

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**Proposed, Adopted, Emergency, Expedited, Withdrawn, Vetoed Rules;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 23 March 2020

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Minnesota State Register

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

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

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- Withdrawn Rules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

Printing Schedule and Submission Deadlines

Vol. 44 Issue Number	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)
#40	Monday 30 March	Noon Tuesday 24 March	Noon Thursday 19 March
#41	Monday 6 April	Noon Tuesday 31 March	Noon Thursday 26 March
#42	Monday 13 April	Noon Tuesday 7 April	Noon Thursday 2 April
#43	Monday 20 April	Noon Tuesday 14 April	Noon Thursday 9 April

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Minnesota Rules: Amendments and Additions

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

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

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

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

The State Register features partial and cumulative listings of rules in this section on the following schedule: issues #1-26 inclusive (issue #26 cumulative for issues #1-26); issues #27-52 inclusive (issue #52, cumulative for issues #27-52 or #53 in some years). 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 44 - Minnesota Rules

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Volume 44, #39

Monday 30 December - Monday 23 March

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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.

Minnesota Racing Commission

Adopted Permanent Rules Relating to Horse Racing; Medication

The rules proposed and published at State Register, Volume 44, Number 27, pages 741-760, December 30, 2019 (44 SR 741), are adopted with the following modifications:

7877.0170 DUTIES AND RESPONSIBILITIES OF CLASS C LICENSEES.

Subp. 2. **Trainers.** Trainers shall have the following responsibilities.

V. The trainer of a claimed horse shall, within 72 hours after the race is made official, provide to the commission veterinarian the complete written record, as specified in item U, of all treatments, medications, and ~~interarticular~~ intra-articular injections that were administered to the horse within the 30 days preceding the race. In the case of a horse that has been in the trainer's control for less than 30 days, the trainer shall provide a record going back as long as the horse has been in the trainer's control. The trainer of the claimed horse shall authorize the commission veterinarian to provide the record to the new trainer.

7890.0100 DEFINITIONS.

Subp. 13. **Medication.** "Medication" is a substance, compound, or element, or combination thereof, which is or can be administered to a horse for the purpose of preventing, curing, or alleviating the effects of any disease, condition, ailment, or infirmity, or symptom thereof, or for altering in any way the behavior, attitude, temperament, or performance of a horse, including athletic performance. Medication includes all alkalizing agents, analgesics, anesthetics, depressants, narcotics, stimulants, tranquilizers, and other classifications of medications. Nothing herein shall be deemed to include:

A. Nonsteroidal anti-inflammatory drugs (NSAIDs):

(3) The presence of more than one NSAID in the post-race ~~serum or plasma test~~ sample, or sample taken after an official timed workout, is not permitted and shall constitute a Class B violation under the Association of Racing Commissioners International Uniform Classification Guidelines for Foreign Substances and Recommended Penalties.

7890.0110 MEDICATIONS AND PRACTICES PROHIBITED.

Subp. 5. **Discontinuance of treatments.** The use of all NSAIDs shall be discontinued at least 48 hours before the post time for the race in which the horse is entered. The use of any intra-articular corticosteroid shall be discontinued at least seven days before post time for the race in which the horse is entered. The presence of only one ~~intra-articular~~ corticosteroid is permitted in a post-race sample.

7891.0120 MORTALITY REVIEW COMMITTEE.

Subp. 2. **Participation.** Participation at a mortality review committee meeting is mandatory unless a member is excused by the chief steward or designee.

Executive Orders

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

Office of the Governor

Emergency Executive Order 20-03: Protecting Residents of Minnesota Veterans Homes during the COVID-19 Peacetime Emergency

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

The COVID-19 pandemic presents an unprecedented challenge to our State. Minnesota has taken proactive steps to ensure that we are ahead of the curve on COVID-19 prevention and response. On March 13, 2020, I issued Executive Order 20-01 and declared a peacetime emergency because this pandemic, an act of nature, threatens the lives of Minnesotans, and local resources are inadequate to address the threat. In Executive Order 20-01, I directed all state agencies to submit proposed orders and rules to protect and preserve public health and safety.

Pursuant to Minnesota Statutes 2019, section 12.21, subdivision 3(1), the Governor may “make, amend, and rescind the necessary orders and rules to carry out the provisions” of Minnesota Statutes, Chapter 12. When approved by the Executive Council and filed in the Office of the Secretary of State, such orders and rules have the force and effect of law during the pendency of a peacetime emergency. Any inconsistent rules or ordinances of any agency or political subdivision of the state are suspended during the pendency of the emergency.

Science tells us that COVID-19 is particularly dangerous for our elderly population and those with chronic health conditions. The Minnesota Veterans Homes, owned and operated by the Minnesota Department of Veterans Affairs, are designed to ensure that our nation's heroes and their spouses can live in a caring community that enriches their lives. The Minnesota Veterans Homes are located in Fergus Falls, Hastings, Luverne, Minneapolis, and Silver Bay.

Minnesota veterans and the Minnesota Veterans Homes face many challenges due to COVID-19. There is an increased risk of rapid spread of COVID-19 among persons who are living in congregate settings, such as long-term care and boarding care facilities, including the Minnesota Veterans Homes. The federal Centers for Medicare & Medicaid Services (“CMS”) issued memorandum entitled “Guidance for Infection Control and Prevention of Coronavirus Disease 2019 (COVID-19) in Nursing Homes (*REVISED*)” addressing the prevention and control of COVID-19 in nursing homes on March 13, 2020. CMS has recommended that “facilities should restrict visitation of all visitors and non-essential health care personnel, except for certain compassionate care situations, such as an end-of-life situation.” Current law and regulations prevent Minnesota's Veterans Homes from complying with this guidance.

For these reasons, I order as follows:

1. Pursuant to Minnesota Statutes 2019, section 12.21, subdivision 3(1), to protect residents and staff of Minnesota Veterans Homes, the Commissioner of Veterans Affairs is authorized to implement a temporary visitor policy consistent with any of the guidelines contained in CMS's March 13, 2020 “Guidance for Infection Control and Prevention of Coronavirus Disease 2019 (COVID-19) in Nursing Homes (*REVISED*)” and any subsequent revisions of that document, up to and including a ban on all visitation. Such a ban will not apply in end-of-life situations and to state and federal nursing home regulatory authorities when requesting access to Minnesota Veterans Homes. The Commissioner is encouraged to support residents during this time and find ways to replace

Executive Orders

- personal visits with phone calls, video conferencing, or other methods of communicating with friends, family, and other would be visitors.
2. Minnesota Veterans Homes may deny admission or readmission to any person who meets the qualification to become a resident of a Minnesota Veterans Home unless that person has been screened prior to entry for signs or symptoms of COVID-19, including high fever, cough, or difficulty breathing, or contact with a person with a confirmed diagnosis of COVID-19 in the past 30 days, or are under investigation for COVID-19. Precautionary measures may be required for persons admitted to a Minnesota Veterans Home. Precautionary measures include, but are not limited to, isolation or quarantine, wearing personal protective equipment, social distancing, or visiting in designated locations.
 3. Minnesota Veterans Homes may prohibit a person to work or volunteer in a Minnesota Veterans Home unless the person has been screened for symptoms at the start of every shift and does not show any symptoms associated with COVID-19, including high fever, cough, or difficulty breathing.
 4. Residents of a Minnesota Veterans Home may be subject to isolation in their rooms away from other people when one or more residents, staff, contractors, volunteers, or visitors of that Minnesota Veterans Home are subject to MDH or local health department recommendations or order of isolation or quarantine for COVID-19. A resident can choose to be discharged from a facility at any time.
 5. Because compliance with Minnesota Statutes 2019, section 144.651, subdivisions 26(a) and 27, and Minnesota Rules 2019, part 9050.1070, subparts 6 and 11, will prevent, hinder, or delay necessary action under this Executive Order, those provisions, and any other provisions in Minnesota Statutes or Rules that are inconsistent with this Executive Order, are waived and suspended during the peacetime emergency declared in Executive Order 20-01.

Pursuant to Minnesota Statutes 2019, section 4.035, subdivision 2, and section 12.32, this Executive Order is effective immediately upon approval by the Executive Council. It remains in effect until the peacetime emergency declared in Executive Order 20-01 is terminated or until it is rescinded by proper authority.

A determination that any provision of this Executive Order is invalid will not affect the enforceability of any other provision of this Executive Order. Rather, the invalid provision will be modified to the extent necessary so that it is enforceable.

Signed on March 16, 2020.

