

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**Proposed, Adopted, Emergency, Expedited, Withdrawn, Vetoed Rules;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 21 December 2020
Volume 45, Number 25
Pages 659 - 698**

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- Withdrawn Rules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)
#26	Monday 28 December	Noon Tuesday 22 December	Noon Thursday 17 December
#27	Monday 4 January	Noon Tuesday 29 December	Noon Thursday 24 December
#28	Monday 11 January	Noon Tuesday 5 January	Noon Thursday 31 December
#29	Tuesday 19 January	Noon Tuesday 12 January	Noon Thursday 7 January

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

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

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State Capitol, Room 231, St. Paul, MN 55155
<https://www.senate.mn/>

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MN Judicial Center, Rm. 135,
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<http://www.mncourts.gov>

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Federal Register

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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 the editor at 651-201-3204 or email at sean.plemmons@state.mn.us

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

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

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

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

Minnesota Pollution Control Agency (MPCA)

Proposed Permanent Rules Relating to Clean Cars; Notice of Intent to Adopt Rules with a Hearing

Proposed Rules Adopting Vehicle Greenhouse Gas Emissions Standards—Clean Cars Minnesota, *Minnesota Rules*, chapter 7023; Revisor’s ID Number 04626, OAH docket number 71-9003-36416

Overview. This notice is the Minnesota Pollution Control Agency’s (MPCA’s) legal notice of its intent to adopt amended air rules after a hearing. The purpose of these rule amendments, known as Clean Cars Minnesota, is to reduce greenhouse gas (GHG) and other air pollutant emissions from light-duty and medium-duty vehicles by adopting the Low-Emission Vehicles (LEV) and Zero-Emission Vehicles (ZEV) standards adopted by the California Air Resources Board, as allowed under section 177 of the Clean Air Act (CAA). This notice provides you the opportunity to submit comments on this rule to the Administrative Law Judge (ALJ), either orally at the hearing or in writing at any time before the close of the hearing record. The **Subject of Rules** section provides further description of these proposed rules. If the proposed rule changes affect you in any way, the MPCA encourages you to participate in the rulemaking process.

View the **Alternative Format/Accommodation** and **MPCA Contact Person** sections of this notice for information on requesting this document in an alternative format.

Subject of Rules and Statutory Authority. The proposed rules would adopt two emissions standards for GHGs

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and other air pollutants from light-duty and medium-duty vehicles. The LEV standard would require automobile manufacturers to deliver for sale in Minnesota only vehicles that meet the more stringent GHG and other air pollutant emissions standards established by California and later adopted by several other states, as allowed under the CAA. The ZEV standard would require automobile manufacturers to deliver for sale in Minnesota each year a certain percentage of vehicles with zero tailpipe emissions, including battery electric vehicles, plug-in hybrid electric vehicles, and hydrogen-fueled vehicles.

Minnesota Statutes, section 116.07, subdivision 4 authorizes the MPCA to adopt rules for the prevention, abatement, and control of air pollution. Minnesota statutes, section 116.07, subdivision 2 authorizes the MPCA to adopt “maximum allowable standards of emission of air contaminants from motor vehicles.”

Public Information Webinars and Legislative Hearings. The MPCA intends to hold several public information webinars on Clean Cars Minnesota before the administrative hearing(s) in order to provide an overview of the proposed rules, the rulemaking process, and how to submit comments to the ALJ. **NOTE:** The webinars are opportunities to learn more about the proposal and the process; they are not opportunities to provide formal comment, and in order to ensure everyone has access to the same information about the rule proposal, MPCA staff will only be able to answer questions on topics that are covered in the publically available documents. Comments must be provided directly to the ALJ either at a hearing or in writing (see the **Public Hearing and Comments** sections below for details). Dates and times for the informational webinars are listed on the rulemaking webpage at <https://www.pca.state.mn.us/air/clean-cars-mn-rulemaking>; links, presentations and other materials related to the webinars will also be posted on the webpage once they are available.

During the Notice period, the MPCA may be asked by the Minnesota Legislature to appear at one or more legislative hearings on this proposed rule or on related issues. Because the MPCA does not control this process, dates and times of legislative hearings are not known in advance and cannot be included in this public notice. Notice of legislative hearings, including dates and times and agendas, are posted by the Legislature at <https://www.leg.state.mn.us/>. Any interested person may attend a legislative hearing at which MPCA is requested to appear.

Public Hearing. The MPCA intends to adopt these rules after two days of public hearings, following the procedures in the rules of the Office of Administrative Hearings (OAH), *Minnesota Rules* parts 1400.2200 to 1400.2240, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.131 to 14.20. The ALJ will conduct the hearing by WebEx on February 22 and 23, 2021, beginning at 3 p.m. both days.

- February 22 hearing link: ***Webex Hearing Link***
- February 23 hearing link: ***Webex Hearing Link***

The hearing continues until all parties are heard, or until the ALJ adjourns the hearing (no earlier than 6 p.m.). All interested or affected parties will have an opportunity to participate by submitting either oral or written data, statements, or arguments. You may submit a statement without appearing at the hearing. Refer to the **Comments** section for information on submitting statements. Additional information regarding the proposed rules and the hearing is provided at <https://www.pca.state.mn.us/air/clean-cars-mn-rulemaking>.

Administrative Law Judge. ALJ Jessica A. Palmer-Denig will conduct the hearing. Judge Palmer-Denig’s Legal Assistant, Anne Laska, can be reached at the OAH, 600 N. Robert St., P.O. Box 64620, St. Paul, MN 55164-0620, telephone 651-361-7881, and fax 651-539-0310. The rule hearing procedure is governed by *Minnesota Statutes*, sections 14.131 to 14.20, and by the rules of the OAH, *Minnesota Rules*, parts 1400.2000 to 1400.2240. You should direct questions about the rule hearing procedure to the ALJ.

Availability of Rules and Statement of Need and Reasonableness. A copy of the proposed rules is published in the *State Register* with this notice. The statement of need and reasonableness (SONAR) summarizes the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost and benefit of the proposed rules. Electronic copies of the proposed rules and the SONAR are on the MPCA’s website at

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<https://www.pca.state.mn.us/public-notices>, and at <https://www.pca.state.mn.us/air/clean-cars-mn-rulemaking>. A print copy of the proposed rules is available for free upon request (one copy per request) by contacting the **MPCA contact person**; a print copy of the SONAR is available for the cost of reproduction.

Comments. You and all interested or affected people, including representatives of associations and other interested groups, will have an opportunity to participate. The ALJ will accept your views either orally at the hearing or in writing at any time before the close of the hearing record. Comments received at the hearing will be considered equally with written comments. You are strongly encouraged to submit written comments to the ALJ through the OAH Rulemaking eComments website at <https://minnesotaoah.granicusideas.com/discussions>. If it is not possible for you to use the eComments website, you may submit your written comments in person, via U.S. mail, or by fax to Judge Palmer-Denig at the address provided in the **Administrative Law Judge** section. All evidence that you present should relate to the proposed rules. **NOTE: Comments regarding the MPCA's proposal must be sent to the ALJ. Comments sent to the MPCA alone will not be part of the rulemaking record.** Comments submitted after the close of the comment period will not be accepted or considered part of the record. After the ALJ sets the closing date, the MPCA will update the rule website at <https://www.pca.state.mn.us/air/clean-cars-mn-rulemaking> to notify interested parties of the deadline to comment.

You may submit written comments to the ALJ to be recorded in the hearing record for five working days after the public hearing ends. At the hearing, the ALJ may order this period extended for a longer time, but for no more than 20 calendar days. After the comment period, there is an additional five-working-day rebuttal period during which the MPCA and any interested person may respond in writing to any new information submitted. No one may submit additional evidence during the five-day rebuttal period.

The OAH must receive all comments and responses submitted to the ALJ no later than 4:30 p.m. on the date the ALJ sets for the end of the comment period. All comments or responses received are public and will be available for review at <https://minnesotaoah.granicusideas.com/discussions> or at the OAH. You may view frequently asked questions about the OAH Rulemaking eComments website at https://mn.gov/oah/assets/ecomments-faq_tcm19-82012.pdf. Any questions about submitting comments via the OAH Rulemaking eComments website should be directed to the OAH at 651-361-7900.

