek	61	2W	1, 2, 3
		61	3W	1
		62	2W	31, 32, 33, 34, 35, 36
		62	3W	24, 25, 36
(47)(46)	Mississippi Creek, Little	62	2W	20, 21, 26, 29, 32, 33, 34, 35
(48)(47)	Missouri Creek	61	4W	13, 14, 23
(49)(48)	Mistletoe Creek	60	3W	3, 4
		61	3W	14, 15, 23, 24, 25, 26, 34, 35
(50)(49)	Monker Creek	61	1E	6, 7
		62	1E	31
		62	1W	36
(51)(50)	Mons Creek	62	3E	4
		63	3E	28, 29, 33
(52)(51)	Mud Creek	62	1E	8, 9, 16, 17, 21, 22
(53)(52)	Murmur Creek	61	2W	15, 20, 21, 22, 29, 30
(54)(53)	Myhr Creek	62	3E	23, 24, 26
(55)(54)	Nestor	61	1W	4, 5, 6
		61	2W	1
		62	1W	32, 33

Expedited Rules

Name		Location		
		Township	Range	Section
(56)(55)	Onion River	59	4W	1, 2, 12
		60	4W	24, 25, 26, 35
(57)(56)	Onion River, W.Br.	59	4W	2, 3, 4
(58)(57)	Pancake Creek	60	4W	17, 18
		60	5W	11, 13, 14
(59)(58)	Pecore Creek	61	4W	19, 20, 21
(60)(59)	Pike Lake Creek	61	2W	10, 11, 15
(61)(60)	Pine Mountain Creek	63	1E	23, 26, 27, 28, 33
(62)(61)	Plouff Creek	61	4W	17, 18
		61	5W	2, 3, 11, 13, 14, 15, 23
		62	5W	23, 26, 34, 35
(63)(62)	Poplar River	60	3W	3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 20, 21, 28, 33
		61	3W	31
		61	4W	10, 14, 15, 22, 23, 25, 26, 36
(64)(63)	Portage Brook	64	3E	24, 25, 26, 27, 28, 29, 32, 33, 34
		64	4E	19, 20
(65)(64)	Red Rock Creek	63	5E	21, 22, 26, 27, 35
(66)(65)	Reservation River	62	5E	6
		63	5E	18, 19, 30, 31
(67)(66)	Rollins Creek	59	3W	6
		60	3W	29, 30, 31
		60	4W	36
(68)(67)	Rosebush Creek (Fall R.)	61	1W	13, 24, 25
		61	1E	18
(69)(68)	Sawbill Creek	62	4W	7, 18, 19, 20, 28, 29, 30
(70)(69)	Section 16 Creek	58	5W	16
(71)(70)	Sixmile Creek	60	4W	13, 14, 15, 22, 23, 27, 28, 33
(72)(71)	Stickle Creek	63	1W	1, 2, 11, 12, 14
(73)(72)	Stone Creek	61	2E	2, 3
		62	2E	21, 22, 27, 34, 35
(74)(73)	Stony Creek, Little	63	2E	4, 9, 16
		64	2E	33
(75)(74)	Stumble Creek	59	5W	16, 21, 22, 26, 27, 28
(76)(75)	Stump River	64	4E	18
		64	3E	8, 9, 13, 15, 16, 22, 23, 24

Expedited Rules

	Name	Location		
		Township	Range	Section
(77)(76)	Stump River, Lower	64	3E	15, 16, 17, 22
(78)(77)	Sugar Loaf Creek	58	5W	17, 19, 20, 29
(79)(78)	Sundling Creek	61	1W	10, 11, 14, 15, 16, 17, 18
		61	2W	13
(80)(79)	Swamp River	63	3E	25, 26, 36
		63	4E	20, 29, 30
		64	4E	21, 27, 28
(81)(80)	Swamper Creek	64	1E	20, 29, 32
(82)(81)	Swanson Creek	61	4W	6, 7, 8
		61	5W	1
(83)(82)	Tait River	60	3W	4
		61	3W	28, 33
(84)(83)	Temperance River	59	4W	5, 7, 8, 18, 19, 30, 31, 32
		60	4W	6, 7, 8, 17, 20, 28, 29, 32, 33
		61	4W	4, 8, 9, 17, 19, 20, 30, 31
(85)(84)	Thompson Creek	62	1W	17, 19, 20
		62	2W	24
(86)(85)	Timber Creek	62	1E	1
		63	1E	25, 36
		63	2E	31
(87)(86)	Torgenson Creek	61	4W	30
		61	5W	24, 25
(88)(87)	Two Island River (Lake)	58	5W	2, 3, 4, 11
		59	5W	7, 17, 18, 20, 21, 28, 32, 33
(89)(88)	unnamed stream	63	4E	18, 19
(90)(89)	unnamed stream	63	3E	13, 23, 24, 25, 26
(91)(90)	unnamed stream	63	2E	4, 5
		64	2E	31, 32
(92)(91)	unnamed stream	59	5W	31, 32
(93)(92)	unnamed stream	59	5W	28, 29, 33
(94)(93)	unnamed stream	59	5W	7, 8, 17
(95)(94)	unnamed stream (Lake)	60	5W	31, 32
(96)(95)	unnamed stream	60	5W	25, 35, 36
(97)(96)	unnamed stream	60	5W	14, 23
(98)(97)	unnamed stream	59	4W	5, 6, 8
(99)(98)	unnamed stream	60	4W	5, 6
(100)(99)	unnamed stream	61	4W	16, 17

Expedited Rules

Name		Location		
		Township	Range	Section
(101)(100)	unnamed stream	62	4W	30, 31
		62	5W	25
(102)(101)	unnamed stream	59	4W	2
		60	4W	35, 36
(103)(102)	unnamed stream	60	3W	19, 20
(104)(103)	unnamed stream	61	2W	7, 18
		61	3W	13, 14, 23
(105)(104)	unnamed stream	61	3W	11, 14, 15
(106)(105)	unnamed stream	61	3W	30
		61	4W	25, 36
(107)(106)	unnamed stream	60	2W	6, 7, 8
(108)(107)	unnamed stream	60	2W	3
		61	2W	34
(109)(108)	unnamed stream	61	1W	30, 31
		<u>61</u>	<u>2W</u>	<u>36</u>
		60	2W	1
(110)(109)	unnamed stream	61	1W	19, 20, 21
		61	2W	24
(111)(110)	unnamed stream	61	2W	13, 14
(112)(111)	unnamed stream	61	1W	4, 5, 6, 9
(113)(112)	unnamed stream	61	1W	6
		61	2W	1
		62	1W	31, 32
(114)(113)	unnamed stream	61	3W	1
		62	2W	31
		62	3W	35, 36
(115)(114)	unnamed stream	62	2W	15, 16, 21, 22, 23
(116)(115)	unnamed stream	61	1W	23, 24
(117)(116)	unnamed stream	61	1E	2, 11
(118)(117)	unnamed stream	61	1E	4, 9
(119)(118)	unnamed stream	61	1E	5, 8
(120)(119)	unnamed stream	62	1E	26, 34, 35
(121)(120)	unnamed stream	62	1E	9, 10
(122)(121)	unnamed stream	62	1E	3, 10
		63	1E	34
(122)	<u>unnamed stream</u>	<u>63</u>	1E	<u>27, 28, 33</u>

[For text of subitems (123) to (133), see Minnesota Rules]

(134)	unnamed stream	62	2E	1, 2
		63	2E	31, 35, 36
		<u>63</u>	<u>3E</u>	<u>31</u>
(135)	unnamed stream	63	2E	10, 14, 15, 23

Expedited Rules

Name		Location		
		Township	Range	Section
(136)	<u>unnamed stream</u>	<u>63</u>	<u>2E</u>	<u>22, 23</u>
(136) (137)	unnamed stream	63	2E	1, 11, 12
		63	3E	6
		64	3E	31
(137) (138)	unnamed stream	62	3E	11, 12, 13
(138) (139)	unnamed stream	62	3E	3
		63	3E	34
(139) (140)	unnamed stream	62	4E	3, 10
		63	4E	34
(140) (141)	unnamed stream	63	4E	34, 35
(141) (142)	unnamed stream	63	4E	23, 25, 26, 36
		63	5E	31
(142) (143)	unnamed stream	63	5E	16, 17, 20, 21, 29, 30, 31
(143) (144)	unnamed stream	63	5E	27, 28
(144) (145)	unnamed stream	63	5E	11, 14
(145) (146)	unnamed stream	63	5E	9, 10, 15
(146) (147)	unnamed stream	63	6E	5, 6
		64	6E	32
(147) (148)	unnamed stream	64	3E	13, 14
(148) (149)	unnamed stream	64	3E	21, 22
(150)	<u>unnamed stream</u>	<u>63</u>	<u>3E</u>	<u>3, 4</u>
		<u>64</u>	<u>3E</u>	<u>33</u>
(149) (151)	unnamed stream	62	1W	9, 16, 21
(150) (152)	unnamed stream	62	1W	10, 15
(151) (153)	unnamed stream	62	1W	12, 13
(152) (154)	unnamed stream	62	1W	1, 2, 12
		63	1W	35
(153) (155)	unnamed stream	63	1W	24, 25
		63	1E	30
(154) (156)	unnamed stream	63	1E	20, 29
(155) (157)	unnamed stream	63	1W	3
		64	1W	34, 35
(156) (158)	unnamed stream	59	5W	8, 9, 16
(157) (159)	unnamed stream	62	3E	3
		63	3E	26, 34, 35
(160)	<u>unnamed stream</u>	<u>59</u>	<u>3W</u>	<u>6</u>
		<u>60</u>	<u>3W</u>	<u>31</u>
		<u>60</u>	<u>4W</u>	<u>36</u>
(161)	unnamed stream	<u>61</u>	<u>2W</u>	<u>2, 3</u>
		<u>62</u>	<u>2W</u>	<u>35</u>

Expedited Rules

	Name	Location		
		Township	Range	Section
(158)(162)	Woods Creek	61	1E	1, 12, 13
		62	1E	35, 36

[For text of items N to Q, see Minnesota Rules]

R.	Fillmore County:			
----	------------------	--	--	--

[For text of subitems (1) to (27), see Minnesota Rules]

(28)	Riceford Creek (Houston)	101	7	6, 7, 18, 19
		101	8	1, 12, 13, 24

[For text of subitems (29) to (45), see Minnesota Rules]

[For text of item S, see Minnesota Rules]

T.	Houston County:			
----	-----------------	--	--	--

[For text of subitems (1) to (7), see Minnesota Rules]

(8)	Brush Valley Creek	104	5	23, 24, 26
-----	--------------------	-----	---	------------

[For text of subitems (9) and (10), see Minnesota Rules]

(11)	Campbell Creek (Winona)	104	6	5, 7, 8, 18
------	-------------------------	-----	---	-------------

[For text of subitems (12) to (23), see Minnesota Rules]

(24)	Riceford Creek (Fillmore)	101	7	6, 7, 18, 19
		102	7	29, 30, 31, 32

[For text of subitems (25) to (35), see Minnesota Rules]

(36)	<u>unnamed stream</u>	<u>104</u>	<u>5</u>	<u>23, 24</u>
(36)(37)	Wildcat Creek	103	4	26, 27, 28, 29, 32, 33, 34, 35
(37)(38)	Winnebago Creek	101	4	28, 29, 30
		101	5	7, 8, 15, 16, 17, 22, 23, 24, 25
		101	6	12

[For text of item U, see Minnesota Rules]

V.	Itasca County:			
----	----------------	--	--	--

[For text of subitems (1) to (15), see Minnesota Rules]

(16)	<u>unnamed stream</u>	<u>62</u>	<u>23</u>	<u>1, 2, 11, 12, 13, 24</u>
(17)	<u>unnamed stream</u>	<u>62</u>	<u>23</u>	<u>13, 14</u>
(16)(18)	Valley River (Koochiching)	62	23	1, 2, 3, 4, 10, 11, 12, 13, 14, 24

W.	Koochiching County:			
----	---------------------	--	--	--

[For text of subitems (1) and (2), see Minnesota Rules]

(3)	Trout Brook, East Br.	<u>66</u>	<u>26</u>	<u>30</u>
		<u>66</u>	<u>27</u>	<u>25</u>
(3)(4)	Trout Brook, West Br.	66	26	19, 30
		66	27	24, 25
(4)(5)	unnamed stream	153	26	12, 13, 14
(5)(6)	Valley River (Itasca)	63	22	6, 7, 8, 9, 16, 17, 18, 19, 20, 21, 28, 29, 30
		63	23	24, 25, 26, 35