Tim Walz
Governor

Filed According to Law:

Steve Simon
Secretary of State

Approved by the Executive Council on March 16, 2020:

Alice Roberts-Davis
Secretary, Executive Council

Office of the Governor

Emergency Executive Order 20-04: Providing for Temporary Closure of Bars, Restaurants, and Other Places of Public Accommodation

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

The COVID-19 pandemic presents an unprecedented challenge to our State. Minnesota has taken proactive steps to

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ensure that we are ahead of the curve on COVID-19 prevention and response. On March 13, 2020, I issued Executive Order 20-01 and declared a peacetime emergency because this pandemic, an act of nature, threatens the lives of Minnesotans, and local resources are inadequate to address the threat.

Confirmed cases of COVID-19 in Minnesota are rapidly increasing. On March 15, 2020, Minnesota detected the first confirmed cases caused by “community spread”—infections not epidemiologically linked to overseas travel. This development requires Minnesota to take additional proactive measures, including enhanced community mitigation, to slow the spread of this pandemic. Slowing the spread of COVID-19 is critical to ensuring that our healthcare facilities remain able to accommodate those who require intensive medical intervention.

In this time of uncertainty and peacetime emergency, Minnesotans must continue to maintain their essential activities. I encourage supermarkets, pharmacies, and other establishments providing essential retail goods and services to remain open, subject to best practices, including social distancing, established by the Centers for Disease Control and Prevention and the Minnesota Department of Health. That said, certain other public accommodations in which Minnesotans congregate pose a threat to the public health by providing environments for the spread of COVID-19.

Pursuant to Minnesota Statutes 2019, section 12.21, subdivision 3(1), the Governor may “make, amend, and rescind the necessary orders and rules to carry out the provisions” of Minnesota Statutes, Chapter 12. When approved by the Executive Council and filed in the Office of the Secretary of State, such orders and rules have the force and effect of law during the peacetime emergency. Any inconsistent rules or ordinances of any agency or political subdivision of the state are suspended during the pendency of the emergency. Any person who willfully violates such an order or rule is guilty of a misdemeanor and upon conviction must be punished by a fine not to exceed \$1,000 or by imprisonment for not more than 90 days.

For these reasons, I order as follows:

1. Beginning no later than March 17, 2020 at 5:00 pm, and continuing until March 27, 2020 at 5:00 pm, the following places of public accommodation are closed to ingress, egress, use, and occupancy by members of the public:
 - a. Restaurants, food courts, cafes, coffeehouses, and other places of public accommodation offering food or beverage for on-premises consumption, excluding institutional or in-house food cafeterias that serve residents, employees, and clients of businesses, child care facilities, hospitals, and long-term care facilities.
 - b. Bars, taverns, brew pubs, breweries, microbreweries, distilleries, wineries, tasting rooms, clubs, and other places of public accommodation offering alcoholic beverages for on-premises consumption.
 - c. Hookah bars, cigar bars, and vaping lounges offering their products for on-premises consumption.
 - d. Theaters, cinemas, indoor and outdoor performance venues, and museums.
 - e. Gymnasiums, fitness centers, recreation centers, indoor sports facilities, indoor exercise facilities, exercise studios, and spas.
 - f. Amusement parks, arcades, bingo halls, bowling alleys, indoor climbing facilities, skating rinks, trampoline parks, and other similar recreational or entertainment facilities.
 - g. Country clubs, golf clubs, boating or yacht clubs, sports or athletic clubs, and dining clubs.
2. Places of public accommodation subject to this Executive Order are encouraged to offer food and beverage using delivery service, window service, walk-up service, drive-through service, or drive-up service, and to use precautions in doing so to mitigate the potential transmission of COVID-19, including social distancing. In offering food or beverage, a place of public accommodation subject to this section may permit up to five members of the public at one time in the place of public accommodation for the purpose of picking up their food or beverage orders, so long as those individuals are at least six feet apart from one another while on premises.
3. This Executive Order does not prohibit an employee, contractor, vendor, or supplier of a place of public accommodation from entering, exiting, using, or occupying that place of public accommodation in their professional capacity.

Executive Orders

4. The restrictions imposed by this Executive Order do not apply to any of the following:
 - a. Places of public accommodation that offer food and beverage not for on-premises consumption, including grocery stores, markets, convenience stores, pharmacies, drug stores, and food pantries, other than those portions of the place of public accommodation subject to the requirements of section 1;
 - b. Health care facilities, child care facilities, residential care facilities, congregate care facilities, and juvenile justice facilities;
 - c. Crisis shelters, soup kitchens, or similar institutions; and
 - d. Restaurants and food courts inside the secured zones of airports.
5. For purposes of this Executive Order, “place of public accommodation” means a business, or an educational, refreshment, entertainment, or recreation facility, or an institution of any kind, whether licensed or not, whose goods, services, facilities, privileges, advantages, or accommodations are extended, offered, sold, or otherwise made available to the public.
6. This Executive Order does not alter any of the obligations under law of an employer affected by this Executive Order to its employees or to the employees of another employer.
7. Pursuant to Minnesota Statutes 2019, section 12.45, a person who willfully violates paragraphs 1 of this Executive Order is guilty of a misdemeanor and upon conviction must be punished by a fine not to exceed \$1,000, or by imprisonment for not more than 90 days.
8. Local law enforcement and public health authorities are directed to monitor and enforce this Executive Order in accordance with the law.
9. The prohibitions set forth in paragraph 1 may be extended by a future Executive Order and with approval of the Executive Council.

Pursuant to Minnesota Statutes 2019, section 4.035, subdivision 2, and section 12.32, this Executive Order is effective immediately upon approval by the Executive Council. It remains in effect until the peacetime emergency declared in Executive Order 20-01 is terminated or until it is rescinded by proper authority.

A determination that any provision of this Executive Order is invalid will not affect the enforceability of any other provision of this Executive Order. Rather, the invalid provision will be modified to the extent necessary so that it is enforceable.

Signed on March 16, 2020.

Tim Walz
Governor

Filed According to Law:

Steve Simon
Secretary of State

Approved by the Executive Council on March 16, 2020:

Alice Roberts-Davis
Secretary, Executive Council

Executive Orders

Office of the Governor

Emergency Executive Order 20-05: Providing Immediate Relief to Employers and Unemployed Workers During the COVID-19 Peacetime Emergency

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

The COVID-19 pandemic presents an unprecedented challenge to our State. Minnesota has taken proactive steps to ensure that we are ahead of the curve on COVID-19 prevention and response. On March 13, 2020, I issued Executive Order 20-01 and declared a peacetime emergency because this pandemic, an act of nature, threatens the lives of Minnesotans, and local resources are inadequate to address the threat. In Executive Order 20-01, I directed all state agencies to submit proposed orders and rules to protect and preserve public health and safety.

Pursuant to Minnesota Statutes 2019, section 12.21, subdivision 3(1), the Governor may “make, amend, and rescind the necessary orders and rules to carry out the provisions” of Minnesota Statutes, Chapter 12. When approved by the Executive Council and filed in the Office of the Secretary of State, such orders and rules have the force and effect of law during the pendency of a peacetime emergency. Any inconsistent rules or ordinances of any agency or political subdivision of the state are suspended during the pendency of the emergency.

Economic insecurity because of involuntary unemployment of workers in Minnesota is a subject of general concern. The public good is promoted by providing workers who are unemployed through no fault of their own a temporary partial wage replacement to assist unemployed workers to become reemployed. Providing a temporary partial wage replacement to assist unemployed workers allows these workers to access basic necessities and safeguard the health of themselves, their families, and other Minnesotans. Current law and regulations prevent the Minnesota Unemployment Insurance Program from providing immediate relief to employers and unemployed workers during the COVID-19 pandemic.

For these reasons, I order as follows:

1. Effective immediately, strict compliance with Minnesota Statutes 2019, Chapter 268, Minnesota Unemployment Insurance Law is suspended.
2. For unemployment insurance benefit accounts established between March 1, 2020 and December 31, 2020, I am suspending the nonpayable week requirement under Minnesota Statutes 2019, section 268.085, subdivision 1, clause 6, which will allow workers to become eligible for unemployment benefits as quickly as possible.
3. To further ensure that unemployment benefits are available for workers who are not able to work directly or indirectly as a result of COVID-19, I order that suitable employment under Minnesota Statutes 2019, section 268.035, subdivisions 23a (a) and (b) does not include employment that puts the health and safety of the applicant at risk or employment that puts the health and safety of other workers and the general public at risk.
4. To further ensure that unemployment benefits are available for workers who are not able to work directly or indirectly as a result of COVID-19, I order that a leave of absence will be presumed to be involuntary in accordance with Minnesota Statutes 2019, section 268.085, subdivision 13a, when:
 - a. A determination has been made by health authorities or by a health care professional that the presence of the applicant in the workplace would jeopardize the health of others, whether or not the applicant has actually contracted a communicable disease.
 - b. A quarantine or isolation order has been issued to the applicant pursuant to Minnesota Statutes 2019, section 144.419 to section 144.4196.
 - c. There is a recommendation from health authorities or by a health care professional that the applicant should self-isolate or self-quarantine due to elevated risk from COVID-19 due to being immunocompromised.