MPCA Contact Person. The MPCA contact person is Katie Izzo, MPCA Rule Coordinator, 520 Lafayette Rd. N, St. Paul, MN 55155-4194; telephone 651-757-2595; email cleancarsmn.pca@state.mn.us. You may also call the MPCA at 651-296-6300 or 1-800-657-3864; use your preferred relay service.

Modifications. The MPCA may modify the proposed rules as a result of the rule hearing process. It must support modifications by data and views presented during the rule hearing process. The adopted rules may not be substantially different than these proposed rules, unless the MPCA follows the procedure under *Minnesota Rules*, part 1400.2110. The public is also advised that, depending upon the comments received, the MPCA may withdraw the proposed changes.

Adoption Procedure After the Hearing. After the close of the hearing record, the ALJ will issue a report on the proposed rules. You may ask to be notified of the date when the ALJ's report will become available, and can make this request at the hearing or in writing to the ALJ. You may also ask to be notified of the date that the MPCA adopts the rules and files them with the Secretary of State, or ask to register with the MPCA to receive notice of future rule proceedings. You may make these requests at the hearing or in writing to the **MPCA contact person**.

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

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

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

Date: December 14, 2020

Laura Bishop, Commissioner
Minnesota Pollution Control Agency

7023.0150 SCOPE AND INCORPORATION BY REFERENCE.

Subpart 1. Scope. To reduce air pollution from vehicles in the state, parts 7023.0150 to 7023.0300 establish standards for low-emission vehicles and zero-emission vehicles.

Subp. 2. Incorporation by reference. California Code of Regulations, title 13, sections 1900, 1956.8(h) (medium-duty vehicle greenhouse gas emission standards only), 1961.2, 1961.3, 1962.2, 1962.3, 1965, 1968.2, 1976, 1978, 2035, 2037 to 2041, 2046, 2062, 2109, 2111 to 2121, 2122 to 2135, 2139, and 2141 to 2149, as amended, are incorporated by reference. The regulations are not subject to frequent change and are available online at <https://oal.ca.gov/publications/ccr/>.

Subp. 3. Term substitutions. In applying the incorporated sections of the California Code of Regulations, unless the context requires otherwise:

- A. “California” means “Minnesota”;
- B. “CARB,” “ARB,” or “Air Resources Board” means the agency; and
- C. “Executive Officer” means the commissioner.

Subp. 4. Effective date. Parts 7023.0150 to 7023.0300, except part 7023.0300, subpart 4, are effective on the date given in a commissioner’s notice published in the State Register after the standards incorporated by reference in subpart 2 are granted a waiver by the U.S. Environmental Protection Agency under United States Code, title 42, section 7543. The commissioner’s notice must also designate the first effective model year in accordance with United States Code, title 42, section 7507.

7023.0200 DEFINITIONS.

Subpart 1. Applicability. For parts 7023.0150 to 7023.0300, the terms in this part have the meanings given. The definitions in parts 7000.0100 and 7005.0100 and California Code of Regulations, title 13, section 1900, apply to parts 7023.0150 to 7023.0300 unless the terms are otherwise defined in this part.

Subp. 2. Authorized emergency vehicle. “Authorized emergency vehicle” has the meaning given in Minnesota Statutes, section 169.011.

Subp. 3. CARB. “CARB” means the California State Air Resources Board as defined in California Health and Safety Code, division 26, part 1, chapter 1, section 39003.

Subp. 4. First effective model year. “First effective model year” means the first model year for which the standards adopted in parts 7023.0150 to 7023.0300 are effective according to the commissioner’s notice under part 7023.0150, subpart 4.

Subp. 5. Light-duty truck. “Light-duty truck” has the meaning given under California Code of Regulations, title 13, section 1900(b)(11).

Subp. 6. Medium-duty passenger vehicle. “Medium-duty passenger vehicle” has the meaning given under California Code of Regulations, title 13, section 1900(b)(12).

Subp. 7. Medium-duty vehicle. “Medium-duty vehicle” has the meaning given under California Code of Regula-

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tions, title 13, section 1900(b)(13).

Subp. 8. **Military tactical vehicle.** “Military tactical vehicle” means a land combat or transportation vehicle, excluding a rail-based vehicle, that is designed for and used by a branch of the United States armed forces or used as an authorized emergency vehicle by or for a governmental agency.

Subp. 9. **Model year.** “Model year” means the manufacturer’s annual production period that includes January 1 of a calendar year or, if the manufacturer has no annual production period, the calendar year. The model year for a motor vehicle manufactured in two or more stages is the model year in which the chassis is completed.

Subp. 10. **Motor vehicle manufacturer.** “Motor vehicle manufacturer” means a small, independent low, intermediate, or large volume manufacturer as defined under California Code of Regulations, title 13, section 1900(b)(8), (9), (10), and (22).

Subp. 11. **New motor vehicle.** “New motor vehicle” means a first effective model year or later model year motor vehicle with less than 7,500 miles of use accumulated as of the date of sale or lease.

Subp. 12. **Passenger car.** “Passenger car” has the meaning given under California Code of Regulations, title 13, section 1900(b)(17).

Subp. 13. **Transitional zero-emission vehicle or TZEV.** “Transitional zero-emission vehicle” or “TZEV” has the meaning given under California Code of Regulations, title 13, section 1962.2(c).

Subp. 14. **Used motor vehicle.** “Used motor vehicle” means a first effective model year or later model year motor vehicle with 7,500 miles or more of use accumulated as of the date of sale or lease.

Subp. 15. **Zero-emission vehicle or ZEV.** “Zero-emission vehicle” or “ZEV” has the meaning given under California Code of Regulations, title 13, section 1962.2(a).

7023.0250 LOW-EMISSION VEHICLE STANDARDS.

Subpart 1. **Requirement.** Beginning with the first effective model year, all of the following that are produced by a motor vehicle manufacturer and delivered for sale or lease in the state must be certified to the standards incorporated by reference under part 7023.0150, subpart 2, except as provided under subpart 2:

A. new motor vehicles that are passenger cars, light-duty trucks, medium-duty passenger vehicles, and medium-duty vehicles;

B. new light- or medium-duty motor vehicle engines; and

C. motor vehicles with a new motor vehicle engine.

Subp. 2. **Exceptions.** This part does not apply to:

A. a used motor vehicle;

B. a new motor vehicle sold to another dealer;

C. a new motor vehicle sold to be wrecked or dismantled;

D. a new motor vehicle sold exclusively for off-highway use;

E. a new motor vehicle sold for registration out-of-state;

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F. a new motor vehicle that has been certified to standards adopted under authority granted in United States Code, title 42, section 7521, and that is in the possession of a rental agency in the state and that is next rented with a final destination outside of the state;

G. an authorized emergency vehicle;

H. a military tactical vehicle;

I. a new motor vehicle transferred by inheritance;

J. a new motor vehicle transferred by court decree;

K. a new motor vehicle acquired by a state resident to replace a motor vehicle that was registered to the resident and that, while out of state, was damaged, became inoperative beyond reasonable repair, or was stolen if the replacement motor vehicle is acquired out of state at the time the previously owned vehicle was damaged, became inoperative, or was stolen; or

L. a new motor vehicle purchased and registered in another state by a person who is a resident of that state and who subsequently establishes residency in Minnesota. Upon registering the new motor vehicle in Minnesota, the person must provide evidence to the commissioner of the previous residence and registration.

Subp. 3. Fleet average emissions.

A. For first effective model year motor vehicles and all subsequent model year motor vehicles to which this part applies, a motor vehicle manufacturer must not exceed the fleet average non-methane organic gas plus oxides of nitrogen emission values under California Code of Regulations, title 13, section 1961.2. Credits and debits may be accrued and used based on a manufacturer's sales in the state of motor vehicles subject to this part according to California Code of Regulations, title 13, section 1961.2(c).

B. For first effective model year motor vehicles and all subsequent model year motor vehicles to which this part applies, a motor vehicle manufacturer must not exceed the fleet average greenhouse gas exhaust emission values under California Code of Regulations, title 13, section 1961.3. For first effective model year motor vehicles and all subsequent model year motor vehicles, manufacturers of medium-duty vehicles produced by a motor vehicle manufacturer and delivered for sale or lease in the state must not exceed the greenhouse gas emission standards under California Code of Regulations, title 13, section 1956.8(h)(6). Credits and debits may be accrued and used based on a manufacturer's sales in the state of motor vehicles subject to this part according to California Code of Regulations, title 13, section 1961.3.