Expedited Rules

	Name	Location		
		Township	Range	Section
X.	Lake County:			

[For text of subitems (1) to (3), see Minnesota Rules]

(4)	Baptism River, Mn.Br.	56	7	3, 4, 5, 9 ; 10, 14, 15
		57	7	20, 27, 28, 29, 33, 34
(5)	Baptism River, E.Br.	57	6	6
		57	7	1, 2, 3, 9, 10, 11, 12, 16, 17, 20
		58	6	30 ; 31
		58	7	13, 17 ; 19, 20, 21, 22, 23, 24 ; 25, 26, 29, 30, 36
		58	8	23, 24

[For text of subitem (6), see Minnesota Rules]

(7)	Beaver River	55	8	2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 16, 17
		55	9	1, 2
		56	8	31
		56	9	4, 5, 6, 8, 9, 16, 21, 22, 23, 25, 26, 36
		57	9	28, 32, 33
(8)	Beaver River, E.Br.	55	8	2
		56	8	5, 6, 8, 9, 16, 21, 22, 25 ; 26, 27, 35, 36
		57	8	7, 18, 19, 30, 31
		57	9	2, 3, 11, 12, 13, 24, 25, 26, 36

[For text of subitems (9) to (27), see Minnesota Rules]

(28)	Encampment River	53	10	3, 10, 11
		54	10	8 ; 16, 17, 21, 27, 28, 34
(29)	Folly Creek	60	7	2, 3, 10, 11, 14, 15, 22, 23, 24, 27

[For text of subitems (30) to (35), see Minnesota Rules]

(36)	Hockamin Creek	57	7	17, 18, 19
		57	8	13 ; 20, 23 ; 24, 25, 26, 27, 28, 29, 32, 33

[For text of subitems (37) to (43), see Minnesota Rules]

(44)	Knife River (St. Louis)	52	11	4, 5, 8, 9, 17, 18, 19, 31
		53	11	4 ; 5, 7, 8, 17, 18, 20, 29, 32, 33
		54	11	20, 29, 30, 32

[For text of subitems (45) to (48), see Minnesota Rules]

Expedited Rules

Name		Location		
		Township	Range	Section
(49)	Lindstrom Creek	56	7	4
		57	7	19 , 30, 31, 32, 33
		57	8	25
<i>[For text of subitem (50), see Minnesota Rules]</i>				
(51)	Manitou River	57	6	3, 4, 10, 11
		58	6	6, 7, 8, 17, 18, 20, 21, 28, 29, 32 , 33, 34
<i>[For text of subitems (52) to (59), see Minnesota Rules]</i>				
(60)	Mile Post Forty-Three Cr., W. Br.	56	8	2, 3, 10, 11, 13 , 14, 15
(61)	Mile Post Forty-Three Cr., E. Br.	<u>56</u>	<u>8</u>	<u>2, 10, 11, 15</u>
(61) (62)	Mink Creek	54	9	4, 5, 9
		55	9	30, 31, 32
		55	10	25, 26, 36
(62) (63)	Mitawan Creek	60	9	1, 12
		61	8	5 , 6, 18, 19, 31
		61	9	1, 2, 12, 13, 24, 25, 36
		62	9	35
(63) (64)	Moose Creek	58	6	4, 5, 6, 7
		59	6	31, 32, 33, 34
(64) (65)	Mud Creek, Little	57	11	11, 12, 14, 22, 23
(65) (66)	Murphy Creek	56	11	4, 5, 8, 17, 18, 19
		57	10	4, 7, 8, 9, 18
		57	11	13, 22, 23, 24, 26, 27, 33, 34
(66) (67)	Nicadoo Creek	56	7	7
		56	8	1, 12
		57	8	26 , 27, 35, 36
(67) (68)	Nine Mile Creek	58	6	3, 4, 9, 16, 17
		59	6	27, 28, 33, 34
(68) (69)	Nip Creek	59	11	3, 4
		60	11	21, 22, 27, 28, 34
(69) (70)	Nira Creek	61	11	22, 23, 27
(70) (71)	Oliver Creek (Silver)	57	7	6
		57	8	1
		58	7	31
(71) (72)	Palisade Creek	56	7	18, 19, 20, 21, 22
		56	8	24
(72) (73)	Pete's Creek	53	10	20, 28, 29
(73) (74)	Rock Cut Creek	58	6	18, 19, 20
		58	7	13

Expedited Rules

	Name	Location		
		Township	Range	Section
(74)(75)	Sawmill Creek	57	7	12, 13, 23, 24, 26, 27, 34
(75)(76)	Schoolhouse Creek	58	7	35, 36
(76)(77)	Scott Creek	60	7	9, 10, 15, 16, 21, 22, 27, 34, 35
(77)(78)	Section 30 Creek (St. Louis)	63	11	30
(79)	<u>Shipwreck Creek</u>	<u>55</u>	<u>8</u>	<u>20, 29, 32, 33</u>
(78)(80)	Silver Creek	53	10	6, 7, 16, 17, 18, 21
		53	11	1
		54	10	18, 19, 30
		54	11	11, 12, 13, 25, 36
(79)(81)	Silver Creek, E.Br.	53	10	5, 8, 9, 16, 21
(80)(82)	Skunk Creek	54	9	4, 9, 16, 17, 20 21
		55	9	19, 29, 30, 32, 33
		55	10	13, 14, 24
(81)(83)	Snake Creek	60	10	1
		61	9	19, 30, 31
		61	10	24, 25, 36
(82)(84)	Snake River	60	10	3
		61	9	7, 18, 19
		61	10	12, 23, 24, 26, 27, 34
(83)(85)	Sphagnum Creek	60	9	4
		61	9	28, 29, 33
(84)(86)	Split Rock River	54	8	6, 7
		54	9	1, 12
		55	9	26, 28 , 35, 36
(85)(87)	Split Rock River, E.Br.	55	9	4, 5, 6, 9, 10, 14, 15, 22, 23, 24, 25, 26
		56	9	30, 31, 32
		56	10	1, 11, 12, 13, 14, 24, 25, 36
(86)(88)	Split Rock River, W.Br.	55	9	6, 7, 8, 16, 17, 21, 22, 26, 27
		55	10	1
		56	10	22, 26, 27, 33, 34 , 35, 36
(87)(89)	Stanley Creek (St. Louis)	52	11	18, 19
(88)(90)	Stewart River	53	10	18, 19, 20, 29
		53	11	2, 3, 10, 11, 13, 14, 15
		54	11	3, 4, 10, 15, 22, 26, 27, 34, 35
(89)(91)	Stewart River, Little	53	10	19, 20, 29
		53	11	9, 15, 16, 22, 23, 24

Expedited Rules

Name		Location		
		Township	Range	Section
(90) (92)	Stewart R. (St. Louis)	55	11	7
(91) (93)	Stoney Creek (Rock)	55	9	30
		55	10	20 22, 23, 24, 25, 27
(92) (94)	Stream Number 30	54	8	5, 6
		55	8	19, 30, 31
(93) (95)	Sullivan Creek	56	11	1, 2, 10, 11, 15
		57	10	19
		57	11	24, 25, 36
(94) (96)	Thirty-Nine Cr., Big	56	8	30, 31
		56	9	1, 2, 12, 13, 24, 25
		57	9	22, 26, 27, 35, 36
(95) (97)	Thirty-Nine Cr., Little	56	8	6, 7, 8, 17 , 18, 19, 20, 29, 30
		56	9	1, 12
(96) (98)	Tikkanen Creek	57	7	5, 6, 8, 16, 17
(97) (99)	Tomlinson Creek	60	7	18, 19, 31
		60	8	24, 25, 36
(98) (100)	Tower Creek	57	7	9
(99) (101)	Trappers Creek	56	11	2, 3, 9, 10, 16, 17, 19, 20
		57	11	35
(100) (102)	Twin Points Creek	54	9	10, 11, 13, 14
(101) (103)	Two Island River (Cook)	59	6	11, 12
(102)	unnamed creek	55	8	20, 21, 29, 32, 33
(103) (104)	unnamed creek stream (S-17-6)	53	11	30, 31, 32
(104) (105)	unnamed creek stream (S-17-9)	53	11	5
		54	11	20, 29, 30, 32
(105) (106)	unnamed stream	54	9	1, 2
		55	9	34
(106) (107)	unnamed stream	55	9	27, 28
(107) (108)	unnamed stream	56	7	16, 17, 21
(108) (109)	unnamed stream	56	8	4, 5, 9
		57	8	32
(109) (110)	unnamed stream	56	8	15, 22
(110) (111)	unnamed stream	57	7	5, 6
		58	7	32
(111) (112)	unnamed stream	57	8	2, 9, 10, 11
(112) (113)	unnamed stream	57	8	4, 5, 9
(113) (114)	unnamed stream	58	8	31, 32
		58	9	36
(114) (115)	unnamed stream	58	8	18, 19

Expedited Rules

Name		Location		
		Township	Range	Section
(H5)(116)	unnamed stream	57	8	1
		58	8	35, 36
(H6)(117)	unnamed stream	58	8	20, 21
(H7)(118)	unnamed stream	58	8	9, 15, 16
(H8)(119)	unnamed stream	58	8	4, 9, 10, 15
(H9)(120)	unnamed stream	58	8	2
		59	8	35
(H20)(121)	unnamed stream	58	7	30
		58	8	22, 23, 25, 26
(H21)(122)	unnamed stream	57	6	18
		57	7	13, 24
(H22)(123)	unnamed stream	57	7	22, 26, 27
(H23)(124)	unnamed stream	58	6	16, 21
(H24)(125)	unnamed stream	58	7	5, 6, 8
		59	7	31
(H25)(126)	unnamed stream	58	7	8, 17, 18
(H26)(127)	unnamed stream	59	7	25, 26, 36
(H27)(128)	unnamed stream	59	7	15, 16, 22, 27
(H28)(129)	unnamed stream	59	7	18, 19
		59	8	18, 19, 24, 25, 26
(H29)(130)	unnamed stream	58	6	15, 22, 23, 26
(H30)(131)	unnamed stream	58	6	13, 24
(H31)(132)	unnamed stream (Cook)	60	6	36
(H32)(133)	unnamed stream	59	7	4
		60	7	33, 34
(H33)(134)	unnamed stream	60	7	9, 16
(H34)(135)	unnamed stream	60	7	28, 29
(H35)(136)	unnamed stream	60	8	14, 23
(H36)(137)	unnamed stream	60	8	22, 26, 27
(H37)(138)	unnamed stream	59	8	6
		60	8	31
(H38)(139)	unnamed stream	60	8	19
		60	9	24
(H39)(140)	unnamed stream	60	8	5, 6, 7
(H40)(141)	unnamed stream	61	8	19, 20
(H41)(142)	unnamed stream	61	8	19, 29, 30
(H42)(143)	unnamed stream	61	8	6, 7
		61	9	1
(H43)(144)	unnamed stream	60	9	3
		61	9	34, 35
(H44)(145)	unnamed stream	61	9	20, 21

Expedited Rules

	Name	Location		
		Township	Range	Section
(145) (146)	unnamed stream	57	9	7, 18
		57	10	13, 24
(146) (147)	unnamed stream	57	10	30
		57	11	25, 36
(147) (148)	unnamed stream	55	8	7, 18
		55	9	2, 11, 12
(148) (149)	unnamed stream	56	9	18, 19, 20, 21, 27, 28, 34, 35, 36
(149) (150)	unnamed stream	56	9	33, 34
(150) (151)	unnamed stream	56	9	13, 14, 15, 22, 23, 24
(151) (152)	unnamed stream	56	9	11, 13, 14
(152) (153)	unnamed stream	56	9	5, 6, 8
(153) (154)	unnamed stream	56	9	5
		57	9	32
(155)	unnamed stream	<u>58</u>	<u>6</u>	<u>30</u>
		<u>58</u>	<u>7</u>	<u>25</u>
(156)	unnamed stream	<u>57</u>	<u>6</u>	<u>3, 4</u>
(157)	unnamed stream	<u>58</u>	<u>6</u>	<u>28, 29, 32</u>
(158)	unnamed stream	<u>57</u>	<u>7</u>	<u>3, 10</u>
(159)	unnamed stream	<u>57</u>	<u>7</u>	<u>19, 30</u>
(160)	unnamed stream	<u>56</u>	<u>8</u>	<u>25, 35, 36</u>
(161)	unnamed stream	<u>56</u>	<u>7</u>	<u>3, 4, 9</u>
(162)	unnamed stream	<u>55</u>	<u>8</u>	<u>5, 6, 7</u>
(163)	unnamed stream	<u>54</u>	<u>10</u>	<u>8, 16, 17, 21</u>
(164)	unnamed stream	<u>55</u>	<u>10</u>	<u>1</u>
		<u>56</u>	<u>10</u>	<u>33, 34, 35, 36</u>
(165)	unnamed stream	<u>61</u>	<u>8</u>	<u>5, 6</u>
(166)	unnamed stream	<u>56</u>	<u>8</u>	<u>8, 17, 18</u>
(167)	unnamed stream	<u>53</u>	<u>11</u>	<u>4, 5</u>
(168)	unnamed stream	<u>54</u>	<u>11</u>	<u>34, 35</u>
(169)	unnamed stream	<u>57</u>	<u>8</u>	<u>13, 24</u>
		<u>57</u>	<u>7</u>	<u>19</u>
(170)	unnamed stream	<u>57</u>	<u>8</u>	<u>23, 24</u>
(171)	unnamed stream	<u>54</u>	<u>9</u>	<u>17, 20, 21</u>
(154) (172)	Victor Creek	60	9	12, 13
(155) (173)	Wanless Creek	60	6	27, 33, 34, 35, 36
(156) (174)	Weiss Creek	59	9	2, 3, 11
		60	9	27, 34
(157) (175)	Wenho Creek	58	10	17, 20, 21, 27, 28, 34
(158) (176)	Whyte Creek	57	10	1, 2, 11, 14, 23, 26, 27, 34