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- d. The applicant has been instructed by their employer not to come to the employer's place of business due to an outbreak of a communicable disease.
 - e. The applicant has received a notification from a school district, daycare, or other childcare provider that either classes are canceled or the applicant's ordinary childcare is unavailable, provided that the applicant made reasonable effort to obtain other childcare and requested time off or other accommodation from the employer and no reasonable accommodation was available.
5. Notwithstanding Minnesota Statutes 2019, section 268.047, I order that the Minnesota Unemployment Insurance Program not use unemployment benefits paid as a result of the COVID-19 pandemic in computing the future unemployment tax rate of a taxpaying employer. This will provide immediate relief to employers impacted by the COVID-19 pandemic and will better allow their employees to access unemployment benefits.
 6. Notwithstanding Minnesota Statutes 2019, section 268.085, subdivision 9, I order that the Minnesota Unemployment Insurance Program waive enforcement of the five-week benefit limitation for business owners.
 7. Because strict compliance with Minnesota Statutes 2019, Chapter 268 and Minnesota Rules 2019, part 3310, will prevent, hinder, or delay necessary action under this Executive Order, those provisions, and any other provisions in Minnesota Statutes or Rules that are inconsistent with this Executive Order, are waived and suspended during the peacetime emergency declared in Executive Order 20-01.

Pursuant to Minnesota Statutes 2019, section 4.035, subdivision 2, and section 12.32, this Executive Order is effective immediately upon approval by the Executive Council. It remains in effect until the peacetime emergency declared in Executive Order 20-01 is terminated or until it is rescinded by proper authority.

A determination that any provision of this Executive Order is invalid will not affect the enforceability of any other provision of this Executive Order. Rather, the invalid provision will be modified to the extent necessary so that it is enforceable.

Signed on March 16, 2020.

Tim Walz
Governor

Filed According to Law:

Steve Simon
Secretary of State

Approved by the Executive Council on March 16, 2020:

Alice Roberts-Davis
Secretary, Executive Council

Office of the Governor

Emergency Executive Order 20-06: Providing for Emergency Relief from Regulations to Motor Carriers and Drivers Operating in Minnesota

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

The COVID-19 pandemic presents an unprecedented challenge to our State. Minnesota has taken proactive steps to ensure that we are ahead of the curve on COVID-19 prevention and response. On March 13, 2020, I issued Executive

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Order 20-01 and declared a peacetime emergency because this pandemic, an act of nature, threatens the lives of Minnesotans, and local resources are inadequate to address the threat.

In response to the COVID-19 pandemic, the Federal Motor Carrier Safety Administration issued a national emergency declaration that provides relief from certain safety regulations to carriers providing direct assistance to support emergency relief efforts. Governors of neighboring states, including Iowa, have also provided relief from certain safety regulations to assist with emergency efforts.

Minnesota Statutes 2019, sections 169.80, 169.823, 169.824, and 169.87 provide weight limitations for vehicles operating on Minnesota roadways. Minnesota Statutes 2019, section 221.0314, subdivision 9, adopts federal safety regulations, including hours of service requirements for drivers. Minnesota Statute 2019, section 221.0269, provides: “The governor may declare an emergency and grant relief from any of the regulations incorporated in section 221.0314 to carriers and drivers operating motor vehicles in Minnesota to provide emergency relief during the emergency.”

Strict enforcement of certain hours of service and weight restriction regulations would prevent or hinder efforts to provide necessary and time-sensitive assistance to Minnesotans. The continued, efficient movement of essential supplies, including food, medical supplies and household items, is vital to the health and safety of all Minnesotans.

For these reasons, I order as follows:

1. A state of emergency exists in Minnesota that requires assistance from motor carriers to transport supplies to affected areas of the state. Vehicles and drivers providing direct assistance for emergency relief efforts in response to COVID-19 are exempted from certain regulations as described in this Executive Order. Direct assistance means transportation by a motor carrier or its driver(s) incident to the immediate restoration and/or delivery of essential supplies including food, medical supplies, and household items, related to the COVID-19 pandemic.
2. The weight-related regulatory provisions of Minnesota Statutes 2019, sections 169.80, 169.823, 169.824, and 169.87, are temporarily suspended, to the extent that those provisions require a special permit or restrict the overweight movement of essential supplies including food, medical supplies, and household items transported in support of direct assistance to emergency relief efforts in response to COVID-19.
3. Suspension of these weight-related provisions applies to loads transported on all roads within Minnesota. Unless the Federal Highway Administration suspends the federal weight limitations on the interstate system, vehicles over 80,000 pounds gross weight may not use the interstate system. Vehicles operating under this Executive Order may not exceed the maximum axle weight limits established under Minnesota Statutes 2019, section 169.824 by more than twelve and one-half percent (12.5%); the maximum axle weight limit of 20,000 pounds or 90,000 pounds gross weight. Additionally, vehicles operating under this Executive Order must comply with posted limits on bridges.
4. Pursuant to Minnesota Statutes 2019, section 221.0269, subdivision 1, conditions exist in Minnesota that require relief from regulations incorporated in Minnesota Statutes 2019, section 221.0314, subdivision 9, pertaining to hours of service for carriers and drivers of commercial motor vehicles providing direct assistance to emergency relief efforts in response to COVID-19.
5. Motor carriers and drivers providing direct assistance to emergency relief efforts in response to COVID-19 by transporting essential supplies to affected areas of the state are exempted from the Code of Federal Regulations, title 49, part 395.3, which is incorporated in Minnesota Statutes 2019, section 221.0314, subdivision 9, pertaining to hours of service.
6. This Executive Order does not relieve motor carriers and drivers providing direct assistance to emergency relief efforts from regulations pertaining to driver qualifications; driving of commercial motor vehicles; commercial drivers' licenses; drug and alcohol testing for drivers; or equipment, parts, and accessories necessary for the safe operation of vehicles.

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7. No motor carrier operating under the terms of this Executive Order shall require or allow a fatigued or ill driver to operate a commercial motor vehicle. A driver who informs a carrier that he or she needs immediate rest shall be relieved of all duty and responsibilities and given at least 10 consecutive hours off duty before the driver is required to return to service.
8. Upon the expiration of this Executive Order or termination of direct assistance to emergency relief efforts, the driver must receive a minimum of 10 hours off duty.

This Executive Order is effective immediately under Minnesota Statutes 2019, section 4.035, subdivision 2, and remains in effect for 30 days, or until the direct assistance has ended, whichever occurs first. For purposes of this Executive Order, direct assistance does not include routine commercial deliveries, or transportation of mixed loads that include freight that is not being transported in support of emergency relief efforts. Additionally, direct assistance to an emergency relief effort terminates when a driver or commercial motor vehicle is used to transport cargo not destined for the emergency relief effort, or when the carrier dispatches that driver or vehicle to another location to begin operations in commerce.

Signed on March 17, 2020.

Tim Walz
Governor

Filed According to Law:

Steve Simon
Secretary of State

Office of the Governor

Emergency Executive Order 20-07: Providing for State Workforce Needs During the COVID-19 Peacetime Emergency

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

The COVID-19 pandemic presents an unprecedented challenge to our State. On March 13, 2020, I issued Executive Order 20-01 and declared a peacetime emergency because this pandemic, an act of nature, threatens the lives of Minnesotans, and local resources are inadequate to address the threat. In Executive Order 20-01, I directed all state agencies to submit proposed orders and rules to protect and preserve public health and safety.

On March 15, 2020, I issued Executive Order 20-02, authorizing and directing the Commissioner of Education to close all schools to students, with delineated exceptions, beginning Wednesday, March 18, 2020 through Friday, March 27, 2020. On March 16, 2020, I issued Executive Order 20-04, which ordered the closure of certain places of public accommodation.

This peacetime emergency places burdens on state agency employees as with all Minnesota workers. It also places special responsibilities on state agency employees. The Minnesota Constitution provides that the purpose of government is for the security, benefit and protection of the people, and confers upon the executive branch the responsibility to take care that the laws are faithfully executed. As a result, even during a peacetime emergency, it is incumbent upon state agency employees to work as effectively as possible to maintain government operations, to secure the health and safety of Minnesotans, and to take care that the laws are faithfully executed.