Subp. 4. **Environmental performance labels.** Beginning with the first effective model year and all subsequent model years, all new motor vehicles subject to this part produced by a motor vehicle manufacturer and delivered for sale or lease in the state must be affixed with emission control labels and environmental performance labels according to California Code of Regulations, title 13, section 1965.

Subp. 5. **Warranty requirements.** For all motor vehicles subject to this part, the motor vehicle manufacturer must provide defect warranty coverage that complies with California Code of Regulations, title 13, sections 2035, 2037 to 2041, and 2046.

Subp. 6. **Recall requirements.** For all motor vehicles subject to this part and subject to recall in California, the motor vehicle manufacturer must undertake a recall campaign in this state according to California Code of Regulations, title 13, sections 2111 to 2121 and 2122 to 2135, unless the manufacturer demonstrates to the commissioner that the recall is not applicable to motor vehicles registered in Minnesota.

Subp. 7. Reporting requirements.

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A. By May 1 of the calendar year after the end of the model year, a motor vehicle manufacturer must annually submit to the commissioner a report demonstrating that the motor vehicle manufacturer has met the requirements of subpart 3, item A, for its fleet delivered for sale in the state.

B. By May 1 of the calendar year after the end of the model year, a motor vehicle manufacturer must annually submit to the commissioner a report demonstrating that the motor vehicle manufacturer has met the requirements of subpart 3, item B, for its fleet delivered for sale in the state.

C. If requested by the commissioner, a motor vehicle manufacturer must provide reports in the same format as provided to CARB on all assembly-line emission testing and functional test results collected as a result of compliance with this part, warranty claim reports, recall reports, and any other reports required by CARB under the regulations incorporated by reference under part 7023.0150. The reports must be supplemented with data on motor vehicles delivered for sale or registered in Minnesota.

D. If the commissioner deems it necessary to administer and enforce this part, the commissioner must require a motor vehicle manufacturer subject to this part to submit additional documentation, including all certification materials submitted to CARB.

Subp. 8. Record availability and retention; reporting noncompliance.

A. Upon oral or written request of the commissioner, a person subject to this part must furnish to the commissioner or allow the commissioner to access and copy all records that relate to the motor vehicles that are subject to this part and that are relevant for determining compliance with this part. Unless otherwise specified, a person subject to this part must retain all relevant records for at least five years after creating the records.

B. If a report issued by a motor vehicle manufacturer under subpart 7 demonstrates noncompliance with the fleet average under subpart 3 for a model year, the manufacturer must, within 60 days, file a report with the commissioner to document the noncompliance. The report must identify all motor vehicle models delivered for sale or lease in the state, the models' corresponding certification standards, and the percentage of each model delivered for sale in this state and California in relation to total fleet sales in the respective state.

7023.0300 ZERO-EMISSION VEHICLE STANDARDS.

Subpart 1. **Requirement.** Beginning with the first effective model year, a motor vehicle manufacturer's sales fleet of passenger cars and light-duty trucks produced by motor vehicle manufacturers and delivered for sale or lease in the state must contain at least the same applicable percentage of ZEVs required under California Code of Regulations, title 13, section 1962.2.

Subp. 2. Credit bank; reporting requirements; record availability and retention.

A. Beginning in the first effective model year, a motor vehicle manufacturer subject to this part must open an account in the California ZEV credit system for banking credits earned in Minnesota. The account must be opened no later than March 1 of the calendar year after the end of the first effective model year. A motor vehicle manufacturer must notify the commissioner within 30 days of opening an account in the California ZEV credit system for the manufacturer's Minnesota ZEV credits.

B. At least annually by May 1 of the calendar year after the close of a model year, a motor vehicle manufacturer must submit a report to the commissioner that identifies the necessary delivery and placement data of all motor vehicles generating ZEV credits and all transfers and acquisitions of ZEV credits, according to California Code of Regulations, title 13, section 1962.2. The report may be amended based on late sales.

C. Upon oral or written request of the commissioner, a person subject to this part must furnish to the commissioner or allow the commissioner to access and copy all records that relate to the motor vehicles that are subject to this part and that are relevant for determining compliance with this part. Unless otherwise specified, a person subject to this part

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must retain all relevant records for at least five years after creating the records.

Subp. 3. Requirement to make up ZEV deficit. A motor vehicle manufacturer that delivers for sale in the state fewer ZEVs or TZEVs than required to meet its ZEV credit obligation in a given model year must make up the deficit by submitting a commensurate amount of ZEV credits to the commissioner according to California Code of Regulations, title 13, section 1962.2(g)(7). The number of motor vehicles not meeting the ZEV credit obligation must be equal to the manufacturer's credit deficit, rounded to the nearest 1/100th and calculated according to the equation in California Code of Regulations, title 13, section 1962.2(g)(8).

Subp. 4. Early-action credits.

A. Beginning with model year 2022 and ending at the beginning of the first effective model year, a motor vehicle manufacturer may earn early-action ZEV credits for delivering ZEVs for sale in the state. A motor vehicle manufacturer choosing to earn early-action ZEV credits under this subpart must notify the commissioner to open an account to track early-action ZEV credits in Minnesota no later than March 1 of the calendar year after the close of the first model year for which the manufacturer intends to accrue early-action credits.

B. New motor vehicles delivered for sale in the state under this subpart earn early-action ZEV credits with the same values established in California Code of Regulations, title 13, section 1962.2.

C. A motor vehicle manufacturer that notifies the commissioner under item A must submit a report to the commissioner at least annually by May 1 of the calendar year after the close of the model year that identifies the necessary delivery and placement data of all motor vehicles generating early-action ZEV credits under this subpart, according to California Code of Regulations, title 13, section 1962.2. The report may be amended based on late sales.

D. After the reporting deadline under item C during the first effective model year and after receiving notice from a motor vehicle manufacturer under subpart 2, item A, the commissioner must load the ZEV credits earned by the motor vehicle manufacturer under this subpart into the manufacturer's California ZEV credit system account.

E. This subpart is effective beginning with a motor vehicle manufacturer's model year 2022.

Subp. 5. Onetime credit allotment.

A. For the first effective model year, the commissioner must deposit into each motor vehicle manufacturer's account a credit allotment equivalent to the first effective model year's ZEV credit requirement for that motor vehicle manufacturer.

B. The credit amount under item A must be calculated for the first effective model year according to California Code of Regulations, title 13, section 1962.2(b)(1)(A) and (B).

C. The commissioner must deposit the onetime credit allotment at the same time that the commissioner loads the ZEV credits earned by the motor vehicle manufacturer under subpart 4, item D, into the manufacturer's California ZEV credit system account.

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

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

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

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

Department of Natural Resources

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

Notice is hereby given that, pursuant to the Commissioner's authority set forth in Minn. Stat. § 84.027, subdivision 13(b) to set hunting seasons and Minn. Stat. § 97A.045, subs. 2(b), 11 to protect a species of a wild animal and to take action necessary to prevent or control wildlife disease, the Commissioner is adopting the following rule to prevent the spread of chronic wasting disease (CWD) among the deer population in and around Dakota, Dodge, Fillmore, Houston, Mower, Olmsted Scott, Rice and Winona counties. This rule is adopted as an expedited emergency rule pursuant to the authority granted to the commissioner to adopt expedited emergency rules in Minn. Stat. § 97A.045, subs. 2(b), 11. The expedited emergency rule is necessitated by the presence of CWD in wild deer harvested during the 2020 regular deer hunting seasons. Because of potential damage that CWD could do to the wild deer population in the time it would take to use the Chapter 14 rulemaking process to adopt this rule, the Minnesota Department of Natural Resources (DNR) is using its expedited emergency rulemaking authority pursuant to Minn. Stat. §§ 84.027, subd. 13(b), 97A.045, subs. 2(b), 11.