Expedited Rules

Name		Location		
		Township	Range	Section
<i>[For text of items Y to AA, see Minnesota Rules]</i>				
BB.	Mahnomen County:			
(1)	Bad Boy Creek, <u>N. Br.</u>	144	39	13, 14, 22, 23, 27, 28, 34
(2)	Bad Boy Creek, <u>S. Br.</u>	<u>144</u>	<u>39</u>	<u>27, 28, 34</u>
(2)(3)	Schermerhorn Creek	144	39	6
		145	39	31
		145	40	25, 26, 36
<i>[For text of items CC to HH, see Minnesota Rules]</i>				
II.	Pine County:			
<i>[For text of subitems (1) to (4), see Minnesota Rules]</i>				
(5)	Crooked Creek	41	17	6, 7, 18, 19, 20, 29, 30
		41	18	11 , 12, 13
		42	17	31
<i>[For text of subitems (6) to (21), see Minnesota Rules]</i>				
<i>[For text of item JJ, see Minnesota Rules]</i>				
KK.	Redwood County:			
	Ramsey Creek	112	36	1
		113	36	35, 36
<i>[For text of items LL and MM, see Minnesota Rules]</i>				
NN.	St. Louis County:			
<i>[For text of subitems (1) to (6), see Minnesota Rules]</i>				
(7)	Ash River	66	20	4, 5, 9
		67	20	5, 6 , 8, 16 , 17, 18, 19, 20, 29, 30, 31 , 32
		67	21	36
		68	20	13, 14, 20, 21, 22, 23, 24, 28, 29, 31 , 32, 33
		68	19	17, 18
		68	21	36
<i>[For text of subitems (8) to (11), see Minnesota Rules]</i>				
(12)	Blackduck River	66	19	5 , 6, 7, 8, 17
		66	20	1
		67	19	29, 31, 32
		67	20	2 , 3, 4, 10, 14, 15, 23, 24 , 25, 26, 36
		68	20	26, 27 , 28, 33, 34
<i>[For text of subitems (13) to (19), see Minnesota Rules]</i>				
(20)	Chicken Creek	52	16	5, 7, 8, <u>18</u>
		52	17	13, 24, 25
		53	16	32
(21)	Cloquet River, Little	<u>55</u>	<u>12</u>	<u>35, 36</u>

Expedited Rules

Name		Location		
		Township	Range	Section
(21)(22)	Coffee Creek	50	14	20, 29, 32, 33
(22)(23)	Coolidge Creek	55	14	19, 29, 30
		55	15	25, 26, 35, 36
(23)(24)	Dark River	60	19	19, 20, 30
		60	20	10, 11, 12, 13, 24
(24)(25)	Dutchess Slough Creek	50	17	4, 9, 10, 13, 14, 15, 24
(25)(26)	Elm Creek (Carlton)	50	16	35
(26)(27)	Fawn Creek	66	20	1, 2, 3, 4, 12
		67	20	15, 22, 23, 26, 34, 35
(27)(28)	Fivemile Lake Outlet	62	14	29, 30, 31
(28)(29)	French River	51	12	7, 17, 18
		51	13	1, 2, 12
		52	13	8, 9, 16, 21, 27, 28, 34, 35
(29)(30)	Fullers Creek	61	15	8, 17
(31)	<u>Gilmore Creek</u>	<u>65</u>	<u>19</u>	<u>4, 5</u>
		66	19	33
(30)(32)	Grassy Creek	61	13	6
		61	14	1
(31)(33)	Hasty Brook (Carlton)	50	20	28, 29, 32, 33
(32)(34)	Hay Creek (Carlton)	50	16	20, 21, 28, 29, 32, 33
(33)(35)	Hellwig Creek	52	17	3, 10, 14, 15, 23, 26
		53	16	16
		53	17	13, 14, 23, 24, 25, 26, 34, 35
(34)(36)	Hornby Junction Creek	55	13	5, 6, 7
		56	13	28, 32, 33
(35)(37)	Humphrey Creek	54	14	23, 26, 27, 33, 34
(36)(38)	Indian Creek	55	12	3
		56	12	14, 22, 23, 27, 34
(37)(39)	Joe Martin Creek	50	18	3, 4, 5, 7, 8
		50	19	12
(38)(40)	Johnson Creek	50	17	3, 10, 11, 14
		51	17	34
		55	12	35, 36
(41)	<u>Johnson Creek</u>	60	18	6, 7, 8, 17, 20
(39)(42)	Keene Creek	49	14	18
		49	15	1, 12, 13
		50	15	24, 25, 36
(40)(43)	Kehtel Creek	51	15	8, 17, 18, 19, 20
(41)(44)	Kingsbury Creek	49	15	4, 9, 10, 11, 13, 14
		50	15	33, 34

Expedited Rules

	Name	Location		
		Township	Range	Section
(42)(45)	Kinmount Creek	67	20	19
		67	21	13, 14, 15, 20, 21, 22, 23, 24
(43)(46)	Knife River (Lake)	52	12	24, 25, 36
(44)(47)	Knife River, W.Br. (Lake)	52	12	1
		53	12	2, 3, 10, 15, 16, 22, 23, 27, 28, 34, 35, 36
		54	12	35, 36
(45)(48)	Knife River, Little	52	12	16, 17, 21, 22, 26, 27, 28, 35, 36
(46)(49)	Knife River, Lit., W.Br. (Lake)	53	12	13, 14, 23, 24, 25, 26, 36
(47)(50)	Knowlton Creek	49	15	14, 15, 22 , 23
(48)(51)	Lavi Creek	52	15	21, 28
(49)(52)	Lester River	50	13	4, 5, 8
		51	13	7, 8, 16, 17, 21, 28, 32, 33
		51	14	1, 2, 12, 13
		52	14	21, 22, 23, 27, 28, 34, 35
(50)(53)	Longstorff Creek	62	12	6, 7
		63	12	31
(51)(54)	Lost River	65	19	6
		65	20	1, 2, 3, 4, 5, 6, 7, 8, 12
		65	21	1
		66	20	20, 25, 27, 29, 31, 32, 33, 34, 35, 36
(52)(55)	Marshall Creek	52	15	10, 15
(53)(56)	McCarthy Creek (Lake)	53	12	12, 13
(54)(57)	Merritt Creek	49	14	5, 6
		49	15	1
		50	15	36
		50	14	31
(55)(58)	Midway River (Carlton)	49	15	5, 6
		50	15	21, 22, 23, 28 , 32, 33
(56)(59)	Miller Creek	49	14	4
		50	14	6, 18, 19, 29, 30, 32, 33
		50	15	1, 12, 13
		51	14	31, 32
(57)(60)	Mission Creek (Carlton)	48	15	5, 6
		49	15	31

Expedited Rules

Name		Location		
		Township	Range	Section
(58) (61)	Mud Creek	54	12	20, 21, 22, 29, 30
(59) (62)	Nine Mile Creek	66	19	4
		67	19	7, 8, 18, 19, 20, 21, 27, 28, 29, 33
		67	20	12, 13, 14, 23
(60) (63)	Owens Creek	61	14	7, 8
		61	15	1, 2, 12
(61) (64)	Palmer Creek	51	12	9
(62) (65)	Pine River (White Pine River)	50	16	4, 8, 9, 17, 18, 19, 20
		50	17	23, 24, 26
(63) (66)	Railroad Creek	50	17	1, 11, 12, 14
(64) (67)	Rocky Run Creek	50	15	7, 8, 17, 20, 28, 29
(65) (68)	Ross Creek	52	13	1, 2, 3, 4, 5
		53	13	33
(66) (69)	Ryan Creek	55	14	14, 15, 22
(67) (70)	Sand Creek	60	21	3, 4, 5, 10, 11, 14
		61	20	19
		61	21	3, 10, 11, 14, 15, 23, 24, 25, 26, 27, 33, 34, 35
		62	21	34
(68) (71)	Sargent Creek	48	15	4, 5, 9, 10
		49	15	28, 29, 32
(69) (72)	Schmidt Creek	51	12	17
(70) (73)	Section 30 Cr. (Lake)	63	12	24, 25
(71) (74)	Spring Creek	52	16	18, 19, 24
		<u>52</u>	<u>17</u>	<u>24</u>
(72) (75)	Spring Creek	54	12	1, 2
(73) (76)	Stanley Creek (Lake)	52	12	4, 5, 8, 9, 10, 11, 12, 13
(74) (77)	Stewart Creek	49	15	21, 22, 26, 27
(75) (78)	Stewart River (Lake)	55	12	12, 13
(76) (79)	Stoney Brook (Itasca)	61	21	7, 18
(77) (80)	Sucker River	51	12	3, 4, 10
		52	12	18, 19, 29, 30, 31, 32, 33
		52	13	1, 12, 13, 24, 25
		53	12	19, 20, 30, 31
		53	13	24, 25, 36
(78) (81)	Sucker River, Little	51	12	2, 3
(79) (82)	Talmadge Creek	51	12	19
		51	13	9, 10, 13, 14, 15, 24

Expedited Rules

	Name	Location		
		Township	Range	Section
(80)(83)	Tischer Creek (Congdon Creek/Hartley)	50	14	2, 3, 4, 11, 13, 14
		51	14	29 , 33, 34
(81)(84)	Tower Creek	55	14	8, 9, 17, 18, 19
		55	15	24, 25, 26
(82)(85)	Two Rivers, East	61	15	1, 2, 3, 4
		62	14	31, 32
		62	15	32, 33, 34, 35, 36
(83)(86)	Two Rivers, West	61	15	6, 7, 8, 9, 14, 15, 16
(84)(87)	Ugstad Creek	51	15	21, 22, 23, 26, 27, 28
(85)	unnamed creek	65	19	4, 5
		66	19	33
(88)	unnamed stream	66	20	27, 34
(86)(89)	unnamed creek stream (S-17-6) (Lake)	53	12	25
(87)(90)	unnamed stream	50	16	15, 16, 19, 20, 21
(88)(91)	unnamed stream	50	16	19, 29, 30, 32
(89)(92)	unnamed stream	50	15	14, 15, 16, 20, 21
(90)(93)	unnamed stream	50	14	10, 11, 14
(91)(94)	unnamed stream	51	13	17, 18, 19, 20, 21
		51	14	13, 24
(92)(95)	unnamed stream	51	13	5, 6, 7
		51 52	13	32
(93)(96)	unnamed stream	51	13	6
		52	13	31, 32
(94)(97)	unnamed stream	51	14	2, 10, 11, 15, 16
(95)(98)	unnamed stream	51	13	1, 2, 3
		52	13	34
(96)(99)	unnamed stream	52	13	16, 17
(97)(100)	unnamed stream	52	13	23, 26, 35
(98)(101)	unnamed stream	52	13	20, 28, 29
(99)(102)	unnamed stream	52	13	22, 27
(100)(103)	unnamed stream	52	12	16, 21, 22, 23, 26
(101)(104)	unnamed stream	51	17	23, 26
(102)(105)	unnamed stream	53	16	30
		53	17	25, 26
(103)(106)	unnamed stream	53	16	19, 20
		53	17	24
(104)(107)	unnamed stream	53	16	18, 19
(105)(108)	unnamed stream	59	14	34, 35
(106)(109)	unnamed stream	52	12	16, 21, 22, 23, 26