Under Minnesota Statutes 2019, section 12.21, subdivision 3(10), the Governor may alter or adjust the working

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hours, workdays and work week of, and annual and sick leave provisions and payroll laws regarding all state employees in the executive branch, as necessary to minimize the impact of the emergency, conforming the alterations or adjustments to existing state laws, rules, and collective bargaining agreements to the extent practicable. Under Minnesota Statutes 2019, section 12.21, subdivision 3(12), the Governor may transfer the direction, personnel, or functions of state agencies to perform or facilitate response and recovery programs. In addition, under Minnesota Statutes 2019, section 12.21, subdivision 3(1), the Governor may make, amend, and rescind necessary orders and rules to address the peacetime emergency. When approved by the Executive Council and filed in the Office of the Secretary of State, such orders and rules have the force and effect of law during the pendency of a peacetime emergency. Any inconsistent rules or ordinances of any agency or political subdivision of the state are suspended during the pendency of the emergency.

In consultation with the Commissioner of Management and Budget and other state agencies, I have concluded that it is necessary to provide forms of paid leave and other benefits to executive branch employees, so that state agency workplaces can conform to the extent possible with guidance on how to best prevent and reduce community spread of COVID-19, while also minimizing the impact of the peacetime emergency on government operations.

I also have concluded that to protect the health and safety of Minnesotans and minimize the impact of the peacetime emergency on government operations, state agencies require the flexibility to hire staff, schedule, assign, and reassign employees without adherence to existing limitations in collective bargaining agreements, memoranda of understanding, compensation plans, statutes, administrative rules, administrative procedures, and policies that present barriers to the needs of state agencies to efficiently and effectively mobilize and deploy their workforce during this peacetime emergency. When circumstances allow, Minnesota Management and Budget will work in partnership with the labor unions affected by any adjustments to the provisions of collective bargaining agreements or memoranda of understanding.

For these reasons, I order as follows:

1. I authorize and direct the Commissioner of Management and Budget to develop and implement a policy to provide paid leave to executive branch employees who must be absent from work for reasons related to COVID-19, including but not limited to caring for their children due to school closure due to COVID-19. "Executive branch employees" for these purposes includes all employees of agencies in the executive branch, as defined in Minnesota Statutes 2019, section 43A.02, subdivision 22, except for employees of constitutional offices. "Executive branch employees" also includes all employees of the Minnesota State Retirement System, the Public Employees Retirement Association, the Teacher's Retirement Association, and the Minnesota State Colleges and Universities system. Paid COVID-19 leave pursuant to this policy must be available effective beginning March 18, 2020 and continue until the peacetime emergency is terminated. The Commissioner of Management and Budget is directed to assist constitutional offices to also adopt COVID-19 related leave for their employees.
2. I authorize and direct the Commissioner of Management and Budget to suspend the 35-day waiting period necessary for new insurance-eligible executive branch employees to receive the insurance coverage provided in the applicable collective bargaining agreement or compensation plan.
3. With respect to all collective bargaining agreements entered pursuant to Minnesota Statutes 2019, section 43A.06, subdivision 1(c) and section 179A.22, subdivision 4, and all compensation plans established pursuant to Minnesota Statutes 2019, section 43A.18, subdivisions 2, 3, 3a, 3b and 4(c), and section 62V.05, subdivision 1(b)(1), to ensure state agencies are able to timely and effectively mobilize their workforce to address the peacetime emergency, this Executive Order suspends, for the duration of the peacetime emergency, all provisions regarding: limitations on the appointing authority's ability to determine employee work schedules and hours of work; notice periods for changes in work schedules, work hours, or work locations; limitations on supervisor rescission of vacation approval; seniority requirements for filling vacancies, reassignment, or distribution of overtime or on-call work; restrictions on appointment, assignment or reassignment; and notice requirements for seasonal layoff and recall. For the duration of the peacetime emergency, executive branch employees are subject to the scheduling and assignment decisions and work direction of their appointing authority.

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4. To the extent it becomes necessary to protect health and safety, perform or facilitate emergency response and recovery efforts, and minimize the impact of the peacetime emergency on government operations, I authorize and direct the Commissioner of Management and Budget, in consultation with state agencies, to transfer the direction, personnel, and/or functions of state agencies, including but not limited to redeploying executive branch employees from one state agency to another state agency, and between job classifications.
5. I direct the Commissioner of Management and Budget to review Minnesota Management and Budget's statewide policies, administrative procedures, and administrative rules, and the collective bargaining agreements, memoranda of understanding, and compensation plans, to determine whether their provisions unnecessarily impede the ability of state agencies to efficiently and effectively address this peacetime emergency. I authorize the Commissioner of Management and Budget, to the extent he deems necessary, to temporarily suspend such provisions during the peacetime emergency. Upon approval by the Executive Council, this Order suspends the requirement to comply with the rulemaking provisions of the Administrative Procedure Act for any necessary deviations from administrative rules adopted pursuant to Minnesota Statutes 2019, section 43A.04, subdivision 3. Upon approval by the Executive Council, this Order suspends the requirement to provide notice and comment prior to implementation for any necessary deviations from administrative procedures adopted pursuant to Minnesota Statutes 2019, section 43A.04, subdivision 4.
6. To further reduce barriers to timely staffing so state agencies can efficiently and effectively address this peacetime emergency, upon approval by the Executive Council, this Order suspends the 21-day posting requirement for classified managerial positions provided in Minnesota Statutes 2019, section 43A.10, subdivision 2c(b), and waives the 45-day limitation on employment in and length of emergency appointments in Minnesota Statutes 2019, section 43A.15, subdivision 2.

Pursuant to Minnesota Statutes 2019, section 4.035, subdivision 2, this Executive Order is effective immediately. It remains in effect until the peacetime emergency declared in Executive Order 20-01 is terminated or until it is rescinded by proper authority.

A determination that any provision of this Executive Order is invalid will not affect the enforceability of any other provision of this Executive Order. Rather, the invalid provision will be modified to the extent necessary so that it is enforceable.

Signed on March 17, 2020.

Tim Walz
Governor

Filed According to Law:

Steve Simon
Secretary of State

Office of the Governor

Emergency Executive Order 20-08: Clarifying Public Accommodations Subject to Executive Order 20-04

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

On March 16, 2020, I issued Executive Order 20-04 ordering the closure of bars, restaurants, and other places of public accommodation ("Executive Order 20-04"). Under Paragraph 1(e) of Executive Order 20-04, spas were ordered to close until 5:00 pm on March 27, 2020. Questions have arisen regarding the applicability of spa closures to salons,

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barbershops, and similar establishments.

For these reasons, I order as follows:

1. Paragraph 1.e. of Executive Order 20-04 is amended by the following additions (indicated by underlined text) and deletions (indicated by strikethroughs):

Gymnasiums, fitness centers, recreation centers, indoor sports facilities, indoor exercise facilities, exercise studios, ~~and spas~~ tanning establishments, body art establishments, tattoo parlors, piercing parlors, businesses offering massage therapy or similar body work, spas, salons, nail salons, cosmetology salons, esthetician salons, advanced practice esthetician salons, eyelash salons, and barber shops. This includes, but is not limited to, all salons and shops licensed by the Minnesota Board of Cosmetologist Examiners and the Minnesota Board of Barber Examiners.

2. All other provisions of Executive Order 20-04 remain in effect.

Pursuant to Minnesota Statutes 2019, section 4.035, subdivision 2, this Executive Order is effective immediately. It remains in effect until the peacetime emergency declared in Executive Order 20-01 is terminated or until it is rescinded by proper authority.

A determination that any provision of this Executive Order is invalid will not affect the enforceability of any other provision of this Executive Order. Rather, the invalid provision will be modified to the extent necessary so that it is enforceable.

Signed on March 18, 2020.

Tim Walz
Governor

Filed According to Law:

Steve Simon
Secretary of State

Office of the Governor

Emergency Executive Order 20-09: Directing Delay of Inpatient and Outpatient Elective Surgery and Procedural Cases during COVID-19 Peacetime Emergency

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

The COVID-19 pandemic presents an unprecedented challenge to our State. Minnesota has taken proactive steps to ensure that we are ahead of the curve on COVID-19 prevention and response. On March 13, 2020, I issued Executive Order 20-01 and declared a peacetime emergency because this pandemic, an act of nature, threatens the lives of Minnesotans, and local resources are inadequate to address the threat. In Executive Order 20-01, I directed all state agencies to submit proposed orders and rules to protect and preserve public health and safety.

Pursuant to Minnesota Statutes 2019, section 12.21, subdivision 3(1), the Governor may “make, amend, and rescind the necessary orders and rules to carry out the provisions” of Minnesota Statutes, Chapter 12. When approved by the Executive Council and filed in the Office of the Secretary of State, such orders and rules have the force and effect of law during the pendency of a peacetime emergency. Any inconsistent rules or ordinances of any agency or political subdivision of the state are suspended during the pendency of the emergency. Any person who willfully violates such an order or rule is guilty of a misdemeanor.