CWD has been detected in wild deer and determined to be persistent in permit areas 643, 645, 646, 647 and 648, 649, and 655. This past fall, an additional CWD positive deer was detected in permit area 605, which is an area that has historically been difficult to sample, with sample numbers during voluntary surveillance this past season being lower than expected. CWD positive deer were also detected in permit area 643 near the border of permit area 343, and in permit area 646 near the border of permit area 645. Because CWD infectious agents are extremely resistant in the environment, transmission can occur both directly and indirectly. Concentration of deer in certain areas increases the risk of transmission between individuals. Reducing the number of deer reduces the risk of transmission between individuals and likely removes some of the infected deer.

Therefore, the DNR will hold special hunts in deer permit areas where the disease has been classified as a persistent infection in accordance with the DNR's Chronic Wasting Disease Response Plan. These include permit areas 643, 645, 646, 647, 648, 649 and 655. Permit areas 605 and 343 will also be included, although they are not yet classified as persistent, to gain more information on disease prevalence and location. All hunters must submit samples from deer taken during these special hunts to the DNR for testing. By testing harvested deer, the DNR is able to track the spread of the disease and determine whether the risk to the wild deer herd is increasing and whether further action may be necessary.

To provide as much hunter access to the special hunts as possible, the DNR is opening portions of state parks, scientific natural areas (SNAs) and other public areas that are not normally open to hunting during this time. DNR is limiting the number of hunters in Great River Bluffs State Park, Forestville Mystery Cave State Park, Nerstrand-Big Woods State Park, Pin Oak Prairie SNA, Prairie Creek SNA, and King's and Queen's Bluffs SNA to prevent hunter overcrowding. These hunts will require a free Disease Hunt Surplus permit that will be available by telephone, online and at license vendors throughout the state on a first-come, first-served basis. The number of hunters who will be

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allowed in these areas will be consistent with past special hunts held to reduce deer numbers for resource management. Hunting will also be allowed during these hunts on portions of Cherry Grove Blind Valley SNA, Rushford Sand Barrens SNA, Cannon River Turtle Reserve SNA, and Savage Fen SNA, which are open to hunting during the regular hunting seasons. By opening these areas to hunting, the DNR is providing as much hunter access as possible to lower overall deer numbers and deer density.

Providing as much hunter access as possible increases the likelihood of achieving the overall goal of reducing the risk of CWD transmission between deer and removing as many potentially CWD positive deer as possible.

Because the special hunts occur at a time of year when public use and agency operations on the SNAs are relatively low, the hunts will not interfere with the normal function of the SNAs. Hunters must be qualified for these hunts by being legally eligible to purchase a deer hunting license and must meet any firearms safety requirements.

Dated: December 7, 2020

Sarah Strommen
Commissioner of Natural Resources

6232.0400 REGISTRATION OF DEER.

[For text of subpart 1, see Minnesota Rules]

[For text of subpart 2, see State Register, volume 45, page 209]

[For text of subpart 3, see Minnesota Rules]

[For text of subparts 4 to 8, see State Register, volume 45, page 209]

Subp. 9. Deer taken during disease management hunts.

A. Except as provided in items C and D, within 24 hours after a hunt ends, a hunter must register a deer taken during a disease management hunt described in part 6232.1600, subpart 8, and must submit the deer's head for mandatory testing for chronic wasting disease at a self-service testing station.

B. Except as provided in items C and D, transporting carcasses taken during the disease management hunts must comply with subparts 7 and 8.

C. Enrolled members of the Prairie Island Indian Community who take deer on lands held in trust for the Prairie Island Indian Community are exempt from item A. Enrolled members of the Prairie Island Indian Community are exempt from item B for deer harvested on lands held in trust for the Prairie Island Indian Community.

D. Enrolled members of the Shakopee Mdewakanton Sioux Community who take deer on lands held in trust for the Shakopee Mdewakanton Sioux Community are exempt from item A. Enrolled members of the Shakopee Mdewakanton Sioux Community are exempt from item B for deer harvested on lands held in trust for the Shakopee Mdewakanton Sioux Community.

6232.1600 SPECIAL HUNT PROCEDURES.

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

[For text of subpart 7, see State Register, volume 45, page 209]

Subp. 8. Disease management hunts.

A. Except as provided in subitem (6) and item C, the following areas are open December 26 and 27, 2020, and January 2 and 3, 2021, for taking an unlimited number of either-sex deer by firearms, muzzleloader, and archery or by the method otherwise specified:

- (1) deer permit areas 343, 605, 643, 645, 646, 647, 648, 649, and 655 as described in part 6232.4700, subparts

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96, 98, 99, 100, 101, 102, 164, 165, and 169, published in the State Register, volume 45, page 209;

- (2) portions of Cherry Grove Blind Valley Scientific and Natural Area in deer permit area 647;
- (3) portions of Rushford Sand Barrens Scientific and Natural Area in deer permit area 648;
- (4) portions of Cannon River Turtle Reserve Scientific and Natural Area in deer permit area 605;
- (5) portions of Savage Fen Scientific and Natural Area in deer permit area 605 for taking deer by archery only;

(6) portions of Vermillion Highlands Research, Recreation, and Wildlife Management Area in deer permit area 605 are open for taking deer January 2 and 3 only for no more than 40 permitted hunters selected during the 2020 special deer hunt drawing for the Vermillion Highlands Research, Recreation, and Wildlife Management Area special deer hunt 925 and special deer hunt 944; and

(7) the Carver Rapids Unit of the Minnesota Valley State Recreation Area in deer permit area 605 for taking deer by archery only.

B. To participate in the hunts authorized in item A, a hunter must purchase a disease management permit according to part 6232.1980 or possess unused tags from a 2020 Minnesota landowner license, youth or adult firearm license, youth or adult muzzleloader license, youth or adult archery license, or early-season antlerless license. During the hunts authorized in item A:

- (1) a hunter may tag deer of either sex with disease management tags or unused tags from a 2020 landowner license, youth or adult firearm license, youth or adult muzzleloader license, or youth or adult archery license;
- (2) bonus tags and early-season antlerless tags may be used only on antlerless deer;
- (3) a firearm hunter in deer permit areas 343, 605, 643, 645, 646, 647, 648, 655, and 649 may use only a legal shotgun loaded with single-slug shotgun shells, legal muzzle-loading long gun, legal handgun, or legal crossbow for taking deer; and
- (4) a person hunting with unused tags from a 2020 firearms license must use a firearm or crossbow; a person hunting with unused tags from a 2020 muzzleloader license must use a muzzleloader; a person hunting with unused tags from a 2020 archery license must use archery equipment; and a person hunting with a disease management permit may use archery equipment, a firearm, a muzzleloader, or a crossbow.

C. The following areas are open on the dates specified for taking an unlimited number of either-sex deer by the method specified:

- (1) portions of Forestville Mystery Cave State Park in Fillmore County are open December 26 and 27, 2020, for taking by firearms. This is special hunt 801;
- (2) portions of Forestville Mystery Cave State Park in Fillmore County are open January 2 and 3, 2021, for taking by firearms. This is special hunt 802;
- (3) portions of Pin Oak Prairie Scientific and Natural Area in Fillmore County are open January 2 and 3, 2021, for taking by firearms. This is special hunt 804;
- (4) portions of Great River Bluffs State Park and Kings and Queens Scientific and Natural Area in Winona County are open December 26 and 27, 2020, for taking by firearms. This is special hunt 805;
- (5) portions of Great River Bluffs State Park and Kings and Queens Scientific and Natural Area in Winona County are open January 2 and 3, 2021, for taking by firearms. This is special hunt 806;

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(6) portions of Nerstrand Big Woods State Park and Prairie Creek Woods Scientific and Natural Area in Rice County are open December 26 and 27, 2020, for taking by firearms. This is special hunt 807;

(7) portions of Nerstrand Big Woods State Park and Prairie Creek Woods Scientific and Natural Area in Rice County are open January 2 and 3, 2021, for taking by firearms. This is special hunt 808; and

(8) portions of the Cannon River Wilderness Park in Rice County are open December 26 and 27, 2020, and January 2 and 3, 2021, for taking by archery. This is special hunt 809.