Expedited Rules

	Name	Location		
		Township	Range	Section
(107) (110)	unnamed stream (West Rocky Run Cr.)	49	15	6
		50	15	30, 31
		50	16	11, 12, 13, 24, 25
(111)	unnamed stream	<u>65</u>	<u>19</u>	<u>6</u>
		<u>65</u>	<u>20</u>	<u>1, 2</u>
		<u>66</u>	<u>20</u>	<u>35</u>
(112)	unnamed stream	<u>65</u>	<u>20</u>	<u>3, 4</u>
		<u>66</u>	<u>20</u>	<u>33</u>
(113)	unnamed stream	<u>65</u>	<u>20</u>	<u>5, 7, 8</u>
		<u>66</u>	<u>20</u>	<u>32</u>
(114)	unnamed stream	<u>67</u>	<u>20</u>	<u>19, 30, 31</u>
		<u>67</u>	<u>21</u>	<u>36</u>
(115)	unnamed stream	<u>67</u>	<u>20</u>	<u>16, 17</u>
(116)	unnamed stream	<u>67</u>	<u>20</u>	<u>5, 6</u>
		<u>68</u>	<u>20</u>	<u>31</u>
		<u>68</u>	<u>21</u>	<u>36</u>
(117)	unnamed stream	<u>66</u>	<u>20</u>	<u>3, 4</u>
		<u>67</u>	<u>20</u>	<u>34, 35</u>
(118)	unnamed stream	<u>66</u>	<u>19</u>	<u>5, 6</u>
(119)	unnamed stream	<u>67</u>	<u>19</u>	<u>29, 31, 32</u>
		<u>67</u>	<u>20</u>	<u>36</u>
(120)	unnamed stream	<u>67</u>	<u>19</u>	<u>21, 27, 28</u>
(121)	unnamed stream	<u>67</u>	<u>19</u>	<u>7, 8</u>
		<u>67</u>	<u>20</u>	<u>12, 13</u>
(122)	unnamed stream	<u>49</u>	<u>15</u>	<u>15, 22</u>
(123)	unnamed stream	<u>55</u>	<u>15</u>	<u>35, 36</u>
(124)	unnamed stream	<u>67</u>	<u>20</u>	<u>23, 24</u>
(125)	unnamed stream	<u>66</u>	<u>20</u>	<u>20, 29, 32</u>
(126)	unnamed stream	<u>67</u>	<u>20</u>	<u>3, 4</u>
		<u>68</u>	<u>20</u>	<u>34</u>
(127)	unnamed stream	<u>66</u>	<u>20</u>	<u>20, 29, 32</u>
(108) (128)	Us-kab-wan-ka (Rush)	52	16	2, 11, 14, 23
		53	15	5, 6
		53	16	1, 11, 12, 14, 15, 22, 23, 27, 34, 35
		54	15	23, 24, 26, 27, 32, 33, 34
(109) (129)	Wyman Creek	58	14	3, 4
		59	14	11, 13, 14, 23, 24, 26, 27, 34

[For text of items OO to QQ, see Minnesota Rules]

Expedited Rules

Name	Location		
	Township	Range	Section
RR. Wabasha County:			

[For text of subitems (1) to (16), see Minnesota Rules]

(17)	unnamed creek (<u>Helbig Zell</u>)	110	11	28, 33
------	--------------------------------------	-----	----	--------

[For text of subitems (18) to (20), see Minnesota Rules]

[For text of items SS to UU, see Minnesota Rules]

VV. Winona County:				
--------------------	--	--	--	--

[For text of subitems (1) to (7), see Minnesota Rules]

(8)	Campbell Creek (<u>Houston</u>)	105	6	21, 28, 29, 32
-----	-----------------------------------	-----	---	----------------

[For text of subitems (9) to (50), see Minnesota Rules]

[For text of item WW, see Minnesota Rules]

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.

Department of Agriculture Adopted Permanent Rules Relating to Groundwater Protection

The rules proposed and published at State Register, Volume 42, Number 44, pages 1277-1292, April 30, 2018 (42 SR 1277), are adopted with the following modifications:

1573.0010 DEFINITIONS.

Subp. 2a. **Capture zone.** "Capture zone" means the subsurface area surrounding a well or well field through which water is likely to move toward and reach the well supplying a public water system with water.

Subp. 17. **Nitrogen fertilizer.** "Nitrogen fertilizer" means a substance containing nitrogen that is used for its plant nutrient content, is designed for use or claimed to have value in promoting plant growth, and requires a guaranteed analysis under Minnesota Statutes, section 18C.215. Nitrogen fertilizer does not include animal and vegetable manures that are not manipulated, or marl, lime, limestone, biosolids, industrial by-product, industrial wastewater, irrigation water, or other products exempted by the commissioner. Chemicals or substances added to manure during storage to reduce odor or gas emissions or to prevent foaming, or added to manure to extend the time the nitrogen component of manure remains in the soil, are not considered a manipulation of manure.

Adopted Rules

1573.0020 INCORPORATION BY REFERENCE.

A. The documents in subitems (1) to ~~(4)~~ (5) and subsequent revisions are incorporated by reference. The documents are not subject to frequent change and are available as indicated:

(4) Fertilizer Guidelines for Agronomic Crops in Minnesota, Lamb, John; Kaiser, Daniel E.; Eliason, Roger; University of Minnesota Extension (2011): <http://www.extension.umn.edu/agriculture/nutrient-management/nutrient-lime-guidelines/fertilizer-recommendations-for-agronomic-crops-in-minnesota/docs/BU-6240S-PUB.pdf>.
<https://conservancy.umn.edu/handle/11299/198924>;

(5) Farm Nutrient Management Assessment Program (FANMAP), Minnesota Department of Agriculture:
<http://www.mda.state.mn.us/farm-nutrient-management-assessment-program-fanmap>.

1573.0030 STATEWIDE WATER RESOURCE PROTECTION REQUIREMENTS.

Subpart 1. Prohibitions.

A. A responsible party must not make:

(2) a fall application of nitrogen fertilizer to cropland located in a quarter section where vulnerable groundwater areas make up 50 percent or more of the quarter section or government lot; or

B. The commissioner shall annually develop a fall application restrictions map. The commissioner shall post the fall restrictions map on the department's Web site by ~~March 1~~ January 15 of each year.

Subp. 2. Exclusions.

E. If cropland makes up less than three percent of a county's total land area, the county is excluded from the requirements in subpart 1, item A.

F. The commissioner ~~may~~ shall exclude responsible parties in a drinking water supply management area from the fall application restrictions in subpart 1 if the commissioner determines there is a point source of nitrate-nitrogen contamination, including but not limited to an improperly sealed well, an animal feedlot, or an agricultural chemical incident, that is a significant source of nitrate-nitrogen contamination in the drinking water supply management area's well. In determining whether there is a significant point source of nitrate-nitrogen contamination, the commissioner shall:

(1) review the evaluation of point sources identified in the wellhead protection plan approved under chapter 4720 for nitrate-nitrogen contributions to the municipal public water supply well; or

(2) conduct a detailed review of potential contaminant sources in the area; evaluate the condition and vulnerability of the municipal water supply well; determine the hydrogeology and groundwater flow paths for groundwater flowing into the municipal public water supply well; and if necessary, sample soil or other wells in the area; and

(3) based on the information obtained in subitem (1) or (2), determine whether, but for the contamination from the point source, the municipal water supply well would not exceed the reference value of 5.4 mg/L. If the municipal water supply well would not exceed the reference value of 5.4 mg/L but for the contamination from the point source, the responsible parties within the drinking water supply management area are excluded from fall application restrictions under subpart 1, item A.

G. The commissioner ~~may~~ shall exclude part of a drinking water supply management area from the fall application restriction if the commissioner determines that the area is not contributing significantly to the contamination of the well in the drinking water supply management area. In determining whether an area is not contributing significantly, the commissioner shall apply the following:

Adopted Rules

(1) for drinking water supply management areas greater than 100,000 acres, only the designated capture zone and vulnerable groundwater areas are subject to the fall application restrictions under subpart 1, item A;

(2) for drinking water supply management areas that are less than 100,000 acres and for areas within a designated capture zone for drinking water supply management areas greater than 100,000 acres:

(a) areas within the wellhead protection plan as approved by the Department of Health under chapter 4720 that identify an area as low vulnerability are not subject to the fall application restrictions under subpart 1, item A; or

(b) areas within a drinking water supply management area that have a ten-foot or greater confining layer, as defined in part 4725.0100, subpart 24a, are not subject to fall application restrictions under subpart 1, item A, unless computer modeling indicates that leaching and infiltration of nitrate from sources at or near the ground surface is predicted to result in nitrate exceeding 5.4 mg/L in the aquifer being monitored;

The commissioner shall regulate areas under this part by quarter section or by using the boundaries in the wellhead protection plan for the drinking water supply management area.

Subp. 3. **Exceptions.**

A. Notwithstanding subpart 1, a responsible party may make a fall application of nitrogen fertilizer in a vulnerable groundwater area or drinking water supply management area if the responsible party uses applicable nitrogen rates, as defined in item B, in the following situations only:

1573.0040 DRINKING WATER SUPPLY MANAGEMENT AREA; MITIGATION LEVEL DESIGNATION.

Subp. 2. **Evaluation of nitrate-nitrogen concentrations in groundwater.** The commissioner shall evaluate nitrate-nitrogen concentrations in groundwater from public wells in drinking water supply management areas for purposes of making drinking water supply management area mitigation level 1 and 2 designations. The commissioner shall use public well nitrate-nitrogen concentration data provided by the commissioner of health or the commissioner of health's designee under chapter 4720 for this purpose. The commissioner shall initially designate a drinking water supply management area as a mitigation level 1 or a mitigation level 2 drinking water supply management area according to the criteria in subpart 3. The commissioner shall make mitigation level determinations by January 15 for monitoring data received by the commissioner before July 15 of the previous year, unless there is good cause for delay. The data shall be submitted to the commissioner on forms or in a format specified by the commissioner and shall meet data requirements specified by the commissioner.

Subp. 3. **Criteria for initial mitigation level designation.**

A. The commissioner shall use the following criteria to make mitigation level designations for drinking water supply management areas.

(2) To be designated as a mitigation level 2 drinking water supply management area, the groundwater nitrate-nitrogen concentration data of the public well in the drinking water supply management area meets one of the following:

(b) the nitrate-nitrogen concentration of the public well is has been 8.0 mg/L or greater at any point in the previous ten years.

B. For a nonmunicipal public water supply well, the commissioner may make exceptions for increasing a mitigation level designation based on:

(+) whether there has been a significant change in the amount of land used for agricultural production change in cropland use within the drinking water supply management area; and computer modeling or published leaching loss

Adopted Rules

data indicates that the reduction in leaching of nitrate is predicted to result in the public well not exceeding the criteria for a mitigation level.

- ~~(2) the severity of the nitrate-nitrogen concentration found in other wells in the drinking water supply management area;~~
- ~~(3) the population affected by the groundwater contamination of nitrate-nitrogen; and~~
- ~~(4) other factors expected to influence nitrate-nitrogen concentrations.~~

C. The commissioner ~~may~~ shall exclude responsible parties in a drinking water supply management area from mitigation level determinations designations in subpart 2 if the commissioner determines there is a point source of nitrate-nitrogen contamination, including but not limited to an improperly sealed well, an animal feedlot, or an agricultural chemical incident, that is a significant source of nitrate-nitrogen contamination in the drinking water supply management area's well. In determining whether there is a significant point source of nitrate-nitrogen contamination, the commissioner shall:

- (1) review the evaluation of point sources identified in wellhead protection plans approved under chapter 4720 for nitrate-nitrogen contributions to the municipal public water supply well; or
- (2) conduct a detailed review of potential contaminant sources in the area; evaluate the condition and vulnerability of the public well; determine the hydrogeology and groundwater flow paths for groundwater flowing into the public well; and if necessary, sample soil or other wells in the area; and
- (3) based on the information obtained in subitem (1) or (2), determine whether, but for the contamination from the point source, the public well would not exceed the criteria for increasing a mitigation level.

D. The commissioner ~~may~~ shall exclude part of a drinking water supply management area from a mitigation level designation if the commissioner determines that the area is not contributing significantly to the contamination of the public well in the drinking water supply management area. In determining whether the area is not contributing significantly, the commissioner shall apply the following:

- (1) areas within the wellhead protection plan as approved by the Department of Health under chapter 4720 that identify an area as low vulnerability shall not be included in the mitigation area designation; or
- (2) the commissioner shall not include areas within a drinking water supply management area that have a ten-foot or greater confining layer, as defined in part 4725.0100, subpart 24a, in the mitigation level designation, unless computer modeling indicates that leaching and infiltration of nitrate from sources at or near the ground surface is predicted to result in nitrate exceeding 5.4 mg/L in the aquifer being monitored.