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COVID-19 cases in Minnesota are rapidly increasing and risk overwhelming the healthcare system. On March 17, 2020, the Centers for Disease Control and Prevention recommended delaying elective inpatient and outpatient surgeries and procedures, which include dental procedures. On March 18, 2020, the Centers for Medicare and Medicaid Services (“CMS”) issued similar guidance. CMS recognizes that conservation of critical resources such as ventilators and personal protective equipment (“PPE”) is essential to aggressively address the COVID-19 pandemic. CMS has also recognized that non-emergent or elective procedures increase patient and provider contact, which could increase the risk of COVID-19 transmission. This risk provides further reason to delay elective surgeries and procedures. To ensure the health and safety of Minnesotans, it is important to establish consistency throughout our healthcare system and ensure that our resources can be focused on responding to this pandemic.

For these reasons, I order as follows:

1. Beginning no later than March 23, 2020 at 5:00 pm, and continuing for the duration of the peacetime emergency declared in Executive Order 20-01 or until this Executive Order is rescinded, all non-essential or elective surgeries and procedures, including non-emergent or elective dental care, that utilize PPE or ventilators must be postponed indefinitely.
2. A non-essential surgery or procedure is a surgery or procedure that can be delayed without undue risk to the current or future health of a patient. Examples of criteria to consider in making this determination include:
 - a. Threat to the patient’s life if surgery or procedure is not performed.
 - b. Threat of permanent dysfunction of an extremity or organ system, including teeth and jaws.
 - c. Risk of metastasis or progression of staging.
3. Pursuant to Minnesota Statutes 2019, section 12.45, a person who willfully violates paragraph 1 of this Executive Order is guilty of a misdemeanor and upon conviction must be punished by a fine not to exceed \$1,000, or by imprisonment for not more than 90 days.

Pursuant to Minnesota Statutes 2019, section 4.035, subdivision 2, and section 12.32, this Executive Order is effective immediately upon approval by the Executive Council. It remains in effect until the peacetime emergency declared in Executive Order 20-01 is terminated or until it is rescinded by proper authority.

A determination that any provision of this Executive Order is invalid will not affect the enforceability of any other provision of this Executive Order. Rather, the invalid provision will be modified to the extent necessary so that it is enforceable.

Signed on March 19, 2020.

Tim Walz
Governor

Filed According to Law:

Steve Simon
Secretary of State

Approved by the Executive Council on March 20, 2020:

Alice Roberts-Davis
Secretary, Executive Council

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Office of the Governor

Emergency Executive Order 20-10: Combatting Price Gouging During the COVID-19 Peacetime Emergency

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

The COVID-19 pandemic presents an unprecedented challenge to our State. Minnesota has taken proactive steps to ensure that we are ahead of the curve on COVID-19 prevention and response. On March 13, 2020, I issued Executive Order 20-01 and declared a peacetime emergency because this pandemic, an act of nature, threatens the lives of Minnesotans, and local resources are inadequate to address the threat. In Executive Order 20-01, I directed all state agencies to submit proposed orders and rules to protect and preserve public health and safety.

Pursuant to Minnesota Statutes 2019, section 12.21, subdivision 3(1), the Governor may “make, amend, and rescind the necessary orders and rules to carry out the provisions” of Minnesota Statutes, Chapter 12. When approved by the Executive Council and filed in the Office of the Secretary of State, such orders and rules have the force and effect of law during the pendency of a peacetime emergency. Any inconsistent rules or ordinances of any agency or political subdivision of the state are suspended during the pendency of the emergency. Under Minnesota Statutes 2019, section 12.45, this Executive Order may specifically prescribe the penalty or punishment for violation of this Executive Order.

Minnesotans have responded to the call of public health officials and experts to prepare for and defend against the challenges confronting all of us. As Minnesotans have prepared to protect themselves and their families from this pandemic and to support loved ones and neighbors in need, we have heard reports of excessive and opportunistic pricing of basic necessities needed for public health and security. The Minnesota Attorney General’s Office has received numerous reports of price gouging from consumers throughout the State. These reports have included concerns about excessive pricing on hygiene supplies, cleaning products, personal protective equipment, food, and other essential consumer goods and services.

These concerns raise risks of immediate and irreparable injury, loss, or damage to consumers, and immediate risk to the public interest of ensuring that Minnesotans can prepare for and respond to this emergency situation. These matters implicate safety concerns and matters of public safety, personal safety, and economic security. As a result, immediate resolution of these concerns (including but not limited to necessary and prompt court-intervention) is in the public interest and necessary to protect the public peace, health, and safety of Minnesotans during this peacetime emergency.

For these reasons, I order as follows:

1. Beginning March 21, 2020 at 5:00 pm, and continuing for the duration of the peacetime emergency declared in Executive Order 20-01 or until this Executive Order is rescinded, all persons are prohibited from selling, offering to sell, or causing to sell in this state any essential consumer goods or services for an amount that represents an unconscionably excessive price.
2. For purposes of this Executive Order, the following terms are defined as specified below.
 - a. “Person” or “persons” has the meaning in Minnesota Statutes 2019, section 325F.68, subdivision 3.
 - b. “Essential consumer goods or services” means goods or services vital and necessary for the health, safety, and welfare of the public, including without limitation: food, water, fuel, gasoline, housing, shelter, transportation, health care goods and services, pharmaceuticals, medical supplies, and personal hygiene, sanitation, and cleaning goods.
 - c. “Unconscionably excessive” means:
 - i. The amount charged represents a gross disparity between the price of the good or service and the price of the same good or service that was sold or offered for sale in the usual course of business during the thirty (30) days immediately prior to the peacetime emergency declared by Executive

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- Order 20-01 on March 13, 2020, unless the person demonstrates that the disparity is substantially attributable to significant additional costs outside the control of the person; or
- ii. The amount charged for the good or service is more than twenty percent (20%) greater than the price of the same good or service that was sold or offered for sale in the usual course of business during the thirty (30) days immediately prior to the peacetime emergency declared by Executive Order 20-01 on March 13, 2020, unless the person demonstrates that the disparity is substantially attributable to significant additional costs outside the control of the person; or
 - iii. The amount charged grossly exceeds the price at which the same or similar good or service is readily obtainable by other purchasers in the trade area, unless the person demonstrates that the price increase is substantially attributable to significant additional costs outside the control of the person.
3. The Attorney General may investigate and bring an enforcement action to remediate and enjoin any alleged violation of this section. The authority of the Attorney General under this Executive Order includes but is not limited to the authority provided under Minnesota Statutes 2019, section 8.31.
 4. Pursuant to Minnesota Statutes 2019, section 12.45, any person who is found to have violated this section is subject to a civil penalty of not more than \$10,000 per sale or transaction. The Attorney General may additionally seek any relief available pursuant to Minnesota Statutes 2019, section 8.31.

Pursuant to Minnesota Statutes 2019, section 4.035, subdivision 2, and section 12.32, this Executive Order is effective immediately upon approval by the Executive Council. It remains in effect until the peacetime emergency declared in Executive Order 20-01 is terminated or until it is rescinded by proper authority.

A determination that any provision of this Executive Order is invalid will not affect the enforceability of any other provision of this Executive Order. Rather, the invalid provision will be modified to the extent necessary so that it is enforceable.

Signed on March 20, 2020.

Tim Walz
Governor

Filed According to Law:

Steve Simon
Secretary of State

Approved by the Executive Council on March 20, 2020:

Alice Roberts-Davis
Secretary, Executive Council

Office of the Governor

Emergency Executive Order 20-11: Securing Federal Authority to Continue Human Services Programs During the COVID-19 Peacetime Emergency

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

The COVID-19 pandemic presents an unprecedented challenge to our State. Minnesota has taken proactive steps to ensure that we are ahead of the curve on COVID-19 prevention and response. On March 13, 2020, I issued Executive

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Order 20-01 and declared a peacetime emergency because this pandemic, an act of nature, threatens the lives of Minnesotans, and local resources are inadequate to address the threat. In Executive Order 20-01, I directed all state agencies to submit proposed orders and rules to protect and preserve public health and safety.

Pursuant to Minnesota Statutes 2019, section 12.21, subdivision 3(1), the Governor may “make, amend, and rescind the necessary orders and rules to carry out the provisions” of Minnesota Statutes, Chapter 12. When approved by the Executive Council and filed in the Office of the Secretary of State, such orders and rules have the force and effect of law during the pendency of a peacetime emergency. Any inconsistent rules or ordinances of any agency or political subdivision of the state are suspended during the pendency of the emergency.