D. To participate in the special hunts authorized in item C, a hunter must obtain a free disease-hunt surplus permit from an electronic license system agent, the Department of Natural Resources License Center, or other authorized agents. Permits are available on a first-come, first-served basis. Hunters must stay within any boundaries that are posted or that are prescribed by the hunt administrator or depicted on maps provided by the hunt administrator. A hunter may select only one hunt from the special hunts described in item C. During the special hunts authorized in item C:

(1) a hunter may tag deer of either sex with disease management tags or unused tags from a 2020 landowner license, youth or adult firearm license, or youth or adult muzzleloader license;

(2) bonus tags and early-season antlerless tags may be used only on antlerless deer; and

(3) a firearm hunter may use only a legal shotgun loaded with single-slug shotgun shells, legal muzzle-loading long gun, legal handgun, or legal crossbow for taking deer.

6232.1980 TAKING DEER BY ANY WEAPON USING DISEASE MANAGEMENT PERMITS.

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

Subp. 2. **Restrictions.** Disease management permits are valid only in deer area 101 as described in part 6232.4700, subpart 1a. for taking either-sex deer in the hunts described in part 6232.1600, subpart 8. Outside of the hunts described in part 6232.1600, subpart 8, disease management permits are valid only for taking antlerless deer in deer permit area 604, as described in part 6232.4700, subpart 163, published in the State Register, volume 45, page 209.

Subp. 3. **Disease management hunts.** Only for the special hunts described in part 6232.1600, subpart 8, disease management permits may be purchased without first purchasing an archery, firearms, or muzzleloader license. Outside of the special hunts described in part 6232.1600, subpart 8, disease management permits may not be purchased without first purchasing an archery, firearms, or muzzleloader license.

REPEALER. The expedited emergency amendments to Minnesota Rules, part 6232.1980, subpart 2, published in the State Register, volume 45, page 209, September 8, 2020, are repealed.

EFFECTIVE PERIOD. The expedited emergency amendments to Minnesota Rules, parts 6232.0400, 6232.1600, and 6232.1980, expire January 5, 2021.

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 20-100: Extending the COVID-19 Peacetime Emergency Declared in Executive Order 20-01

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 continues to present an unprecedented and rapidly evolving challenge to our State. The World Health Organization characterized the COVID-19 outbreak as a pandemic on March 11, 2020. The President declared a national emergency related to COVID-19 on March 13, 2020. Since then, and for the first time in history, the President has approved major disaster declarations for all fifty states and the District of Columbia. Along with these federal actions and the actions of states across the nation, Minnesota has taken extraordinary steps to prevent and respond to the COVID-19 pandemic.

On March 13, 2020, I issued Executive Order 20-01 and declared a peacetime emergency under Minnesota Statutes 2020, section 12.31, subdivision 2. On March 16, 2020, the Executive Council approved an extension of the peacetime emergency. After notifying the Legislature, on April 13, 2020, May 13, 2020, June 12, 2020, July 13, 2020, August 12, 2020, September 11, 2020, October 12, 2020, and November 12, 2020, I issued additional Executive Orders extending the peacetime emergency. In this Executive Order, the peacetime emergency declared in Executive Order 20-01 and extended in Executive Orders 20-35, 20-53, 20-75, 20-78, 20-83, 20-89, 20-92, and 20-97 is referred to as the “COVID-19 Peacetime Emergency.”

As a result of the COVID-19 pandemic, all 50 states have declared states of emergency, and 49 of them are in place today. This is because COVID-19 cases and deaths continue to proliferate. According to the United States Centers for Disease Control and Prevention (“CDC”), more than 16 million people have been infected in the United States, resulting in over 298,000 deaths. The United States reported over 3,300 deaths on Friday, the highest daily death toll since the pandemic began. On Saturday, COVID-19 hospitalizations across the country hit a record high for the seventh day in a row. As it has with the rest of the nation, the COVID-19 pandemic continues to take its toll on Minnesota. This surge has placed our hospitals under immense strain. Hospitalizations remain high, and Intensive Care Units are on the verge of dangerous capacity shortages in many areas of the state. Minnesota has had over 381,000 confirmed COVID-19 cases, over 19,000 hospitalizations, and recently surpassed 4,400 fatalities.

The White House wrote bluntly on December 8, 2020: “Despite the severity of this surge and the threat to the hospital systems, many state and local governments are not implementing the same mitigation policies that stemmed the tide of the summer surge; that must happen now.” I have noted in previous Executive Orders that the COVID-19 Peacetime Emergency opens our toolbox to allow us to take swift action to protect the health and well-being of our families, communities, and businesses. During the COVID-19 Peacetime Emergency, I have exercised executive authority through numerous executive orders to provide relief and further prepare our State for the COVID-19 pandemic. Such actions have included the closure of schools and implementation of a distance learning period; enhanced protections for veterans in our veterans homes; activation of the National Guard to assist in relief efforts; measures to preserve personal protective equipment; temporary closure of bars, restaurants, and other places of public accommodation; efforts to provide economic relief and stability to those impacted by the pandemic; regulatory changes allowing our state agencies, health care providers, and licensing boards to ensure fast relief to Minnesotans; and orders

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requiring Minnesotans to stay at home and to wear face coverings in certain settings. Our collective actions have saved lives, but the threat remains, and our work must continue. Recognizing the gravity of the recent surge in Minnesota, we have recently “dialed back” and tightened restrictions of social gatherings and the activities and venues that we know present elevated transmission.

Recently, thanks to Minnesotan’s compliance with previous executive orders, case counts have begun to plateau. To maintain course, we continue to need statewide coordination and resources to fight the pandemic. And emergency powers are essential in our preparations for quick, equitable, and safe distribution of the vaccine by enabling timely acquisition of supplies and technology. The State Emergency Operations Center provides ongoing support to local governments, and—as the appropriation of significant public funds to fight the pandemic plainly shows—local resources continue to be inadequate to address the threat.

In Minnesota Statutes 2020, section 12.31, subdivision 2(a), the Minnesota Legislature authorized the Governor to declare a peacetime emergency when an act of nature endangers life and property and local government resources are inadequate to handle the situation. With the approval of the Executive Council, a peacetime emergency may continue for up to 30 days. Minnesota Statutes 2020, section 12.31, subdivision 2(b), provides the mechanism for the Governor to extend a peacetime emergency beyond 30 days. If the Governor determines a need to extend a peacetime emergency declaration beyond 30 days, and the Legislature is not sitting in session, the Governor must issue a call immediately convening both houses of the Legislature.

The Legislature adjourned its regular session on May 17, 2020. On June 10, 2020, July 10, 2020, August 7, 2020, September 9, 2020, October 7, 2020, and November 9, 2020, I issued proclamations calling the Legislature into special sessions. On December 9, 2020, I again issued a proclamation calling the Legislature into a seventh special session to begin today, December 14, 2020. The Legislature may terminate a peacetime emergency extending beyond 30 days by a majority vote of each house.

Minnesota law does not clearly impose additional requirements for an extension of a peacetime emergency beyond the initial 30 days. Given the importance of this decision, I previously concluded that the prudent course was to limit subsequent extensions to 30-day increments and seek the Executive Council’s approval of such extensions. I continue that course today.

For these reasons, I order as follows:

1. I have determined that the COVID-19 pandemic, an act of nature, continues to endanger life and property in Minnesota, and local resources are inadequate to address the threat. The COVID-19 Peacetime Emergency must therefore continue.
2. The COVID-19 Peacetime Emergency is extended through January 13, 2021, until this Executive Order is rescinded by proper authority, or until it is terminated by a majority vote of each house of the Legislature pursuant to Minnesota Statutes 2020, section 12.31, subdivision 2(b), whichever occurs earlier.
3. On December 9, 2020, I issued a proclamation calling a seventh special session of the Legislature beginning today, December 14, 2020, pursuant to Minnesota Statutes 2020, sections 4.03 and 12.31, subdivision 2(b).
4. The COVID-19 Peacetime Emergency may be further extended by an executive order on or before January 13, 2021.

Pursuant to Minnesota Statutes 2020, section 4.035, subdivision 2, and section 12.32, this Executive Order is effective immediately.

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 December 14, 2020.