The commissioner shall regulate areas under this part by quarter section or by using the boundaries in the wellhead protection plan for the drinking water supply management area.

Subp. 6. Nitrogen fertilizer best management practices evaluation.

B. When conducting an evaluation under this subpart, the commissioner shall consider:

- (3) nitrogen fertilizer best management practices not to be implemented if the responsible party does not provide information or provides insufficient information to the commissioner to make a determination related to the implementation of nitrogen fertilizer best management practices on that cropland; and
- (4) practices that do not meet the nitrogen fertilizer best management practices to be in compliance with the nitrogen fertilizer best management practices if the noncompliance is due to an agricultural emergency or other extreme circumstance as determined by the commissioner; and.

(5) ~~cropland where a manure management plan has been implemented by the responsible party as cropland that has implemented nitrogen fertilizer best management practices if the manure management plan has been approved and determined to be implemented by the commissioner of the Pollution Control Agency or the commissioner's designee, and includes the nitrogen fertilizer best management practices determined applicable for the drinking water supply management area by the commissioner.~~

Subp. 7. Mitigation level 2 drinking water supply management area; mitigation designation review.

G. ~~If responsible parties within a drinking water supply management area have demonstrated progress in addressing nitrates in groundwater by changing agricultural or land use practices within the drinking water supply management area, so that the public well does not meet the criteria of a mitigation level 3 as shown by computer modeling data or residual soil nitrate testing,~~ the commissioner may grant a onetime exemption from designating a mitigation level 2 drinking water supply management area as a mitigation level 3 drinking water supply management area for a period equal to the period for the mitigation level designation decision under item A.

H. ~~The commissioner may make exceptions for increasing a mitigation level designation if there has been a significant change in land use in a drinking water supply management area.~~

Subp. 8. Mitigation level 3 drinking water supply management areas; mitigation level designation review.

G. ~~If responsible parties within a drinking water supply management area have demonstrated progress in addressing nitrate in groundwater by changing agricultural or land use practices, so that the public well does not meet the criteria of a mitigation level 4 as shown by computer modeling data or residual soil nitrate testing,~~ the commissioner may grant a onetime exemption from designating a mitigation level 3 drinking water supply management area as a mitigation level 4 drinking water supply management area for a period equal to the period for the mitigation level designation decision under item A.

1573.0050 WATER RESOURCE PROTECTION REQUIREMENTS ORDER.

Subpart 1. Commissioner's water resource protection requirements order.

D. In prioritizing the issuance of water resource protection requirements orders throughout the state, the commissioner shall consider the following:

(2) ~~the size of the population at risk receiving water from the public well in the drinking water supply management area due to high nitrate in groundwater;~~

G. ~~The commissioner may exclude part of a drinking water supply management area from the water resource protection requirements order if the commissioner determines that the area is not contributing significantly to the contamination in the well or it is not practicable to include that part of the well. In determining whether an area is not contributing significantly, the commissioner shall apply the following:~~

(1) ~~areas within the wellhead protection plan as approved by the Department of Health under chapter 4720 that identify an area as low vulnerability are not subject to the water resource protection requirements order; or~~

(2) ~~areas within a drinking water supply management area that have a ten-foot or greater confining layer, as defined in part 4725.0100, subpart 24a, are not subject to the water resource protection requirements order, unless computer modeling indicates that leaching and infiltration of nitrate from sources at or near the ground surface is predicted to result in nitrate exceeding 5.4 mg/L in the aquifer being monitored.~~

The commissioner shall regulate areas under this part by quarter section or using the boundaries in the wellhead protection plan for the drinking water supply management area.

Adopted Rules

H. The commissioner shall issue a water resource protection requirements order within 180 days of receiving all the information required in part 1573.0040, subparts 7, 8, and 9. For good cause shown, the commissioner may extend the deadline by 180 days.

Subp. 3. **Contested case hearing.**

C. Upon receipt of a timely petition for a hearing, the commissioner shall order a public hearing. The commissioner shall publish the order for hearing in the legal newspaper for the affected drinking water supply management area and in the State Register at least 30 days before the public hearing. The public hearing shall be held within 60 days of the proposed effective date of the proposed water resource protection requirements order. The hearing shall be held before an administrative law judge in the county in which the mitigation area is located and in accordance with the requirements of Minnesota Statutes, chapter 14, and the rules relating to contested case proceedings.

1573.0070 WATER RESOURCE PROTECTION REQUIREMENTS ORDER CONTENTS.

Subp. 3. **Exceptions.** The commissioner may provide exceptions to a water resource protection requirements order ~~on a site-specific basis.~~ if the commissioner determines the order could not be implemented because of:

A. adverse weather conditions including late spring thaw, heavy rainfall, drought, or other extreme weather event;

B. crop failure for any reason including plant diseases or pest infestations; or

C. the required practice is agronomically or technically unsuitable for a specific field based on the soil types, topography, or the crops grown.

Errata

Appearing in this section are: corrections to agency or *State Register* rule errors, or in following rulemaking processes, as well as incomplete notices, mislabeled rules, incorrect notices and citations. Whenever an error is corrected in this section, its corresponding rule number(s) will also appear in the *State Register's* index to rulemaking activity: **Minnesota Rules: Amendments and Additions.**

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.

Errata: The rule below was erroneously published as its proposed rule version in the June 17, 2019 edition of the State Register on page 1407 (43 SR 1407). The rule published in the June 17, 2019 edition should have been the adopted version. The correct adopted rule is published in full below.

Department of Agriculture

Adopted Exempt Permanent Rules Relating to Repeal of Obsolete Rules

The rules proposed and published at State Register, Volume 43, Number 29, pages 828-830, January 14, 2019 (43 SR 828), are adopted as proposed.

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 Department of Agriculture

Division of Pesticide and Fertilizer Management

Request for Comments on Draft Water Quality Best Management Practices (BMPs) for Metolachlor and Draft Water Quality Best Management Practices for Metribuzin

The Minnesota Department of Agriculture (MDA) developed these BMPs in 2004 and revised them in 2011. Currently, the MDA is again revising these BMPs in response to current agricultural practices.

The MDA requests comments on the following two documents:

1. [Draft Water Quality Best Management Practices for Metolachlor](#) and,
2. [Draft Water Quality Best Management Practices for Metribuzin](#).

Copies of these two documents are available at <http://www.mda.state.mn.us/herbicidebmps> or by contacting Larry VanLieshout, Minnesota Department of Agriculture, larry.vanlieshout@state.mn.us, 651 201 6115. Comments will be received for 60 days, ending on August 23, 2019. Directions for submitting comments are given at the end of this notice.

The BMPs were revised following the process outlined in the MDA's "Pesticide Management Plan: A Plan for the Protection of Groundwater and Surface Water" (<http://www.mda.state.mn.us/protecting/waterprotection/pmp.aspx>). After seeking information from acetochlor product registrants, growers' associations, and after consulting with University of Minnesota weed scientists, the BMPs were revised. Based on comments received, draft revised BMPs are now being made available for public comment. Below are examples of edits made to the BMPs during revision process:

- Add herbicide site-of-action and resistance management statements.
- Emphasize leaching herbicide potential.
- Add information concerning use in potato production.
- Corrected statement concerning lower use rate of s-metolachlor versus metolachlor.

Following the 60-day comment period, the MDA will consider further revisions to the BMPs based on comments received. Once finalized, the revised "Water Quality Best Management Practices for Metolachlor" and "Water Quality Best Management Practices for Metribuzin" will be made available on the MDA's website <http://www.mda.state.mn.us/herbicidebmps>.

Agency Contact Person. Written comments, questions, and requests for more information on the BMP revisions can be submitted on or before March 15, 2019. Comments should be submitted by letter or e-mail to Larry VanLieshout, Research Scientist 2, Pesticide and Fertilizer Management Unit. Contact information is provided below. Larry can also be contacted with inquiries or comments in regards to this notice.

Larry VanLieshout
Pesticide and Fertilizer Management Division
Minnesota Department of Agriculture
625 Robert Street North, Saint Paul, MN, 55155
Larry.VanLieshout@state.mn.us
651-201-6115

Official Notices

Department of Employment and Economic Development (DEED) Notice of Public Hearing by the Minnesota Department of Employment and Economic Development with Respect to a Proposed Project and the Provision of Funds from the Minnesota Job Creation Fund Program under Minnesota Statutes 116J.8748

NOTICE IS HEREBY GIVEN that the Minnesota Department of Employment and Economic Development (“DEED”) will conduct a public hearing on **Monday, July 8, 2019 at 1:00 p.m.**, or as soon thereafter as reasonably possible at 332 Minnesota Street, Suite E200, in Saint Paul, Minnesota, on a proposal to provide funding through the Minnesota Job Creation Fund Program pursuant to authority granted under *Minnesota Statutes* 116J.8748 and *Minnesota Rules* Chapter 4301. This hearing is conducted in accordance with Minnesota Statutes 116J.994, Subd. 5.

Description of Project and Proposed JCF Funding:

Renewal by Andersen LLC may expand in Cottage Grove (Washington County), Minnesota. The company is a window replacement business selling directly to consumers. The company, which is a subsidiary of Andersen Corporation, was launched in 1995 to produce window and door replacement systems. The proposed project would consist of construction of a 350,000 square foot manufacturing, warehouse and office facility. The total project cost is \$35,000,000, of which \$25,000,000 would be eligible for the JCF capital investment rebate as new construction and site improvements. The company expects to create 125 jobs within three (3) years at an average cash wage of \$21.81 per hour. The local government may provide some additional assistance with infrastructure. The state is considering providing additional assistance in the amount of up to \$450,000 via a Minnesota Investment Fund loan. The project is eligible for a job creation award of up to \$387,000 and a capital investment rebate of up to \$413,000.

All interested persons may appear and be heard at the time and place set forth above. Persons interested in participating via teleconference should contact Tom Washa, Minnesota Job Creation Fund Program Manager at (651) 259-7483 or Tom.Washa@state.mn.us prior to the date of the hearing for instructions on how to participate in the conference call.

Interested persons may mail written comments to Tom Washa at the street or e-mail address set forth above prior to the date of the hearing set forth above. All persons who appear at the meeting or participate via teleconference will be given an opportunity to express their views with respect to the proposal to award funds from the Minnesota Job Creation Fund.

Minnesota Higher Education Facilities Authority Notice of Public Hearing on Revenue Obligations on Behalf of the College of St. Scholastica, Inc.

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Minnesota Higher Education Facilities Authority (the “Authority”) with respect to the proposal to issue revenue bonds or other obligations on behalf of the College of St. Scholastica, Inc., a Minnesota nonprofit corporation (the “College”), as owner and operator of the College of St. Scholastica, an institution of higher education, at the Authority’s offices at 380 Jackson Street, Suite 450, St. Paul, Minnesota on **Wednesday, July 10, 2019, at 2:00 p.m.** Under the proposal, the Authority would issue its revenue bonds or other obligations in an aggregate original principal amount of up to \$37,000,000 to refund (i) the Authority’s Revenue Bonds, Series Six-S (College of St. Scholastica, Inc.), dated November 1, 2007, in the original aggregate principal amount of \$8,170,000 (the “Series Six-S Bonds”); (ii) the Authority’s Revenue Bonds, Series Seven-H (College of St. Scholastica, Inc.), dated October 26, 2010, in the original aggregate principal amount of \$21,820,000 (the “Series Seven-H Bonds”); and (iii) the Authority’s Revenue Bonds, Series Seven-J (College of St. Scholastica, Inc.), dated February 17, 2011, in the original aggregate principal amount of \$10,170,000 (the “Series Seven-J Bonds”).

The Series Six-S Bonds were originally issued to finance the acquisition, construction, furnishing and equipping of an approximately 38,500 square foot expansion of and renovation to the Wellness Center facilities.

