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Proposed, Adopted, Emergency, Expedited, Withdrawn, Vetoed Rules; Executive Orders; Appointments; Commissioners' Orders; Revenue Notices; Official Notices; State Grants & Loans; State Contracts; Non-State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 13 July 2020

Volume 45, Number 2

Pages 53 - 64

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- **Withdrawn Rules**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. 45 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)
#3	Monday 20 July	Noon Tuesday 14 July	Noon Thursday 9 July
#4	Monday 27 July	Noon Tuesday 21 July	Noon Thursday 16 July
#5	Monday 3 August	Noon Tuesday 28 July	Noon Thursday 23 July
#6	Monday 10 August	Noon Tuesday 4 August	Noon Thursday 30 July

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

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

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

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Minnesota Legislative Information

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

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

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

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

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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 45 - Minnesota Rules

(Rules Appearing in Vol. 44 Issues #27-53 are in Vol. 44, #53 - Monday 29 June 2020)

Volume 45, #2

Monday 6 July - Monday 13 July

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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.

Governor's Council for an Age-Friendly Minnesota

Notice of Public Hearing and Comment Period for the Recommendations developed by the Governor's Council for an Age-Friendly MN

The Governor's Council for an Age-Friendly Minnesota requests your comments on the recommendations developed by the Council for submission to the Governor.

The Council is seeking a public feedback through July 31st, 2020. A public hearing and comment period announcement appeared in the July 13, 2020 Minnesota State Register, Volume 45, Number 2. Please see the attached Notice of Public Hearing for details about the public hearing and how to submit comments.

Please consider submitting comments about what works well and what should be revised in the draft recommendations proposed by the Age-Friendly Council using the attached template that is available at ***https://mn.gov/dhs/age-friendly-mn/contact/***. Please forward this message, including the Notice of Public Hearing and the Public Comment Form, to others who may be interested.

The Age-Friendly Council appreciates your interest and involvement in this statewide effort that impacts all Minnesotans. Thank you for your time and consideration.

Board of Electricity

Notice of Revised Format of Hearing on Proposed Amendment to Rules Governing Adoption of the 2020 National Electrical Code, *Minnesota Rules*, Part 1315.0200; Revisor's ID Number R-04632

Notice is hereby given that the format of the August 19, 2020 rules hearing on the proposed amendment to Rules governing adoption of the 2020 National Electrical Code, Minnesota Rules, Part 1315.0200, referenced in the Minnesota Board of Electricity's Notice of Rescheduled Hearing as described in the April 20, 2020 *State Register* (44 SR 1204), is being revised to a Webex format due to concerns over public group meetings during the current COVID-19 health pandemic. Pursuant to *Minnesota Statutes*, section 13D.021, subdivision 1 (2019), the Board Chair has determined that this meeting will be conducted remotely because it is not practical or prudent for an in-person meeting due to the current pandemic.

Hearing Procedure. You and all interested or affected persons, including representatives of associations or other interested groups, will have an opportunity to view the presentation by joining the hearing by internet, mobile device or phone as follows:

To view the presentation and join the hearing by internet, navigate on your computer to:

Board of Electricity Rules Hearing or ***https://minnesota.webex.com*** and enter:

Meeting Number: 146 735 1484
Meeting Password: nxJ9pQ7N2hW

To join from a mobile device:

+1-415-655-0003, 146 735 1484## United States Toll
1-855-282-6330, 146 735 1484## United States Toll Free

To join by phone:

+1-415-655-0003 United States Toll
1-855-282-6330 United States Toll Free

To join from a video system or application:

Dial **1467351484@minnesota.webex.com**
You can also dial 173.243.2.68 and enter your meeting number.

You may present your views either orally at the hearing or in writing at any time before the hearing record closes. All evidence presented should relate to the proposed rules. You may also submit written material to the Administrative Law Judge to be recorded in the hearing record for five working days after the public hearing ends. At the hearing the Administrative Law Judge may order that this five-day comment period is extended for a longer period but not more than 20 calendar days. Following the comment period, there is a five-working-day rebuttal period when the Board and any interested person may respond in writing to any new information submitted. No one may submit new evidence during the five-day rebuttal period.