Tim Walz
Governor

Filed According to Law:

Steve Simon
Secretary of State

Approved by the Executive Council on December 14, 2020:

Alice Roberts-Davis
Secretary, Executive Council

Office of the Governor

Emergency Executive Order 20-101: Authorizing Minnesota Board of Behavioral Health and Therapy to Modify Licensing Requirements 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. Since declaring the peacetime emergency, I have extended it every 30 days, with the most recent extension occurring today, December 14, 2020. 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 27, 2020, I issued Executive Order 20-23, which authorized Minnesota health-related licensing boards to modify licensure requirements during the COVID-19 peacetime emergency. The Minnesota Board of Behavioral Health and Therapy (“BBHT”) is a health-related licensing board that licenses and regulates professional counselors and professional clinical counselors in the State of Minnesota, pursuant to Minnesota Statutes 2020, Chapter 148B. BBHT also licenses and regulates alcohol and drug counselors in the State of Minnesota, pursuant to Minnesota Statutes 2020, Chapter 148F. Statutory and rule requirements in Minnesota Statutes 2020, sections 148B.5301 and 148F.04, and Minnesota Rules 2020, part 2150.5010, require that applicants for licensure from BBHT complete at least 75 percent of their supervised professional practice hours through in-person supervision. Compliance with these requirements has become burdensome and, in some cases, impossible during the COVID-19 pandemic. Many facilities and practitioners in this field are providing counseling to clients through telehealth rather than in-person to maintain social distancing and protect the health and safety of practitioners and their clients during the COVID-19 pandemic.

Ensuring access to counseling from licensed professionals, especially during the challenging times of a pandemic, is critical to Minnesotans’ health and wellbeing. Given the present constraints on the supervision and licensing process, to ensure that our health-related professionals can fully support Minnesotans during the COVID-19 pandemic, BBHT must have the authority to appropriately modify supervision and licensing requirements during the COVID-19 peacetime emergency.

In Minnesota Statutes 2020, section 12.02, the Minnesota Legislature conferred upon the Governor emergency powers “in order to (1) ensure that preparations of this state will be adequate to deal with disasters, (2) generally protect the public peace, health, and safety, and (3) preserve the lives and property of the people of the state.” Pursuant to Minnesota Statutes 2020, section 12.21, subdivision 1, the Governor has general authority to control the state’s emergency management as well as carry out the provisions of Minnesota’s Emergency Management Act. Pursuant to

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subdivision 3 of that same section, the Governor may “make, amend, and rescind the necessary orders and rules to carry out the provisions” of Minnesota Statutes 2020, 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.

For these reasons, I order as follows:

1. The Minnesota Board of Behavioral Health and Therapy is authorized to process applications for licensure from applicants and licensees who, during the peacetime emergency declared in Executive Order 20-01, complete professional supervised practice hours, as required by Minnesota Statutes 2020, Chapter 148B or 148F, or Minnesota Rules 2020, part 2150.5010, through any one or combination of the following means: telephone, audio, audiovisual electronic device, or in-person.

Pursuant to Minnesota Statutes 2020, section 4.035, subdivision 2, and section 12.32, this Executive Order is effective immediately upon approval by the Executive Council.

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 December 14, 2020.

Tim Walz
Governor

Filed According to Law:

Steve Simon
Secretary of State

Approved by the Executive Council on December 14, 2020:

Alice Roberts-Davis
Secretary, Executive Council

Office of the Governor

Emergency Executive Order 20-102: Amending Executive Order 20-05 to Ensure Timely Unemployment Insurance Benefits 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 continues to present an unprecedented and rapidly evolving challenge to our State. Minnesota has taken extraordinary steps to prevent and respond to the 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. Since declaring the peacetime emergency, I have extended it every 30 days, with the most recent extension occurring today, December 14, 2020.

On March 16, 2020, I issued Executive Order 20-05 to provide immediate relief to employers and unemployed workers during the COVID-19 peacetime emergency declared in Executive Order 20-01. On April 6, 2020, I issued Executive Order 20-29, amending Executive Order 20-05 to ensure compliance and consistency with federal law.

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Executive Order 20-05 has helped ensure that Unemployment Insurance benefits are immediately available to workers whose jobs were affected by the COVID-19 pandemic. The Unemployment Insurance system is a bulwark of our overall public health response to the pandemic, protecting individuals who have lost employment through no fault of their own. Without financial assistance from Unemployment Insurance, many Minnesota workers would not have been able to support their families, stay in their homes, or sustain themselves during periods where business closures or restrictions were necessary. Unemployment Insurance also allows workers to avoid grave risk to their own health or the health of their families, and it has also supported parents whose job could not accommodate their need to be at home with a child during distance learning. Unemployment benefits have now helped more than 790,000 Minnesotans weather this public health crisis. With Minnesota facing a recent surge in infections, many businesses have had to close or limit operations to protect the health of their workers and patrons. Our Unemployment Insurance system is as critical as ever in helping Minnesotans maintain their health and safety during the pandemic.

Minnesota Statutes 2020, section 268.051, subdivision 3(a), requires the Department of Employment and Economic Development (“DEED”) to compute an experience rating for each taxpaying employer who has been required to file wage detail reports for the 12-month period prior to June 30 of that year. Under section 268.051, subdivision 3(a), the experience rating period for calendar year 2021 includes January through June of 2020. DEED must complete its calculations and notify employers of the results on or before December 15 of each year.

Even in an ordinary year, calculating individual experience ratings is an administratively burdensome process. It requires DEED staff to determine individualized tax rates for over 130,000 employers based on millions of records. To meet the statutory deadlines in this unprecedented year, DEED would need to redirect critical staff from providing financial relief to Minnesotans whose health, safety, and economic security are at risk during the pandemic. Moreover, given the exigencies created by the pandemic, it is uncertain whether all taxpaying employers have submitted their full payroll records for the first six months of 2020. Additionally, given the unprecedented surge in unemployment claims since March, DEED has not yet reviewed all benefits paid during 2020 to determine if they should be used in the calculation of employers’ 2021 experience ratings in accordance with applicable law. Calculating experience ratings without making these adjustments risks unnecessary tax increases for employers in 2021. For all of these reasons, a modest extension of the deadlines related to the calculation and dissemination of experience ratings is necessary.

In Minnesota Statutes 2020, section 12.02, the Minnesota Legislature recognized the “existing and increasing possibility of the occurrence of natural and other disasters of major size and destructiveness” and conferred upon the Governor emergency powers to “(1) ensure that preparations of this state will be adequate to deal with disasters, (2) generally protect the public peace, health, and safety, and (3) preserve the lives and property of the people of the state.” Pursuant to Minnesota Statutes 2020, section 12.21, subdivision 1, the Governor has general authority to control the state’s emergency management, as well as to carry out the provisions of the Minnesota Emergency Management Act, Minnesota Statutes 2020, Chapter 12. Pursuant to subdivision 3 of that same section, the Governor may “make, amend, and rescind the necessary orders and rules to carry out the provisions” of the Minnesota Emergency Management Act. 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 are suspended during the pendency of the emergency.

For these reasons, I order as follows:

1. Executive Order 20-05, as amended by Executive Order 20-29, is amended to add the following paragraph as paragraph 9 (indicated by underlined text):
 9. The deadlines in Minnesota Statutes 2020, section 268.051, subdivisions 3(a) and 6, regarding the computation of employers’ experience ratings for the 2021 tax year and notification to employers of the tax rates for the 2021 calendar year, are extended until January 30, 2021.
2. All other provisions of Executive Order 20-05, as amended by Executive Order 20-29, remain in effect.

Pursuant to Minnesota Statutes 2020, 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

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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 December 14, 2020.

Tim Walz
Governor

Filed According to Law:

Steve Simon
Secretary of State

Approved by the Executive Council on December 14, 2020:

Alice Roberts-Davis
Secretary, Executive Council

Office of the Governor

Emergency Executive Order 20-103: Extending and Modifying Executive Order 20-99

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 continues to present an unprecedented and rapidly evolving challenge to our State. Minnesota has taken extraordinary steps to prevent and respond to the 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. Since declaring the peacetime emergency in March, I have extended it every 30 days, with the most recent extension occurring on December 14, 2020.

Minnesota recently joined an increasing number of states in dialing back social gatherings, organized sports, and activities in a range of places of public accommodation. According to guidance and data from federal and state public health authorities, including the White House Coronavirus Task Force, our recent surge of cases left us with no other option. Three weeks later, we are starting to see the results of our efforts. Although daily cases counts are still dangerously high, new cases reported by the Minnesota Department of Health (“MDH”) have decreased in recent days. Nine months into one of the most challenging economic and public health moments in Minnesota’s history, I am proud that Minnesotans have again shown that we have the strength to make sacrifices to combat this virus.