The Series Seven-H Bonds were originally issued to (i) finance a portion of the acquisition, construction, furnishing and equipping of an approximately 42,000 square foot expansion of and renovations to the College's Science Building and related facilities; and (ii) refund the Authority's Revenue Refunding Bonds, Series Five-J (College of St. Scholastica, Inc.) (the "Series Five-J Bonds") and the Authority's Variable Rate Demand Revenue Bonds, Series Six-A (College of St. Scholastica, Inc.) (the "Series Six-A Bonds"). The Series Five-J Bonds were issued to refund the Authority's Revenue Bonds, Series Two-T (College of St. Scholastica, Inc.) (the "Series Two-T Bonds") and to refund the Authority's Revenue Bonds, Series Three-E (College of St. Scholastica, Inc.) (the "Series Three-E Bonds"). The proceeds of the Series Two-T Bonds and the Series Three-E Bonds financed a series of the College's projects for three student residence facilities; equipment garages; Tower Hall improvements for office, classroom and study lounge uses; computer software and hardware; a new auditorium and student union; and renovation and expansion of the campus theater. The Series Six A Bonds were issued to finance two student residence facilities and appurtenant site improvements.

The Series Seven-J Bonds were issued to finance a portion of the acquisition, construction, furnishing and equipping of an approximately 42,000 square foot expansion of and renovation of the College's Science Building and related facilities.

The above-referenced projects are owned and operated by the College and located on its main campus, the principal street address of which is 1200 Kenwood Avenue, Duluth, Minnesota.

At said time and place the Authority shall give all parties who appear or have submitted written comments an opportunity to express their views with respect to the proposal to undertake and finance the refunding of the Series Six-S Bonds, the Series Seven-J Bonds and the Series Seven-H Bonds.

Dated: June 24, 2019.

By Order of the
Minnesota Higher Education Facilities Authority
Barry W. Fick
Executive Director

Department of Human Services

Health Care Administration

Public Notice Regarding Changes to Payment Rates and Methodologies, and Services under the Medical Assistance Program and the MinnesotaCare Program

NOTICE IS HEREBY GIVEN to recipients, providers of services, and to the public of certain statutory changes made to the Medical Assistance (MA) Program and the MinnesotaCare Program by the 2019 Minnesota Legislature.

This notice is published pursuant to 42 United States Code § 1396a(a)(13)(A) and § 1902(a)(13)(A) of the Social Security Act, which requires the Department to publish final institutional payment rates, the methodologies underlying the establishment of such rates, and the justification for such rates. It is also 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. Changes to the MinnesotaCare program are published pursuant to *Code of Federal Regulations*, title 42, part 600, section 115 (42 C.F.R. § 600.115), which requires publication of significant changes to the Basic Health Program Blueprint.

The legislative changes are estimated to affect net spending in the MA and MinnesotaCare programs as described below. All estimates provided in this notice represent the expected change in state expenditures for each individual item and do not include anticipated changes to federal funding.

The actual text of most of the 2019 legislative changes is contained in *Laws of Minnesota 2019*, First Special Session, Chapter 9. These are available by calling the House of Representatives Public Information Office at (651) 296-2146 (voice) or (651) 296-9896 (TTY) or 1-800-657-3550 (Greater Minnesota) or 1-800-627-3529 (TTY); or the Senate Information Office at (651) 296-0504 (voice) or (651) 296-0250 (TTY); for Greater Minnesota call 1-888-234-1112 (voice) or

Official Notices

1-888-234-1216 (TTY). These laws are also available on the internet at: <http://www.revisor.mn.gov/laws/>

It is important to note that not all changes made to these programs by the 2019 Legislature are mentioned in this notice.

Information relating to implementation of these provisions will be sent to local human services agencies through bulletins and manual updates, and to recipients and enrollees through written notice. Information will be sent to health care providers through newsletters and updates to the *Minnesota Health Care Programs Provider Manual*, available at: <http://www.dhs.state.mn.us>

Changes were made to the following program areas:

- I. MA Home and Community-Based Waivers and Payment Rates
- II. MA Payment Rates for Institutional Providers
- III. MA and MinnesotaCare Services and Payment Rates

I. MA Home and Community-Based Services and Payment Rates

Upon federal approval, the Commissioner shall provide integrated community supports under the home and community-based services waivers. The rates for this service will be calculated using a methodology for residential services as described in *Laws of Minnesota 2019*, First Special Session, Chapter 9, Article 5, section 59. *Laws of Minnesota 2019*, First Special Session, chapter 9, article 5, sections 57, 59, and 86. This change is estimated to result in no fiscal impact in state fiscal year 2020 and a net spending increase of \$218,000 in the MA program in state fiscal year 2021.

Upon federal approval, the Commissioner shall provide community residential services under the home and community-based services waivers. The rates for this service will be calculated using a methodology for residential services as described in *Laws of Minnesota 2019*, First Special Session, Chapter 9, Article 5, section 59. Upon implementation, foster care and supported living services provided in a corporate foster care setting will be consolidated under community residential services. *Laws of Minnesota 2019*, First Special Session, chapter 9, article 5, sections 57, 59, and 86. This change is not projected to have a fiscal impact in the MA program.

Upon federal approval, the Commissioner shall provide family residential services under the home and community-based services waivers. The rates for this service will be calculated using the methodology for residential services as described in *Laws of Minnesota 2019*, First Special Session, Chapter 9, Article 5, section 59. Upon implementation, foster care services and supported living services provided in a family foster care setting will be consolidated under family residential services. *Laws of Minnesota 2019*, First Special Session, Chapter 9, Article 5, sections 57, 59, and 86. This change is not projected to have a fiscal impact in the MA program.

Upon federal approval, the Commissioner shall provide individualized home supports with training under the home and community-based services waivers. The rates for this service will be calculated using a unit-based methodology as described in *Laws of Minnesota 2019*, First Special Session, Chapter 9, Article 5, section 62. Upon implementation, supportive living services, independent living skills training, personal supports, and adult companion services will no longer be covered. *Laws of Minnesota 2019*, First Special Session, Chapter 9, Article 5, sections 57, 59, and 86. This change is estimated to result in no fiscal impact in state fiscal year 2020 and a spending increase of \$190,000 in the MA program in state fiscal year 2021.

Upon federal approval, the Commissioner shall provide individualized home supports with family training under the home and community-based services waivers. The rates for this service will be calculated using a unit-based methodology as described in *Laws of Minnesota 2019*, First Special Session, Chapter 9, Article 5, section 62. Upon implementation, in-home family supports will no longer be covered. *Laws of Minnesota 2019*, First Special Session, Chapter 9, Article 5, sections 57, 59, and 86. This change is not projected to have a fiscal impact in the MA program.

Upon federal approval, the Commissioner shall provide day support services under the home and community-based services waivers. The rates for this service will be calculated using a methodology for day services as described in *Laws of Minnesota 2019*, First Special Session, Chapter 9, Article 5, section 61. Upon implementation, day training and

habilitation and structured day services will no longer be covered. *Laws of Minnesota 2019*, First Special Session, Chapter 9, Article 5, sections 57, 59, and 86. This change is not projected to result in a net spending increase or decrease in state fiscal years 2020 and 2021.

Effective for services provided on or after January 1, 2020, the Commissioner shall add a competitive workforce factor of 4.7 percent as a component value for purposes of developing payment rates for certain unit-based and residential services under the home and community-based services waivers. *Laws of Minnesota 2019*, First Special Session, Chapter 9, Article 5, section 59. This change is estimated to result in a net spending increase of \$1,364,000 in the MA program in state fiscal year 2020 and a net spending increase of \$32,166,000 in the MA program in state fiscal year 2021.

Effective for services provided on July 1, 2022, and every two years thereafter, the Commissioner shall update the component values for base wages for certain unit-based, residential, and day services under the home and community-based services waivers. In addition, the Commissioner shall update the component values for client programming and supports for residential, day, and unit-based services, transportation for residential and day services, and program facility costs for day services under the home and community-based services waivers. The Commissioner shall update these values using data available 30 months and one day prior to the scheduled update. *Laws of Minnesota 2019*, First Special Session, Chapter 9, Article 5, section 59. This change is estimated to result in a net spending decrease of \$61,050,000 in the MA program in state fiscal year 2022.

Effective for services provided on July 1, 2022, and every six years thereafter, the Commissioner shall update the regional variance factor for purposes of developing payment rates for certain unit-based and residential services under the home and community-based services waivers. *Laws of Minnesota 2019*, First Special Session, Chapter 9, Article 5, section 64. This change is not projected to have a fiscal impact in the MA program.

Effective for services delivered on or after July 1, 2019, the Commissioner shall provide payment for prevocational services in units of one day or 15 minutes. *Laws of Minnesota 2019*, First Special Session, Chapter 9, Article 5, section 56. This change is not projected to have a fiscal impact in the MA program.

Effective for services provided on or after January 1, 2021, the Commissioner shall use the following component values for developing payment rates for adult day services under the home and community-based services waivers. The component values are detailed in *Laws of Minnesota 2019*, First Special Session, Chapter 9, Article 5, section 59. The combined fiscal impact of the changes to the client programming and wage factors for adult day is a decrease in state MA spending of \$86,000 in FY21 and \$751,000 in FY22:

Effective for services provided on or after January 1, 2021, the Commissioner shall implement a base wage component for individualized home supports equivalent to 50 percent of the median wage for nursing assistants and 50 percent of the median wage for personal care aides as reported by the federal Bureau of Labor Statistics. *Laws of Minnesota 2019*, First Special Session, Chapter 9, Article 5, section 59. This change is not projected to have a fiscal impact in the MA program.

Effective January 1, 2020, the rate stabilization period for certain unit-based and residential services under the home and community-based services waivers shall end. *Laws of Minnesota 2019*, First Special Session, Chapter 9, Article 5, section 94. This change is estimated to result in a net spending increase \$495,000 in the MA program in state fiscal year 2020 and a net spending increase of \$21,214,000 in the MA program in state fiscal year 2021.

Effective for services provided on or after July 1, 2019, the Commissioner shall increase payment rates, individual budgets, or grants by 2.37 percent for providers of direct support services under Community First Services and Supports, Consumer Directed Community Supports, extended state plan personal care assistance services, the personal care assistance choice program, the personal care assistance program, and consumer support grants. *Laws of Minnesota 2019*, First Special Session, Chapter 9, Article 5, section 84. These changes are estimated to result in a net spending increase of \$16,258,000 in the MA program in state fiscal year 2020 and a net spending increase of \$17,811,000 in the MA program in state fiscal year 2021.

Official Notices

Effective upon federal approval, to eligible participants by qualified workers, the Commissioner shall provide an enhanced budget of 7.5 percent for self-directed services provided under the Consumer-Directed Community Supports option. Eligible participants are those who are assessed to need 12 or more hours of personal care assistance services per day. *Laws of Minnesota 2019*, First Special Session, Chapter 9, Article 5, sections 48 and 84. This change is estimated to result in a net spending increase of \$502,000 in the MA program in state fiscal year 2020 and a net spending increase of \$770,000 in the MA program in state fiscal year 2021.

II. MA Payment Rates for Institutional Providers

Nursing Facilities

Effective for services provided on or after January 1, 2020, the Commissioner shall provide rate adjustments for qualifying nursing facilities completing specific state-approved moratorium construction or clean energy projects. *Laws of Minnesota 2019*, First Special Session, Chapter 9, Article 4, sections 6, 7, 8, 17, 19, 20, 21, 22, 23, 24 and 27. This change is estimated to result in a net spending increase of \$41,000 in the MA program in state fiscal year 2020 and a net spending increase of \$22,000 in state fiscal year 2021.

Effective for services provided on or after January 1, 2021, the Commissioner shall provide a payment rate increase to a two specific nonprofit nursing facilities for years when the North Dakota rates exceed what the Minnesota payment rates would be. *Laws of Minnesota 2019*, First Special Session, Chapter 9, Article 4, sections 13, 18, 25. This change will not result in a spending change in 2020 and is projected to have a net spending increase of \$81,000 in the MA program in state fiscal year 2021.

Defines interim payment rates and describes the process by which a nursing facility is transitioned to the Value Based Reimbursement (VBR) system under new session law 256R.27. *Laws of Minnesota 2019*, First Special Session, Chapter 9, Article 4, section 14. This change is not projected to have a fiscal impact on the MA program.

Inpatient Hospitals

Effective July 1, 2019, the Commissioner has ongoing authority to make adjustments to fee-for-service inpatient hospital rates in rebasing years. This change eliminates a sunset of that authority under *Laws of Minnesota 2019*, First Special Session, Chapter 9, Article 7, section 9. This change is not expected to have a fiscal impact on the MA program.

Effective for discharges on or after July 1, 2019, DHS will pay the lower of the computed inpatient payment rate or the provider's submitted charge for all fee-for-service inpatient hospital claims. *Laws of Minnesota 2019*, First Special Session, Chapter 9, Article 7, section 9. This change is not expected to have a fiscal impact on the MA program.