All post-hearing comments and responses must be submitted to the Administrative Law Judge no later than 4:30 p.m. on the due date. The Office of Administrative Hearings strongly encourages all persons submitting comments and responses to do so using the Administrative Hearings' Rulemaking eComments website at: ***https://minnesotaoah.granicusideas.com.*** If using the eComments website is not possible, you may submit post-hearing comments in person, via United States mail, or by facsimile addressed to Judge Case. Judge Case can be reached by contacting legal assistant Michelle Hendrickson at the Office of Administrative Hearings, 600 North Robert Street, P.O. Box 64620, St. Paul, MN 55164-0620, telephone (651) 361-7896, fax (651) 539-0130, and email ***Michelle.L.Hendrickson@state.mn.us***.

All comments or responses received will be available for review at the Department of Labor and Industry or on the Board's website at: ***http://www.dli.mn.gov/about-department/rulemaking/rulemaking-docket-minnesota-rules-1315***. This rule hearing procedure is governed by *Minnesota Rules*, parts 1400.2000 to 1400.2240, and *Minnesota Statutes*, sections 14.131 to 14.20. You may direct questions about the procedure to the Administrative Law Judge.

For more information concerning this rulemaking and participation at the revised public hearing, please view the initial Dual Notice of Hearing as published in the March 16, 2020 edition of the *State Register* (44 SR 1025) or visit the Board's website at: ***http://www.dli.mn.gov/about-department/rulemaking/rulemaking-docket-minnesota-rules-1315.***

July 06, 2020

Daniel Westberg, Chair
Minnesota Board of Electricity

Department of Natural Resources
Division of Lands and Minerals
Notice of Proposed Boundary Line Agreement

NOTICE IS HEREBY GIVEN that the Minnesota Department of Natural Resources, Division of Lands and Minerals, proposes to enter into a boundary line agreement, under the authority of *Minnesota Statutes* section 84.0273, to correct boundary line issues affecting the ownership interests of the State and an adjacent landowner, the Estate of Dean Maser. The agreement involves land located in the Government Lots Eight (8) and Nine (9), Section Three (3),

Township Forty-three (43), Range Twenty (20), Pine County, Minnesota. The reason for the agreement is to address a potentially ambiguous common boundary line by updating the legal descriptions of the State land and the Estate of Dean Maser land.

For more information about this conveyance or a copy of the proposed boundary line agreement, contact Derek Hilding, Department of Natural Resources, Division of Lands and Minerals, 500 Lafayette Road, St. Paul, Minnesota 55155; telephone: (651) 259-5388; TTY: 1-800-657-3929; email: ***derek.hilding@state.mn.us***.

State Grants & Loans

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

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

Department of Human Services

Behavioral Health Division

Notice of Request for Proposals to Contract for a Psychiatric Inpatient Hospital Level of Care for Adults and Children who Require an Extended Stay for Treatment Under the Continuing Care Benefit Program

The Minnesota Department of Human Services (DHS) is requesting proposals from qualified responders to contract with the Behavioral Health Division to provide a continuing care benefit program for adults and children with mental illness. The contract will allow for a per diem payment beyond the initial acute care inpatient hospitalization payment for eligible individuals as defined in Minnesota Statutes, section 256.9693.

DHS is seeking proposals for the grant period 07/2020 through 06/2024.

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

Alec Schiller
Department of Human Services
Behavioral Health Division
P.O. Box 64981
St. Paul, MN 55164 0981
Phone: (651) 431-4853
Alec.Schiller@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, January 1, 2024. Late 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.

Department of Labor and Industry (DLI)

Construction Codes and Licensing Division

Notice of Request for Proposals for the Building Official Training Grant Program

The Minnesota Department of Labor and Industry announces the availability of $1,560,000 in grant funding for the implementation and coordination of the Building Official Training Program in the State of Minnesota. The performance period for twelve (12) grants will be from the date the contract is executed to December 31, 2022 depending on which Training Track is selected by the applicant.

I. Purpose

The purpose of DLI's Building Official Training Grant Program (hereafter referred to as the Grant Program) is to provide funding and support for the implementation and coordination of partnerships between the State of Minnesota and municipalities that will provide safe and meaningful education, work experience, and competency-based skills training that prepares trainees, 18 years of age and older, to become building officials.

II. Objective of the RFP

The Department of Labor and Industry through its Grant Program is seeking proposals from eligible municipalities to partner with and fund Building Official Training programs.