Minnesotans served by the Minnesota Department of Human Services (“DHS”) face many challenges due to COVID-19. The common good and public health are promoted by timely and safe access to, and delivery of, programs and services administered by DHS. Strict compliance with laws related to these programs and services during the peacetime emergency will limit the availability of essential programs and services for Minnesotans and increase the risk for spread of COVID-19. Securing temporary waiver or modification of certain federal requirements will allow DHS and its human services partners to continue to provide essential programs and services to Minnesotans safely and without undue delay during the peacetime emergency.

For these reasons, I order as follows:

1. Effective immediately, the Commissioner of the Department of Human Services may seek federal authority to change or waive all federal requirements applicable to its programs and services, including but not limited to, the Minnesota Family Investment Program, Medical Assistance, and MinnesotaCare, as necessary in order to ensure maximum federal funding, maintain enrollee coverage and provider participation, and otherwise protect and preserve public health and safety. The requests for federal approval shall include any waivers or amendments necessary to comply with and implement changes to state or federal law resulting from existing and forthcoming COVID-19 related Executive Orders or legislative enactments.

Pursuant to Minnesota Statutes 2019, section 4.035, subdivision 2, and section 12.32, this Executive Order is effective immediately upon approval by the Executive Council. It remains in effect until the peacetime emergency declared in Executive Order 20-01 is terminated or until it is rescinded by proper authority.

A determination that any provision of this Executive Order is invalid will not affect the enforceability of any other provision of this Executive Order. Rather, the invalid provision will be modified to the extent necessary so that it is enforceable.

Signed on March 20, 2020.

Tim Walz
Governor

Filed According to Law:

Steve Simon
Secretary of State

Approved by the Executive Council on March 20, 2020:

Alice Roberts-Davis
Secretary, Executive Council

Office of the Governor

Emergency Executive Order 20-12: Preserving Access to Human Services Programs During the COVID-19 Peacetime Emergency

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

The COVID-19 pandemic presents an unprecedented challenge to our State. Minnesota has taken proactive steps to ensure that we are ahead of the curve on COVID-19 prevention and response. On March 13, 2020, I issued Executive Order 20-01 and declared a peacetime emergency because this pandemic, an act of nature, threatens the lives of Minnesotans, and local resources are inadequate to address the threat. In Executive Order 20-01, I directed all state agencies to submit proposed orders and rules to protect and preserve public health and safety.

Pursuant to Minnesota Statutes 2019, section 12.21, subdivision 3(1), the Governor may “make, amend, and rescind the necessary orders and rules to carry out the provisions” of Minnesota Statutes, Chapter 12. When approved by the Executive Council and filed in the Office of the Secretary of State, such orders and rules have the force and effect of law during the pendency of a peacetime emergency. Any inconsistent rules or ordinances of any agency or political subdivision of the state are suspended during the pendency of the emergency.

Confirmed cases of COVID-19 in Minnesota are rapidly increasing. On March 15, 2020, Minnesota detected the first confirmed cases caused by “community spread”—infections not epidemiologically linked to overseas travel. This development requires Minnesota to take additional proactive measures, including enhanced community mitigation, to slow the spread of this pandemic. Slowing the spread of COVID-19 is critical to ensuring that our healthcare facilities remain able to accommodate those who require intensive medical intervention.

The Minnesota Department of Human Services (“DHS”) serves Minnesotans across the state. DHS provides health care coverage, programs, and services for over 1 million Minnesotans, including groups likely to be significantly impacted by COVID-19 such as older adults, individuals who have disabilities, families with children, and individuals with mental illness.

Tribal Nations, counties, and Minnesotans served by DHS face many challenges due to COVID-19. The public good is promoted by timely and safe access to, and delivery of, programs and services administered by DHS. Strict compliance with laws and regulations related to these programs and services during the peacetime emergency will limit the availability of essential programs and services for Minnesotans and increase the risk for spread of COVID-19. Providing for temporary waiver or modification of these requirements will allow DHS and its human services partners to continue to provide essential programs and services to Minnesotans safely and without undue delay during the peacetime emergency. Current law and regulations prevent the temporary modification or waiver of laws related to programs and services administered by DHS.

For these reasons, I order as follows:

1. Effective immediately, the Commissioner of the Department of Human Services may temporarily waive or modify any of the following provisions, and applicable rules:
 - a. The Human Services Licensing Act in Minnesota Statutes 2019, chapter 245A, and accompanying program standards governed under Minnesota Statutes, chapters 245D through 245H;
 - b. The Human Services Background Study Act in Minnesota Statutes 2019, chapter 245C, except that the commissioner shall not waive or modify:
 - i. Disqualification standards in Minnesota Statutes 2019, section 245C.14 or 245C.15; or
 - ii. Any provision regarding the scope of individuals required to be subject to a background study conducted under Minnesota Statutes 2019, chapter 245C;

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- c. Provisions with respect to the use, licensing, certification, evaluation, or approval of facilities or programs within the commissioner's jurisdiction;
 - d. Provisions related to appeals;
 - e. Provisions with respect to background studies required to be conducted by the Department of Human Services; and
 - f. Provisions relating to the Minnesota state-operated community services ("MSOCS") program in Minnesota Statutes 2019, chapters 245D, 246, and 252.
2. Effective immediately, the Commissioner of the Department of Human Services may, upon finding that waiver will not endanger the public health, welfare, or safety, temporarily waive or modify any provisions of Minnesota Statutes 2019, chapters 119B, 245, 245A, 245D, 245E, 245F, 245G, 245H, 246, 252, 253, 254A, 254B, 256, 256B, 256D, 256E, 256I, 256J, 256K, 256L, 256M, 256P, 256R, 256S, 260C, 260D, 518A, and 626, and applicable rules, that govern:
 - a. Requirement of in-person assessment, application for services, or case management;
 - b. Application for eligibility and eligibility renewal time frames, processes, and verification, except that the commissioner shall establish processes to verify a client's eligibility as soon as practicable;
 - c. Reporting and verification requirements;
 - d. Assessment renewal timeframes, verifications, and processes;
 - e. Work or community engagement activity requirements for eligibility;
 - f. Limits on the use of telehealth or other restrictions on electronic communication with providers;
 - g. Service delivery standards, locations, settings, or staff ratios;
 - h. Provider standards, including staffing ratios;
 - i. Timing of provider reporting requirements;
 - j. Payment procedures, including but not limited to the use of prepayments, partial payment for additional absent days, and payment for closed days;
 - k. Service agreement length; and
 - l. Provisions related to appeals.
3. Effective immediately, the Commissioner of the Department of Human Services may waive or modify any statutes or rules within the department's exclusive jurisdiction to comply with federal law, or obtain federal resources, related to the peacetime emergency.
4. This Executive Order suspends the requirements for the Commissioner of the Department of Human Services to comply with Minnesota Statutes 2019, Chapter 14.
5. The Commissioner of the Department of Human Services shall not issue any waiver or modification pursuant to paragraphs 1, 2, or 3 of this Executive Order that affects statutory provisions or requirements regarding matters outside the department's exclusive jurisdiction.
6. Any waiver or modification issued pursuant to paragraphs 1, 2, or 3 of this Executive Order shall be posted on the department's website within 48 hours and shall include a plain language description of the waiver or modifications made and the rationale for the action.
7. For any waiver or modification of Minnesota Statutes 2019, section 245D.04, or any other provision relating to long-term care services and supports under Minnesota Statutes 2019, chapter 256B, the Commissioner of the Department of Human Services shall communicate the waiver or modification and the corresponding plain language description in writing to:
 - a. Any provider affected by the waiver or modification; and
 - b. Any individual whose rights under Minnesota Statutes 2019, section 245D.04, are affected by the waiver or modification, or their legal representative, if applicable.

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8. No more than 48 hours after a waiver or modification under paragraphs 1, 2, or 3 of this Executive Order goes into effect, the Commissioner of the Department of Human Services shall provide written notice of the waiver or modification to the ombudsman for long-term care; the ombudsman for mental health and developmental disabilities; and the chairs and ranking minority members of the house of representatives and senate committees overseeing the Department of Human Services. If two or more of the chairs submit a written objection to a waiver or modification within seven days of receiving the notice, the Commissioner of the Department of Human Services shall cease all activities to implement the waiver or modification and it shall no longer be in effect. A chair submitting an objection under this paragraph may withdraw the objection.
9. Beginning 60 days after the declaration of a peacetime emergency, and every 60 days thereafter while the peacetime emergency is in effect, the Commissioner of the Department of Human Services shall submit a report to the chairs and ranking minority members of the house of representatives and senate committees overseeing the Department of Human Services describing the waivers and modifications made under this Executive Order.
10. The Commissioner of the Department of Human Services shall submit a final report to the chairs and ranking minority members of the house of representatives and senate committees overseeing the Department of Human Services by January 15, 2021, with specific details about state statutes and rules waived or modified as authorized in this Executive Order in response to a COVID-19 outbreak, and the cost to the Department of Human Services and to lead agencies to implement the waivers and modifications.