Effective for discharges on or after July 1, 2019, the Medicaid inpatient utilization rate (MIUR) required to qualify for an inpatient hospital disproportionate share hospital (DSH) factor of 0.3711 is lowered to two and one have standard deviations above the statewide mean from three standard deviations above the mean. *Laws of Minnesota 2019*, First Special Session, Chapter 9, Article 7, section 11. This change is not expected to have a fiscal impact on the MA program.

Effective for discharges on or after July 1, 2019, the Commissioner shall compute new inpatient hospital DSH factors for hospitals that provide high levels of high-cost drugs via the 340B drug purchasing program. *Laws of Minnesota 2019*, First Special Session, Chapter 9, Article 7, section 11. This change is estimated increase MA expenditures by \$1,500,000 in state fiscal year 2020 and \$1,500,000 in state fiscal year 2021.

Effective with the inpatient hospital rates rebasing that begins on July 1, 2019, the Commissioner shall set a fee-for-service inpatient hospital rate for all hospitals in the local trade area regardless of the number of Minnesota discharges each hospital had in the applicable base year. *Laws of Minnesota 2019*, First Special Session, Chapter 9, Article 7, section 12. This change is not expected to have a fiscal impact on the MA program.

Effective for services delivered on or after July 1, 2019, the Commissioner shall establish a per diem payment rate for partial hospitalization services delivered on a fee-for-service basis. The per diem rate shall be computed to be budget neutral to the current hourly rate. This change is required due to updates in federal claim coding edits. This change is not expected to have a fiscal impact on the MA program.

III. MA and MinnesotaCare Services and Payment Rates

Effective May 31, 2019 the Commissioner is prohibited from using a volume purchase contract for incontinence products. *Laws of Minnesota 2019*, First Special Session, Chapter 9, Article 7, section 14. This change is estimated to increase MA expenditures by \$2,014,000 in in state fiscal year 2020 and \$2,433,000 in state fiscal year 2021.

Effective January 1, 2020, the Commissioner is required to increase fee-for-service payment rates by 1.8 percent for payments to hospitals, surgical centers or health care items and services that are subject to the tax at Minnesota Statutes Section 295.52. This change clarifies that the Minnesota Health Care Programs fee-for-service payment rates should reflect the cost of the MinnesotaCare tax if the service is subject to the tax. *Laws of Minnesota 2019*, First Special Session, Chapter 9, Article 7, section 17. This change is estimated to increase expenditures in the MA and MinnesotaCare programs by \$10,408,000 in state fiscal year 2020 and \$24,796,000 in state fiscal year 2021.

Effective for services on or after January 1, 2020, the Commissioner is required to raise the per diem rates by 15 percent for eligible residential substance use disorder (SUD) treatment providers meeting the criteria in *Laws of Minnesota 2019*, First Special Session, Chapter 9, Article 6, section 67. This change is estimated to increase expenditures in the MA program by \$178,000 in state fiscal year 2020 and \$1,199,000 in state fiscal year 2021.

Effective for services on or after January 1, 2021, the Commissioner is required to raise rates for outpatient SUD treatment services and the comprehensive SUD assessment by 10 percent for eligible substance use disorder treatment providers meeting the criteria in statute. *Laws of Minnesota 2019*, First Special Session, Chapter 9, Article 6, section 67. This change is not expected to have a fiscal impact in state fiscal year 2020 and is estimated to increase MA expenditures by \$252,000 in state fiscal year 2021.

Effective for services provided on or after January 1, 2021, all Federally Qualified Health Clinics (FQHC) and Rural Health Clinics (RHC) may elect to be paid using the prospective payment system or a new alternative rate methodology. Alternative payment methodologies I, II and III will be eliminated. Under the new rate methodology, the Commissioner is required to establish a single medical and a single dental encounter rate for each FQHC or RHC. The 2021 medical and dental encounter rates shall be determined using the actual allowable costs incurred by the FQHC or RHC in delivering patient services, using each FQHC's and RHC's Medicare cost reports from 2017 and 2018. The Commissioner must provide for a 60-day appeals process under section 14.57. The Commissioner will apply current Medicare cost principles as applicable to FQHC's and RHC's without the application of productivity screens and upper payment limits. The new rate methodology will be rebased every two years and inflated in between by the Center for Medicare and Medicaid Services (CMS) FHQ Market Basket inflator less productivity. The Commissioner shall reimburse FQHC's and RHC's an additional amount relative to their medical and dental organization encounter rates that is attributable to the tax required to be paid according to section 295.52, if applicable. FQHC's and RHC's may still submit change of scope requests, but a 2.5% or higher change threshold has been established. *Laws of Minnesota 2019*, First Special Session, Chapter 9, Article 7, section 30. This change is estimated to increase MA expenditures by \$1,285,000 in state fiscal year 2020 and \$1,363,000 in state fiscal year 2021.

Upon federal approval, payments to Indian Health Service providers are not subject to the Medicare Part B Medicaid cost-sharing payment limitation when the service is provided to a patient that is dually eligible for Medicare and Medicaid. *Laws of Minnesota 2019*, First Special Session, Chapter 9, Article 7, section 31. This change is not expected to have an impact on state expenditures for the MA program.

Effective for services delivered on or after July 1, 2019, fee-for-service payment rates for doula services shall be \$47 for pre and post-natal visits and \$488 for doula services provided during the birth. *Laws of Minnesota 2019*, First Special Session, Chapter 9, Article 7, section 36. This change is estimated to increase expenditures in the MA program by \$45,000 in state fiscal year 2020 and \$63,000 in state fiscal year 2021.

Effective for items and services delivered on or after July 1, 2019, fee-for-service payments for durable medical equipment, prosthetics, orthotics or supplies are limited to the Medicare fee schedule amount if the durable medical equipment, prosthetics, orthotics or supplies are subject to the upper payment limit described in section 1903(i)(27) of the Social Security Act. *Laws of Minnesota 2019*, First Special Session, Chapter 9, Article 7, section 37. This change is

Official Notices

estimated to reduce MA expenditures by \$1,251,000 in state fiscal year 2020 and \$770,000 in state fiscal year 2021.

Effective for services delivered to patients enrolled in the MinnesotaCare program on or after January 1, 2021, Federally Qualified Health Clinics, Rural Health Clinics, and Indian Health Services clinics shall not be paid using the encounter payment methodology. *Laws of Minnesota 2019*, First Special Session, Chapter 9, Article 7, section 43 and 47. This change is not expected to have a fiscal impact on the MinnesotaCare program in state fiscal years 2020 or 2021.

Effective July 1, 2019, the Commissioner shall change fee-for-service pharmacy rates in the MA program. The legislation clarifies the definition of a pharmacy's usual and customary charges. The legislation also changes the professional dispensing fee for covered outpatient drugs, intravenous solutions, and certain over the counter drugs to \$10.48 per prescription. In addition, the legislation adopts the National Average Drug Acquisition Cost (NADAC), state maximum allowable cost, and wholesale acquisition cost minus 2 percent to determine the acquisition cost for brand and generic prescriptions, requires the use of the Health Resources and Services Administration ceiling price for 340B outpatient pharmacies, and adopts the Average Sales Price minus 28.6 percent for 340B drugs administered in health care facilities. Finally, the legislation applies a 1.8 percent increase to the ingredient cost to account for the wholesale drug distributor tax at Minnesota Statutes section 295.52 subject to federal approval. These changes are required for compliance with the federal outpatient drug rule and to align with the state's tax on certain health care providers. *Laws of Minnesota 2019*, First Special Session, Chapter 9, Article 7, section 25. These changes are expected to increase MA expenditures by \$3,584,000 in state fiscal year 2020 and \$7,238,000 in state fiscal year 2021.

For more information or questions about submitting or reviewing comments, please contact Patrick Hultman at (651) 431-4311 or patrick.hultman@state.mn.us. Comments may also be mailed to Patrick Hultman at PO Box 64983, St. Paul, MN 55164. Comments may be reviewed by appointment at the Elmer L. Andersen Human Services Building located at 540 Cedar Street, St. Paul, MN 55101.

Department of Human Services

Continuing Care for Older Adults Administration

Revisions to the Minnesota Nursing Facility Quality Measures Effective January 1, 2020

Minnesota Statutes, Section 256R.16, Subdivision 1(d), requires the Commissioner of Human Services to publish any revisions to the nursing facility quality measures to be used for rate-setting purposes.

NOTICE IS HEREBY GIVEN that effective January 1, 2020 the Department will utilize a quality score that is the average of each facility's performance on a subset of short-stay and long-stay measures, weighted by its respective proportion of short and long-stay residents. The Department will determine this proportion based on each facility's resident days over the prior 12-month period, and will define short-stay as residents discharged within 30 days. The subset of short-stay measures will include: (1) resident experience surveys, 50%; (2) clinical quality indicators including hospitalizations, 40%; and (3) state inspections, 10%. The subset of long-stay measures will include: (1) resident quality of life interviews, 40%; (2) clinical quality indicators, 40%; (3) family experience surveys, 10%; and (4) state inspections, 10%. Questions concerning the quality score should be directed to Valerie Cooke, Minnesota Department of Human Services, (651) 431-2263 or **Email: Valerie.cooke@state.mn.us**.

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/>

Department of Human Services

Behavioral Health Division

Notice of Request for Proposals for Qualified Grantee(s) to Develop Clinical Capacity to Provide Evidence-Based Mental Health Treatment to Children and Youth across Minnesota: TF-CBT

NOTICE IS HEREBY GIVEN that the Minnesota Department of Human Services is requesting proposals from qualified Responders to develop clinical capacity within mental health communities across Minnesota to utilize existing and emerging research to inform mental health treatment, and thereby improve outcomes for children and their families. Successful responders will develop the capacity to provide Trauma-Focused Cognitive Behavioral Therapy (TF-CBT), an evidence-based practice, through participation in a learning collaborative.

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

Whitney Lester
Department of Human Services
Behavioral Health Division
P.O. Box 64981
444 Lafayette Road North, St. Paul, MN 55155 0981
Phone: (651) 238-5881, Fax: (651) 431-7559
whitney.lester@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, July 19, 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.

State Grants & Loans

Department of Public Safety

Office of Justice Programs

Request for Proposals: Sex Trafficking Investigation and Training Grants

The purpose of these funds is to enhance local capacity for sex trafficking investigations. These grants are to be used to support new or existing multi-jurisdictional task forces to investigate sex trafficking cases. The funds may also be used to expand staff capacity for investigation and analysis, to provide training /consultation in the area of sex trafficking, or to send staff to training. Multi-jurisdictional partners may include local, tribal, state, and federal law enforcement, other local, tribal, state, and federal agencies, analysts, prosecutors, service providers, advocacy groups, or other nongovernmental organizations. \$1,950,000 is available for two-year grants.

All applications must be submitted via **e-grants**, the Office of Justice Programs (OJP) online grants management system. Applications must be submitted by **4:00 p.m. on August 26, 2019**.

To view the RFP go to: **Sex Trafficking Investigations and Training RFP -**
<https://dps.mn.gov/divisions/ojp/grants/Documents/2020%20STIT%20RFP%20Final.pdf>

For more information contact Claire Cambridge at Claire.cambridge@state.mn.us or 651-201-7307.

Department of Transportation (MnDOT)

Ports and Waterways Section

Applications sought for the Minnesota Port Development Assistance Program

The Minnesota Department of Transportation, Ports and Waterways Section, is requesting project proposal applications from those qualifying for the Port Development Assistance Program, Minnesota Statute section 457A.01-06. Please review the Administrative Rules 8895.0100-1100 before filling out an application. Application form can be found at <http://www.dot.state.mn.us/ofrw/waterways/pdap.html>. Approximately \$2.2 million is available for this funding cycle. The application filing will be open from **June 24, 2019 through July 15, 2019**. Applications can be submitted electronically to: FreightPlans.DOT@state.mn.us, or mailed to: Minnesota Department of Transportation; Freight, Rail and Waterways; 395 John Ireland Blvd, St. Paul, MN 55155-1800. If you have questions, please call: (651) 366-3672.

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

Minnesota Multistate Contracting Alliance for Pharmacy (MMCAP)

Notice of Request for Proposals Contracts for Animal Healthcare Products and Services

The Department of Administration, on behalf of the Minnesota Multistate Contracting Alliance for Pharmacy (MMCAP), is requesting proposals for Animal Healthcare Products and Services. MMCAP is a government-run health-care product and service group purchasing organization serving governmental entities. For more information, go to www.mmcap.org.

To access a copy of the RFP, go to: <http://www.mmd.admin.state.mn.us/process/admin/postings.asp>

Proposals submitted in response to the Request for Proposals in this notice must be received according to the specifications in the Request for Proposals no later than **August 9, 2019 2:00p.m. Central Time. Late proposals will not be considered.**

The State reserves the right to cancel this solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder.