The objective is to encourage, promote, provide and support municipal partnerships to educate and train new building officials. These partnerships will provide classroom instruction and paid learning opportunities in the administration and enforcement of the Minnesota State Building Code. Successful applicants will demonstrate the ability to achieve these objectives.

III. Eligibility

Proposals will be accepted and funding will be allocated through a competitive process. The deadline to submit a grant proposal to the Minnesota Department of Labor and Industry is July 24, 2020 The Grant Program committee will review and score grant applications and proposals

IV. Application Process

For information about this grant, eligibility, documents, proposal requirements and deadlines email your requests to: ***bot.dli@state.mn.us*** also the documents are available at ***www.dli.mn.gov/bot***.

Proclamations

Proclamations by the Governor (*Minnesota Statutes* § 4.04) may be published in the State Register. All proclamations of the Governor required or authorized by law shall be filed with the Secretary of State. Extra Sessions of the Legislature are called by means of a proclamation. The Governor also proclaims one day in each year as a day of solemn and public thanksgiving and no official state business may be transacted on that day.

Office of the Governor

Proclamation Declaring 2020 Legislative Special Session

PROCLAMATION FOR SPECIAL SESSION
2020

WHEREAS: The Ninety-First Legislature adjourned its session on May 17, 2020; and

WHEREAS: To ensure that the Legislature could address historic challenges, including the need for police accountability and reform, as well as the need to ensure a stronger and more equitable economy, I called a First Special Session to commence on June 12, 2020; and

WHEREAS: The Legislature adjourned the First Special Session before accomplishing the work needed to provide for police accountability and reform and for a robust bonding and local jobs bill, such as the Governor's Local Jobs and Projects Plan; and

WHEREAS: The COVID-19 pandemic continues to threaten Minnesotans and burden our State's resources; and

WHEREAS: The impacts of the COVID-19 pandemic leave the State in need of the economic stimulus through capital infrastructure investment such as the Local Jobs and Projects Plan; and

WHEREAS: The Minnesota Constitution allows the Governor to call a special session of the Legislature on extraordinary occasions; and

WHEREAS: Minnesota Statutes 2019, section 12.31, subdivision 2(b), provides that, if the Governor determines a need to extend a peacetime emergency beyond 30 days and the Legislature is not sitting in session, the Governor must issue a call immediately convening both houses of the Legislature; and

WHEREAS: An extraordinary occasion, as envisioned by the Minnesota Constitution, has arisen, and it is necessary to extend the COVID-19 Peacetime Emergency originally declared on March 13, 2020.

NOW, THEREFORE, I, TIM WALZ, Governor of Minnesota, by the authority vested in me by Article IV, Section 12 of the Minnesota Constitution and Sections 4.03 and 12.31 of the Minnesota Statutes, summon the members of the Legislature to convene in a Second Special Session on Monday, July 13, 2020 at 12:00 p.m. at the State Capitol in Saint Paul, Minnesota.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Minnesota to be affixed at the State Capitol on Friday, July 10, 2020.

GOVERNOR

SECRETARY OF STATE

Filed on July 10, 2020
Office of the Minnesota
Secretary of State,
Steve Simon

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 Historical Society (MNHS)

Request for proposals for the Folsom House Exterior Building Preservation

Folsom House
272 West Government Street,
Taylors Falls, MN

The Minnesota Historical Society is soliciting bids from qualified contractors to work collaboratively with MNHS to provide all materials, labor, equipment, and supplies for exterior building preservation at the Folsom House. This is jobs reporting and prevailing wage project.

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

There will be a **MANDATORY *VIRTUAL*** pre-bid meeting for all interested parties on W**ednesday, July 22, 2020, at 9:00 a.m. Local Time** via google hangouts. To join the call, click on this link: ***Pre-Bid Meeting***. Prospective bidders are to visit the site on their own time prior to this virtual meeting.

Due to COVID-19 and the Governor's "Stay at Home" executive order, the Minnesota History Center is temporarily closed. All bids must be received **VIA EMAIL** by Mary Green Toussaint, Contract & Purchasing Manager, Minnesota Historical Society ***mary.green-toussaint@mnhs.org***, no later than 2**:00p.m. Local Time Tuesday, August 4, 2020.**

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 all the Consultant Services Help Line at 651-366-4611, Monday – Friday, 9:00am – 4:00pm.




6 feet
Scooch over,
Minnesota!
STAY SAFE MN