Unfortunately, we are not yet out of the woods. The most recent data from MDH continues to reflect alarming levels of community spread. Minnesota is also still well within the White House Coronavirus Task Force’s “Red Zone” thresholds for test positivity rate and cases per 100,000 residents. And as the devastating consequences of recent case surges continue to emerge, we cannot afford a setback. Individuals who were hospitalized at record rates in late November are perishing at alarming rates, and new admissions continue to stretch the capacity of our hospitals and ICUs. The 14-day average for COVID-19 deaths has increased to over 60 deaths per day.

I recognize that restrictions on gatherings and activities create their own public health problems. The Centers for Disease Control and Prevention (“CDC”) has published evidence of increased mental health disorders, substance use disorders, and suicidal thoughts during the COVID-19 pandemic. With the progress we have made, we can afford to take small, measured steps to provide Minnesotans needed outlets to address these worrisome impacts. This includes some flexibility to gather in small groups with family and friends in safe, outdoor environments, including at the restaurants,

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bars, and entertainment venues that have been impacted so heavily by this pandemic.

In addition, recognizing that the pause on social gatherings has been a significant challenge—particularly for individuals who live alone—I am asking that Minnesotans limit indoor social gatherings to a maximum of 10 people with no more than two households. And, since outdoor environments are relatively less risky, I am asking that outdoor social gatherings be limited to a maximum of 15 people with no more than three households. In all cases, we must adhere to the increased precautions for social gatherings posted to the StaySafe Minnesota website (<https://staysafe.mn.gov>).

We know that physical activity can strengthen immune systems and provide mental health benefits. Research suggests that physical activity can help address the stress and anxiety resulting from the COVID-19 pandemic. For some, Minnesota winters can be a difficult time. We have six fewer hours of daylight in December and January than in the height of summer. Shorter days and winter weather can lead to less exercise, particularly outdoors. Although outdoor recreation and exercise continue to be the safest way to stay active, we also need options to exercise indoors. We are hopeful that our gyms, fitness centers, exercise studios, and other similar facilities can provide those options without a significant increase in transmission. The science shows us that large groups, small spaces, and social sports create serious transmission risks, particularly when people are exerting themselves without wearing face coverings. In balancing the risk of infection with the positive benefits of exercise, exercise facilities will need to limit their capacity, increase social distancing requirements, require their patrons to wear face coverings at all times, and follow the guidance available on the StaySafe Minnesota website (<https://staysafe.mn.gov>).

For similar reasons, I know that Minnesotans are eager to return to the organized sports activities that have been on pause for the last four weeks. These activities are riskier than individual exercise, as they typically occur in groups. But organized sports also provide developmental opportunities for youth and mental and physical health benefits for Minnesotans of all ages, so we should start to bring back these activities if we can do so safely. We can limit risk for participants, coaches, and families by first returning to practices in smaller groups with heightened precautions. By starting small and keeping transmission low now, we can begin to consider returning to games and competitions that require interactions between different teams and the presence of spectators. Sports activities, when allowed, will also need to follow guidance on the StaySafe Minnesota website (<https://staysafe.mn.gov>).

Even as declining case rates and the prospect of widespread vaccination bring us hope, we need to maintain some difficult measures of the current dial back into January. This means more virtual holiday celebrations and continued economic hardship for some businesses. To help those who have made sacrifices to keep their neighbors safe, I'm signing into law a \$216 million relief package that will provide direct support for businesses and workers affected by the pandemic. This relief package is a start, but more is needed from our federal partners. That is why I continue to call on Congress to pass a robust federal aid package that will help our businesses and workers.

In Minnesota Statutes 2020, section 12.02, the Minnesota Legislature conferred upon the Governor emergency powers to “(1) ensure that preparations of this state will be adequate to deal with disasters, (2) generally protect the public peace, health, and safety, and (3) preserve the lives and property of the people of the state.” Pursuant to Minnesota Statutes 2020, section 12.21, subdivision 1, the Governor has general authority to control the state's emergency management as well as carry out the provisions of Minnesota's Emergency Management Act.

Minnesota Statutes 2020, section 12.21, subdivision 3(7), authorizes the Governor to cooperate with federal and state agencies in “matters pertaining to the emergency management of the state and nation.” This includes “the direction or control of . . . the conduct of persons in the state, including entrance or exit from any stricken or threatened public place, occupancy of facilities, and . . . public meetings or gatherings.” Pursuant to subdivision 3 of that same section, the Governor may “make, amend, and rescind the necessary orders and rules to carry out the provisions” of Minnesota Statutes 2020, 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.

For these reasons, I order as follows:

1. Effective Friday, December 18, 2020 at 11:59 pm, through Sunday, January 10, 2021 at 11:59 pm,

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individuals and businesses throughout Minnesota must continue to comply with the provisions of Executive Order 20-99, except as modified or superseded by the following amendments. All other provisions of Executive Order 20-99 remain in full force and effect.

2. Paragraph 6.a of Executive Order 20-99 is amended by the following additions (indicated by underlined text) and deletions (indicated by strikethrough):
 - a. **Social gatherings prohibited.** Except as specifically permitted in this Executive Order, social gatherings are prohibited. Indoor social gatherings are strongly discouraged; however, indoor social gatherings involving not more than two households, up to a maximum of 10 people, are permitted as long as members of different households maintain at least six feet of separation from each other and adhere to additional precautions for social gatherings on the Stay Safe Minnesota website (<https://staysafemn.gov/>). Outdoor social gatherings involving not more than three households, up to a maximum of 15 people, are permitted as long as members of different households maintain at least six feet of separation from each other, and participants adhere to additional precautions for social gatherings on the Stay Safe Minnesota website (<https://staysafemn.gov/>). Social gatherings are groups of individuals, who are not members of the same household, congregated together for a common or coordinated social, community, or leisure purpose—even if social distancing can be maintained. ~~This prohibition includes Social gatherings include~~ indoor and outdoor gatherings, planned and spontaneous gatherings, and public and private gatherings. Organizers of prohibited social gatherings may be subject to appropriate enforcement action by city, county, and/or state authorities pursuant to paragraph 10 of this Executive Order.
3. Paragraph 6.b of Executive Order 20-99 is amended by the by the following additions (indicated by underlined text) and deletions (indicated by strikethrough):
 - b. **Outdoor recreational activity.** Individuals **must not** engage in outdoor recreational activities where they will come into close proximity (less than six feet of separation) with others from different households. Individuals may engage in the outdoor recreational activities listed below, provided that they adhere to the limitations on social gatherings in Paragraph 6.a and follow the Minnesota Department of Natural Resources (“DNR”) and MDH guidelines on outdoor recreation and guidelines for facilities and the public (“Outdoor Recreation Guidelines”) available at DNR’s COVID-19 website (<https://www.dnr.state.mn.us/covid-19.html>):
 - i. Individuals may engage in any outdoor activity that is dependent upon or derives its principal benefit from natural surroundings and open space, including but not limited to hunting, fishing, trapping, boating, hiking, biking, golfing, picnicking, skiing, skating, and snowshoeing for the purposes of pleasure, rest, exercise, or relaxation, provided that the activity can be engaged in accordance with the Outdoor Recreation Guidelines, including maintaining at least six feet of separation between participants from different households and limiting gathering size according to Paragraph 6.a. Groups **within a single household** may engage in outdoor activities or sports that do not allow for social distancing (*e.g.*, soccer, hockey, or basketball) but must not engage in such activities with members of other households.
 - ii. Outdoor recreational activities allowed by this Executive Order **do not include** rallies, spectator entertainment events, fairs, festivals, concerts, or other similar outdoor organized events, which are governed by Paragraph 7.c.viii (if held in a venue) or Paragraph 6.a (if not held in a venue). Organized Youth and Adult Sports activities continue to be limited and are governed by the requirements in paragraphs 7.g. and 7.h. ~~Outdoor recreational activities allowed by this Executive Order **do not include** performances, competitions, team events, tournaments, races, rallies, organized sports, organized group classes, spectator events, fairs, or any other events that involve the~~

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~~gathering of individuals from more than one household. This paragraph does not impact professional or intercollegiate sports activities permitted under paragraph 7.h.ii.~~