Pursuant to Minnesota Statutes 2019, section 4.035, subdivision 2, and section 12.32, this Executive Order is effective immediately upon approval by the Executive Council. It remains in effect until the peacetime emergency declared in Executive Order 20-01 is terminated or until it is rescinded by proper authority.

A determination that any provision of this Executive Order is invalid will not affect the enforceability of any other provision of this Executive Order. Rather, the invalid provision will be modified to the extent necessary so that it is enforceable.

Signed on March 20, 2020.

Tim Walz
Governor

Filed According to Law:

Steve Simon
Secretary of State

Approved by the Executive Council on March 20, 2020:

Alice Roberts-Davis
Secretary, Executive Council

Office of the Governor

Emergency Executive Order 20-13: Authorizing National Guard Assistance to COVID-19 Response

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

The COVID-19 pandemic presents an unprecedented challenge to our State. Minnesota has taken proactive steps to

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ensure that we are ahead of the curve on COVID-19 prevention and response. On March 6, 2020 we activated the State Emergency Operations Center to coordinate our response to this pandemic. On March 13, 2020, I issued Executive Order 20-01 and declared a peacetime emergency because this pandemic, an act of nature, threatens the lives of Minnesotans, and local resources are inadequate to address the threat. In Executive Order 20-01, I directed the Minnesota National Guard to ensure that it be ready to assist as needed during this peacetime emergency.

Ensuring the availability and use of personal protective equipment (“PPE”) is essential to our efforts to prevent the spread of COVID-19. Minnesota’s hospitals, healthcare facilities, and first responders report that their supplies of PPE are critically low. Additional PPE deliveries from the Strategic National Stockpile have been delayed. The Minnesota Department of Health (“MDH”) has requested that all PPE in storage at Camp Ripley be transported to the MDH warehouse in Saint Paul immediately.

The State Emergency Operations Center has requested assistance with planning and coordination to help ensure that Minnesota’s healthcare system and providers have adequate supplies of PPE, critical medical equipment, and supplies to care for people suffering from the pandemic. The National Guard logistics planning team has the ability and expertise to provide this assistance.

For these reasons, I order as follows:

1. The Adjutant General will order to state active duty on March 21, 2020, the people, equipment, and facilities needed to provide assistance throughout Minnesota.
2. The Adjutant General is authorized to procure the goods and services needed to accomplish the mission.
3. The costs of this assistance will be paid from the general fund as allowed by Minnesota Statutes 2019, section 192.52.

This Executive Order is effective immediately under Minnesota Statutes 2019, section 4.035, subdivision 2. It remains in effect until the peacetime emergency declared in Executive Order 20-01 is terminated or until it is rescinded by proper authority.

Signed on March 21, 2020.

Tim Walz
Governor

Filed According to Law:

Steve Simon
Secretary of State

Official Notices

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

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

Minnesota Department of Agriculture (MDA) Notice of Comment Period for the Proposed Emerald Ash Borer Quarantine in Rice County

The Minnesota Department of Agriculture (MDA) is accepting comments on the current state emergency quarantine for emerald ash borer, *Agrilus planipennis* (Fairemaire), in Rice County and the proposal for a state formal quarantine in that County.

Oral and written comments regarding the proposed regulations will be accepted via email, phone or fax through April 30, 2020. A public meeting will be scheduled at some point in the future. Submit comments to Kimberly Thielen Cremers, Minnesota Department of Agriculture, 625 Robert Street North, St Paul, MN 55155, email: kimberly.tcremers@state.mn.us, phone: (651)201-6329, fax: (651)201-6108.

For more information on emerald ash borer, including a copy of the emergency quarantine, visit the Minnesota Department of Agriculture website at www.mda.state.mn.us/eab.

State Grants & Loans

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

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

Department of Human Services Disability Services Division Notice of Request for Proposals to Provide Innovative Solutions for People with Disabilities to Achieve Integrated Life Outcomes

The Minnesota Department of Human Services (DHS) is requesting proposals to support innovative strategies to improve outcomes for people with disabilities, empowering them to:

- Work in rewarding jobs
- Live where they choose
- Access direct care providers of their choice

DHS is seeking proposals for the grant period July 1, 2020 through June 30, 2022.

For more information, or to obtain a copy of the Request for Proposals, contact:

State Grants & Loans

Gaoly Yang, Innovation Grant Coordinator
Department of Human Services
Disability Services Division
P.O. Box 64967
444 Lafayette Road North, St. Paul, MN 55155-0967
Phone: (651) 431-2406, Fax: (651) 431-7563
DSD.Innovation@state.mn.us

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

To obtain this information in a different format, please call 651-431-3612.

Proposals submitted in response to this Request for Proposals must be received no later than **4:00 p.m., Central Time, Wednesday, May 6, 2020. Late proposals will not be considered.** The RFP will direct responders to an online grant system, the State's preferred method of applying for Innovation Grants. Responders who are unable to apply online may request a hard copy of the RFP and submit their applications via email or delivery to the address above. Faxed proposals will not be considered.

The RFP can be viewed by visiting the Minnesota Department of Human Services Grants, Requests for Proposals (RFP) and Requests for Information (RFI) web site: ***<https://mn.gov/dhs/partners-and-providers/grants-rfps/open-rfps/>***

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

State Contracts

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

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

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

Minnesota State Colleges and Universities (Minnesota State) 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)

Dakota County Technical College

Notice of Request for Proposals for the purchase of a Rubber Tire Loader

Dakota County Technical College (DCTC) of Rosemount, MN is accepting proposals for the purchase of a Rubber Tire Loader for the Heavy Construction Equipment Academic Program. The required details are listed in the bid specifications document.

To receive a complete copy of the bid specifications document, please contact Chris Haan by email at: purchasing@dctc.edu

Sealed proposals (fax and email bids will not be accepted) must be delivered no later than **March 27, 2020 at 2:00pm CST** to:

Dakota County Technical College
Attn: Purchasing – Rubber Tire Loader Proposal
1300 East 145th St.
Rosemount, MN 55068
Phone: 651.423.8405
Email: purchasing@dctc.edu

This RFP does not obligate the Minnesota State system, its Board of Trustees or the System Office to award a contract or complete the proposed project. The Minnesota State system, its Board of Trustees or the System Office and each reserves the right to cancel this RFP if it is considered to be in its best interest.

Minnesota Department of Health (MDH)

Request for Proposal (RFP) for Safe Harbor Evaluation Professional/Technical Contract

The Minnesota Department of Health's Safe Harbor Program is in seek of a contractor to fulfill the requirements of Minn. Stat. § 145.4718 for a biannual evaluation of the Safe Harbor program. The contractor conducts Safe Harbor program participant interviews, collects and analyzes Safe Harbor participant surveys, conducts focus groups with Safe Harbor grantees, conducts phone interviews with key informants, gathers data compiled and aggregated by Safe Harbor staff, and analyzes all aforementioned activities for the evaluation report. In addition, the contractor conducts live webinars and trainings explaining the results and provides a literature review on strategies to address human trafficking and their effectiveness.

A full RFP can be found at: <https://www.health.state.mn.us/communities/safeharbor/evaluationrfp.html>

To obtain this information in a different format, call: 651-201-5492.

Proposal Deadline:

All applications **must** be received by MDH no later than 4:30 p.m. Central Time, on April 22, 2020, at the MDH Golden Rule Building reception office (Suite 220), whether mailed or sent via courier. Applications submitted electronically must be submitted by 11:59 p.m. on April 22, 2020.

Attn: Caroline Palmer
Safe Harbor
Minnesota Department of Health
PO Box 64882
Saint Paul, MN 55164-0882
caroline.palmer@state.mn.us

State Contracts

MDH is not obligated to complete the proposed project and reserves the right to cancel the solicitation if it is considered to be in its best interest. All expenses incurred in responding to this notice are solely the responsibility of the responder.

Department of Minnesota Management and Budget Notice of Contract Opportunity for Statewide Employment Investigation Services for Alleged Employee Misconduct Investigations

PROJECT NAME: Statewide Employment Investigation Services for Alleged Employee Misconduct Investigations

DETAILS: The Minnesota Department of Minnesota Management and Budget is requesting proposals for the purpose of performing Statewide Employment Investigation Services. Contractors will meet with the appropriate agency management to learn of the allegation to be investigated, develop an investigation plan, gather evidence, conduct interviews with witnesses, write a report summarizing the findings of the investigation and prepare for and testify at an arbitration or other legal hearings about the investigation and report written of the findings, as needed.

Work is anticipated to start after July 1, 2020.