Minnesota State Colleges and Universities (Minnesota State) Request for Proposal (RFP) FOR Enterprise Resource Planning (ERP) Solution

Background

Minnesota State Colleges and Universities (Minnesota State) is the fourth-largest system of higher education in the United States. Minnesota State services approximately 375,000 students each year, and is comprised of 37 state colleges and universities with 54 campuses located in 47 Minnesota communities. Minnesota State is an independent state entity that is governed by a 15-member Board of Trustees.

For more information about Minnesota State's strategic plans, mission, and vision, please view its website at <http://www.minnstate.edu/>

Minnesota State's Integrated Statewide Records System (ISRS) was created 25 years ago to implement a single, common accounting system to support the merging of public state universities, community colleges, and technical colleges. Minnesota State leveraged this opportunity to implement the technology not only to meet the minimum standard of consolidating accounting systems, but also to consolidate human resources functionality, financial reporting, and core student functionality (e.g., registration, student housing, financial aid, and student services). The original vision was based on the desire to create a single integrated data system that would serve the needs of all institutions (system office,

State Contracts

colleges, and universities) and their students, faculty, and staff – all while providing flexibility to support autonomy and individuality of each institution. Minnesota State has enforced many high-level, student-based policy regulations adopted by the State of Minnesota which are designed to provide equitable experiences across the state. Beyond these regulations, Minnesota State institutions have been allowed to exercise autonomy, which has resulted in various business processes. In addition, institutions have developed or purchased auxiliary solutions to augment ISRS system functionality.

Nature of the RFP

Minnesota State is seeking a next generation ERP solution with the following integrated suite of applications to provide a world-class student experience, while serving business operations and managing academic programs: Student Information System (SIS), Financial Information System (FIS), Human Resource Information System (HRIS), Reporting and Analytics. In addition, Minnesota State would like to explore options for replacing or integrating with existing auxiliary solutions noted within the functional requirements.

Proposals must be submitted by the primary software vendor who is expected to be the long-term vendor contracted with Minnesota State. In cases where implementation services are provided by an external certified partner, the primary software vendor must select one service partner and present one single unified proposal.

Included in the proposal should be a dedicated implementation services team to ensure the proposed solution(s) deliver on the requirements and needs of Minnesota State. The implementation services team will be responsible for the implementation of the proposed ERP solutions(s), including but not limited to project oversight, integrations, data migrations, documentation, and training materials. The implementation services team must demonstrate experience and success in implementing cloud-based or hosted enterprise solutions in a statewide environment, while successfully guiding the organization through the change.

Selection Timeline

- | | |
|--|---|
| • Thursday, June 20, 2019 | Minnesota State publishes RFP notice |
| • Thursday, June 27, 2019 | 1pm – 3pm CT, Pre-Proposal Review |
| • Friday, July 19, 2019 | Deadline for vendor questions |
| • Friday, July 26, 2019 | Deadline to post responses to vendor questions |
| • Tuesday, September 3, 2019 | 3pm CT, Deadline for RFP proposal submissions |
| • Wednesday, September 4 to Thursday, October 17, 2019 | Review RFP proposals |
| • Friday, October 18, 2019 | Vendors invited for oral presentations and interviews |
| • November 2019 | Oral presentations and interviews by invited vendors |
| • January 2020 | Negotiations begin with the preferred vendor |
| • March 31, 2020 | Planned deadline for executing the contract |

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

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

Minnesota State Colleges and Universities (Minnesota State) Non-Construction Related Bid and Contracting Opportunities

Minnesota State is now placing additional public notices for P/T contract opportunities, goods/commodities, and non-construction related services on its Vendor and Supplier Opportunities website (<http://minnstate.edu/vendors/index.html>). 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.

If you have any questions regarding this notice, or are having problems viewing the information on the Vendor and Supplier Opportunities website, please call the Minnesota State Procurement Unit at 651-201-1444, Monday-Friday, 9:00 am – 4:00 pm.

Minnesota State Colleges and Universities (Minnesota State)

Bemidji State University

Notice of Request for Proposal (RFP) for Sponsorship & Sales Partnership

Bemidji State University is requesting proposals to assist in the sale of our sponsorship inventory and opportunities. The full Request for Proposal can be downloaded at:

<https://www.bemidjistate.edu/offices/business-services/procurement/rfps-and-bids/>

Questions regarding this RFP should be directed to Tracy Dill, Director of Athletics, at tracy.dill@bemidjistate.edu by 2:00 p.m. on Tuesday, July 2, 2019. Responses to the questions will be posted to the BSU RFP and Bids website by 2:00 p.m. on Wednesday, July 3, 2019.

Please submit your **original, signed, sealed proposal** to:

Ronald Beckstrom
Director of Business Services
Deputy Hall Room D-201A
Bemidji State University
1500 Birchmont Drive NE, #5
Bemidji, MN 56601

Sealed proposals must be received **NO later than 2:00 PM CT, Monday, July 8, 2019**; late responses will not be considered. **Faxed or e-mailed responses will be rejected.**

Bemidji State University reserves the right to reject any or all proposals, to waive any irregularities or informalities, and to cancel the solicitation if it is considered to be in its own best interest. This Request for Proposal does not obligate Bemidji State University to award a purchase order or contract.

Minnesota State Colleges and Universities (Minnesota State)

Normandale Community College

Notice of Availability of Subcontractor Request for Qualifications (RFQ) for Student Services Renovation

J.E. Dunn Construction Company, acting on the behalf of the Board of Trustees of the Minnesota State Colleges & Universities, on behalf of Normandale Community College, is soliciting subcontractor qualification subcontractor proposals from interested, qualified firms for the Normandale Community College Student Services Renovation project.

The full Request for Qualifications is available at the following link:
<https://secure.smartinsight.co/#/PublicBidProject/454917> or at the office of J.E. Dunn Construction Company.

Project questions shall be referred to the appropriate person listed in the Request for Qualifications. Qualifications from interested firms must be delivered to Paul Miller, Senior Precon and Estimating Manager, J.E. Dunn Construction Company, 800 Washington Avenue North, Suite 600, Minneapolis, MN 55401, no later than **4:00pm, July 9th, 2019**.

J.E. Dunn Construction Company and Minnesota State Colleges and Universities are not obligated to complete the proposed project and reserve the right to cancel the solicitation if it is considered to be in its best interest.

State Contracts

Minnesota State Colleges and Universities (Minnesota State)

Winona State University

Updated Announcement Request for Proposals for Residence Hall Laundry Services

Notice is hereby given that Winona State University is seeking proposals for Residence Hall Laundry Services. Proposal specifications are available by contacting Laura Mann, Purchasing Director, PO Box 5838, 106 Somsen Hall, Winona, MN 55987 or via email to lmann@winona.edu. Sealed proposals must be received by Laura Mann, Purchasing Director, at Winona State University, PO Box 5838 or 175 West Mark Street, Business Office, Somsen Hall 106, Winona, MN 55987, by **June 27, 2019, 3:00 p.m. CT**. Winona State University reserves the right to reject any or all proposals and to waive any irregularities or informalities in proposals received.

Department of Health

Notice of Contract Opportunity for Technical Assistance for Healthy Food Retail

PROJECT NAME: Technical Assistance for Healthy Food Retail

DETAILS: The Minnesota Department of Health (MDH) requests proposals to develop resources and training to support local public health partnerships with small retailers in Minnesota. This support aims to help retailers provide and market a variety of healthy foods in areas with limited access to healthy options. Healthy options include fresh fruits and vegetables, whole grains, fat-free and low-fat dairy products, and food with less sodium, saturated fats, zero trans-fats, cholesterol and added sugars. MDH seeks a contractor with experience and understanding of food retail business practices, and food distribution in Minnesota, to provide technical assistance to help grantees effectively implement healthy food retail strategies across a variety of settings, including convenience stores, small to mid-size grocery stores, and farmers markets.

COPY REQUEST: To obtain a copy of the Request for Proposals (RFP), please send a written request by email to:

Julie Anderson, State Nutrition Coordinator
Minnesota Department of Health
85 E. 7th. Pl., Ste. 220, St. Paul, MN 55101
health.healthyeating@state.mn.us

PROPOSAL DEADLINE: Must be received at the above physical address OR email address by **July 1, 2019, 3:30 p.m., Central Time**. Late or faxed proposals 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 this solicitation. All expenses incurred in responding to this notice are solely the responsibility of the responder.

Legislature - Minnesota House of Representatives

Request for Proposals for Groupwise Email System to Office 365 Migration

INTRODUCTION:

The Minnesota House of Representatives is seeking proposals to assist us in moving our GroupWise mail and calendaring information to Office 365 as well as its configuration.

CONTRACTOR QUALIFICATIONS:

The selected contractor will have documented skill and experience in the areas of GroupWise migration and Office 365 configuration

SCOPE AND WORK PLAN:

Provide a written work plan that specifies how you, the contractor, will provide the requested services and responsibilities. The work plan must include the approximate time schedule for providing the requested services where applicable. All work must be completed by September 1, 2019.

REQUESTED SERVICES AND RESPONSIBILITIES:

The House currently uses GroupWise for its email and calendaring and is moving that data to Office 365. The contractor will assist our staff in the creation of new Office 365 accounts (approximately 400), configure office 365 as well as Groupwise for migration. Migrate all accounts mailboxes including their associated calendars to their new Office 365 accounts.

A project scoping document has been created and will be provided to Proposers.

PROJECT DURATION:

The project is anticipated to begin immediately upon award and shall be completed no later than September 1, 2019.

PROJECTED COST:

The House estimates that the cost of this project will not exceed \$60,000.

CRITERIA FOR SELECTION OF CONTRACTOR:

All bids must be submitted no later than **July 5, 2019 at 2 p.m.** sealed envelope and delivered to:

Mike Speiker, House Information Technology Director
100 Rev Dr Martin Luther King JR Blvd
St. Paul, MN 55155-1298

All responses received by the deadline will be evaluated by representatives of the House. All proposals will be evaluated on "best value". The House reserves the right to seek best and final offers from one or more Responders. The House will select the Contractor on the basis of price and quality. Quality includes the appropriateness of the proposed work plan, the relevant qualifications and experience of the firm and of the personnel to be assigned to the work, and the likelihood that the firm will complete the work in a timely fashion.

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 Runway 4-22 Taxiway Lighting

Project Location: Minneapolis-St. Paul International Airport
Project Name: 2019 Runway 4-22 Taxiway Lighting
MAC Contract No. 106-1-297
Bids Close At: 2:00 PM on July 16, 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 taxiway edge lighting on Runway 4-22 between Runway 12L-30R and Runway 17-35, with centerline lighting on the end connector taxiways K and P, to better facilitate the safe movement of aircraft at Minneapolis-St. Paul International Airport.

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 Disadvantaged Business Enterprises (DBE) on this project is 3%.

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. Digital copies of the bidding documents will also be available at www.questcdn.com. Documents may be downloaded for a non-refundable fee of \$50.00 by entering Quest Project No. 6392415 on the Project Search page. Please contact QuestCDN at (952) 233-1632 or info@questcdn.com for assistance and free membership registration. Hard copy bidding documents will not be made available to Bidders.

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids for this project will be available on June 17, 2019, 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 Runway 14-32 Replacement – Phase 1 (30th Street Relocation)

Airport Location: Lake Elmo Airport
Project Name: 2019 Runway 14-32 Replacement – Phase 1 (30th Street Relocation)
MAC Contract No.: 111-1-030
Bids Close At: 2:00 p.m. on Tuesday, July 16, 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: Excavation and grading, granular borrow, aggregate base, bituminous pavement, pavement marking, traffic signs, culvert pipe installation, turf establishment, and tree removal.

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 Disadvantaged Business Enterprises (DBE) on this project is 12%.

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 100; Eagan, MN 55121; 651.686.0477. Make checks payable to: Northstar Imaging Services, Inc. Deposit per set (nonrefundable): \$65 (includes shipping). Printed plan sets can be ordered on Northstar's website.

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids for this project will be available on June 17, 2019, 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 (nation-wide toll-free)
 - **On-line orders:** www.mnbookstore.com
 - **Minnesota Relay Service:** 711
 - **Fax** (credit cards): 651.215.5733 (fax line available 24 hours)
 - **Mail orders:** Orders can be sent to Minnesota's Bookstore, 660 Olive Street, St. Paul, MN 55155
- Minnesota's Bookstore accepts VISA, MasterCard, American Express & Discover for all purchases.**

**SUBSCRIBE
TO THE
STATE REGISTER!**