COPY REQUEST: To get a copy of the Request for Proposals, please send a written request, by email, to:

Matthew Begansky
MN Management & Budget
Labor Relations Division
400 Centennial Office Building
658 Cedar Street
St. Paul, MN 55155
E-mail: matthew.begansky@state.mn.us

PROPOSAL DEADLINE: Proposals submitted in response to the Request for Proposals in this advertisement must be received by mail no later than 3:00 p.m., Central Time, on Friday, May 8, 2020, as indicated by a notation made by the Receptionist, Fourth Floor, Centennial Office Building. **Late 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.

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 2020 Runway 14/32 Replacement – Phase 2 & Airfield Modifications

Airport Location: Lake Elmo Airport
Project Name: 2020 Runway 14/32 Replacement – Phase 2 & Airfield Modifications
MAC Contract No.: 111-1-033 & 111-1-032
Bids Close At: 2:00 pm on April 14, 2020

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 embankment, grading, geotextile fabric, granular borrow, aggregate base, culvert pipe installation, turf establishment, and airfield electrical conduit.

Note: You can sign up on our Web site (www.metroairports.org) to receive email notifications of new business opportunities or go directly to *MAC's E-News Subscription Updates Page* 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 15%.

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. A copy [or a sample] of the Project Labor Agreement and Contract Riders are included in the Appendix.

Non-State Public Bids, Contracts & Grants ==

Availability of Construction Documents: Plans and specifications 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. Digital image copies of the Bidding Documents are available at <http://www.sehinc.com> for a fee of \$30. These documents may be downloaded by selecting this project from the PROJECT BID INFORMATION link and by entering eBidDoc™ Number 6860802 on the SEARCH PROJECTS page. For assistance and free membership registration, contact QuestCDN at 952.233.1632 or info@questcdn.com. In addition to digital plans, Paper copies of the Bidding Documents may be obtained from Docunet Corp. located at 2435 Xenium Lane North, Plymouth, MN 55441 (763.475.9600) for a fee of \$125.

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids for this project will be available on March 16, 2020, at MAC's web address of <http://www.metroairports.org/airport-authority/business-opportunities/solicitations> (construction bids).

Metropolitan Airports Commission (MAC) Notice of Call for Bids for 2020 Parking Structure Rehabilitation & 2020 Parking Ramp Railing Refinishing

Airport Location: Minneapolis-St. Paul International Airport
Project Name: 2020 Parking Structure Rehabilitation & 2020 Parking Ramp Railing Refinishing
MAC Contract No.: 106-3-615 & 106-3-616
Bids Close At: 2:00 p.m., Thursday, April 16, 2020

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 miscellaneous repairs and maintenance to the parking structure facilities at Terminal 1 and Terminal 2 at the 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 *MAC's E-News Subscription Updates Page* and choose this and other topics about which you are interested.

Targeted Group Businesses (TGB): The goal of the MAC for the utilization of Targeted Group Businesses on this project is 8%.

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 Construction Documents: Plans and specifications are on file for inspection at the office of Kimley-Horn and Associates, Inc., 767 Eustis Street, Suite 100, St. Paul, Minnesota, 55114; at the Minnesota Builders Exchange; Dodge Data and Analytics. Bidders desiring drawings and specifications for personal use may secure a complete digital set at <http://www.questcdn.com>. Bidders may download the complete set of digital bidding documents for \$15.00 by entering eBidDoc™ #6882671 in the "Search Projects" page. Contact Quest Construction Data Network at (952) 233-1632 or info@questcdn.com for assistance. Hard copy drawings and specifications 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 March 23, 2020, at MAC's web address of <http://www.metroairports.org/airport-authority/business-opportunities/solicitations> (construction bids).

— Non-State Public Bids, Contracts & Grants

Metropolitan Airports Commission (MAC)

Notice of Call for Bids for 2019 Terminal 1 Building Remediation Program

Airport Location: Minneapolis-St. Paul International Airport
Project Name: 2019 Terminal 1 Building Remediation Program
MAC Contract No: 106-2-905
Bids Close At: 2:00 p.m. on April 14, 2020

Notice to Contractors: Sealed Bid Proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040-28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated. This work is related to leak remediation and the maintenance of the exterior of Terminal 1. The work includes, but is not limited to, the removal and replacement of the following: curtain wall, metal panels, doors, masonry, and sealant work at exterior metal panels and construction joints. Structural, electrical, and mechanical systems will be reconfigured to facilitate this scope of work.

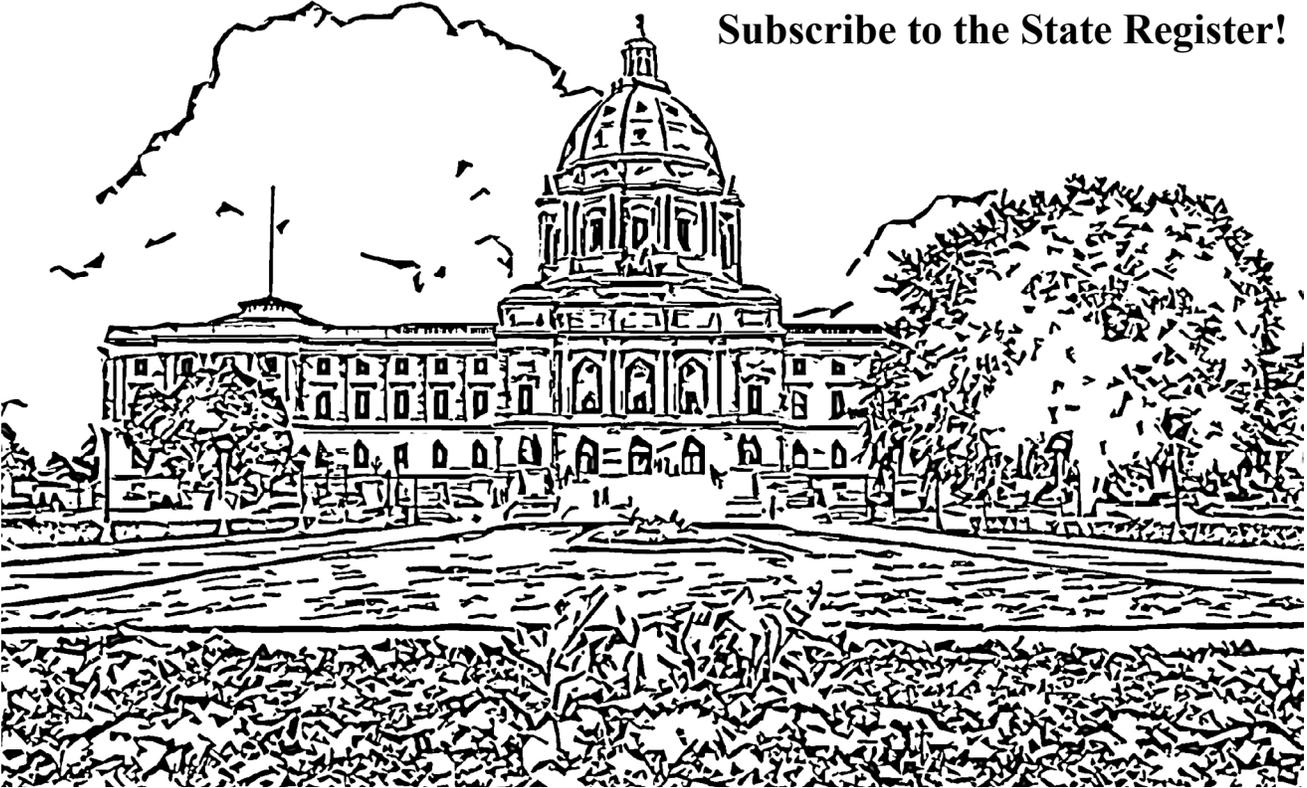
Note: You can sign up on our Web site (www.metroairports.org) to receive email notifications of new business opportunities or go directly to *MAC's E-News Subscription Updates Page* and choose this and other topics about which you are interested.

Targeted Group Businesses (TGB): The goal of the MAC for the utilization of Targeted Group Businesses on this project is 9%.

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 Construction Documents: Plans and specifications are on file for inspection at the office of Alliance; at the Minnesota Builders Exchange; Dodge Data and Analytics; and NAMC-UM Plan Room. Bidders desiring drawings and specifications may secure a complete digital set at <http://www.franzrepro.com>. Click on the "Plan Rooms" tab and select the "Franz Public Plan Room". Bidders may download the complete set of digital bidding documents for \$ 50.00 by entering 106-2-905-00 in the "search projects" box then click "refresh/search" button. Contact Franz at 763-503-3401 or support@franzrepro.com for assistance. Hard copy drawings and specifications are available for purchase at Bidders expense.

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids for this project will be available on March 23, 2020, at MAC's web address of <http://www.metroairports.org/airport-authority/business-opportunities/solicitations> (construction bids).



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