4. Paragraph 6.e of Executive Order 20-99 is amended by the following additions (indicated by underlined text) and deletions (indicated by strikethrough):
 - e. Travel advisory. Persons arriving in Minnesota from other states or countries, including returning Minnesota residents, are strongly encouraged to follow the recommendations in MDH's Quarantine Guidance (<https://www.health.state.mn.us/diseases/coronavirus/quarguide.pdf>) ~~practice self-quarantine for 14 days after arrival by limiting their interactions to their immediate household.~~ This recommendation does not apply to individuals who must cross state or country borders for work, study, medical care, or personal safety and security. Students returning home for school breaks are strongly encouraged to follow the recommendations available at MDH's Institutes of Higher Education website (<https://www.health.state.mn.us/diseases/coronavirus/schools/ihe.html>).
5. Paragraph 7.c.iii is amended by the following additions (indicated by underlined text) and deletions (indicated by strikethrough):
 - iii. **Certain Places of Public Accommodation Closed to Members of the Public.** The following Places of Public Accommodation are closed to members of the public as set forth below. "Members of the public" means people who are not workers affiliated with the Place of Public Accommodation.
 - A. ~~Restaurants, food courts, cafes, coffeehouses, bars, taverns, breweries, microbreweries, distilleries, brewer taprooms, micro distiller cocktail rooms, tasting rooms, wineries, cideries, clubhouses, dining clubs, tobacco product shops, hookah bars, cigar bars, vaping lounges, and other Places of Public Accommodation offering food, beverages (including alcoholic beverages), or tobacco products for on-premises consumption are closed to ingress, egress, use, and occupancy by members of the public, except as set forth below.~~
 1. ~~The above establishments may, and are encouraged to, offer food and beverage using delivery services, window service, walk-up service, drive-through service, or drive-up service. In offering food or beverage service under this paragraph, a Place of Public Accommodation 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. All such establishments must follow the requirements for all businesses set forth below and industry-specific guidance available on the Stay Safe Minnesota website (<https://staysafe.mn.gov>).~~
 2. ~~Because indoor dine-in service is prohibited at restaurants, for the purposes of Minnesota Laws 2020, Chapter 75, Limited Off-Sale for Restaurants Closed by Executive Order, nothing in this Executive Order constitutes, prescribes, or should be deemed as, the expiration, termination, or rescission of the closure of restaurants as set forth in Executive Order 20-04, as modified and extended by Executive Orders 20-18 and 20-33, or any subsequent order. As set forth in Minnesota Laws 2020, Chapter 75, limited off-sale of alcoholic beverages is authorized only for take-out service with a prepared take-out food order, and delivery is not authorized.~~
 - B. A. Public pools, as defined in Minnesota Statutes 2020, section 144.1222, subdivision 4(d), are closed to ingress, egress, use, and occupancy.
 - C. ~~Gymnasiums, fitness centers, recreation centers, indoor sports facilities, indoor climbing facilities, trampoline parks, indoor and outdoor exercise facilities, martial arts facilities,~~

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and dance and exercise studios are closed to ingress, egress, use, and occupancy by members of the public. This includes shared or communal facilities serving more than a single household, regardless of whether such facilities are open to the public, including but not limited to those facilities located in an apartment building, condominium, or housing complex. Outdoor sports and recreation facilities may be open to members of the public only as permitted under paragraph 7.c.iv. These establishments may, and are encouraged to, use their facilities to provide virtual or remote programming. These establishments may also remain open to exclusively provide services permitted under paragraphs 7.e and 7.f.

- D. B. Venues providing indoor events and entertainment (whether permanent, temporary, or mobile) such as theaters, cinemas, concert halls, festivals, fairs, vendor fairs, museums, performance venues, stadiums, arcades, trampoline parks, party buses, and bowling alleys are closed to ingress, egress, use, and occupancy by members of the public. Such establishments may, and are encouraged to, use their facilities to provide virtual or remote programming.
- E. ~~Venues providing outdoor events and entertainment such as racetracks, paintball, go-karts, mini-golf, performance venues, festivals, fairs, vendor fairs, and amusement parks are closed to ingress, egress, use, and occupancy by members of the public. Such venues may offer “drive-in” or “drive-through” experiences, provided that all participants remain within their own vehicles and follow the applicable guidance available at the Stay Safe Minnesota website (<https://staysafe.mn.gov>).~~
- F. C. For professional and intercollegiate athletes and teams authorized to practice and compete under paragraph 7.h.ii.B and C, this closure of event and entertainment venues to members of the public means that only athletes, coaches, and other essential staff are authorized to be present in venues hosting these activities. Spectators, including family and friends of participants and staff, are not permitted to attend permitted sporting events or practices.
- D. Places of Public Accommodation, which would otherwise be ordered closed, may stay open if they have been repurposed to exclusively provide services permitted under paragraph 7.c.ii or as provided in applicable guidance available on the Stay Safe Minnesota website (<https://staysafemn.gov/>). For example, a venue providing indoor events and entertainment that has been repurposed to provide health care activities, such as blood drives, COVID-19 testing, or vaccinations, is authorized to provide those essential services, subject to relevant licensing and other requirements, and applicable MDH and CDC guidelines.

6. Paragraph 7.c.iv.M is amended by the following additions (indicated by underlined text) and deletions (indicated by strikethrough):

- M. Guided and instructional activities such as guided fishing or birding that do not require gatherings prohibited by paragraph 6.e, adhere to social distancing requirements, do not involve persons participants from the same more than three households, do not involve more than one guide or instructor, and are conducted in accordance with the Outdoor Recreation Guidelines. This paragraph does not apply to activities covered by paragraphs 7.e.vii 7.e or 7.f.

7. Paragraph 7.c is amended by the following additions (indicated by underlined text) and deletions (indicated by strikethrough) after subparagraph 7.c.v:

- vi. Restaurants, food courts, cafes, coffeehouses, bars, taverns, breweries, microbreweries, distilleries, brewer taprooms, micro distiller cocktail rooms, tasting rooms, wineries, cideries, clubhouses,

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dining clubs, tobacco product shops, hookah bars, cigar bars, vaping lounges, and other Places of Public Accommodation offering food, beverages (including alcoholic beverages), or tobacco products for on-premises consumption must remain closed for indoor service, but may provide outdoor service if they adhere to the applicable guidance available on the Stay Safe Minnesota website (<https://staysafemn.gov/>) and the following requirements:

- A. All establishments must ensure that physical distancing of at least six feet is maintained between parties at different tables. Establishments may not exceed 50 percent capacity, with a maximum of 100 people.
 - B. All establishments must ensure that no more than four customers are seated at one table.
 - C. All establishments must close and remain closed each day for outdoor on-premises consumption between the hours of 10:00 pm and 4:00 am. Nothing in this paragraph is intended to limit or discourage delivery service, window service, walk-up service, or drive-up service offered under paragraph 7.c.vi.E.
 - D. In the event of inclement weather, customers may move indoors to package food and pay bills, but must exit quickly. While indoors, customers must maintain physical distancing of six feet between households and avoid congregating. Nothing in this Executive Order prohibits indoor sheltering in the event of severe weather.
 - E. The above establishments may, and are encouraged to, offer food and beverage using delivery services, window service, walk-up service, drive-through service, or drive-up service. In offering food or beverage service under this paragraph, a Place of Public Accommodation 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. All such establishments must follow the requirements for all businesses set forth below and industry-specific guidance available on the Stay Safe Minnesota website (<https://staysafe.mn.gov>).
 - F. Because indoor dine-in service is prohibited at restaurants, for the purposes of Minnesota Laws 2020, Chapter 75, Limited Off-Sale for Restaurants Closed By Executive Order, nothing in this Executive Order constitutes, prescribes, or should be deemed as, the expiration, termination, or rescission of the closure of restaurants as set forth in Executive Order 20-04, as modified and extended by Executive Orders 20-18 and 20-33, or any subsequent order. As set forth in Minnesota Laws 2020, Chapter 75, limited off-sale of alcoholic beverages is authorized only for take-out food order, and delivery is not authorized.
- vii. Gymnasiums, fitness centers, recreation centers, indoor sports facilities, indoor climbing facilities, indoor and outdoor exercise facilities, martial arts facilities, and dance and exercise studios may be open for individual exercise in accordance with the applicable guidance available on the Stay Safe Minnesota website (<https://staysafemn.gov/>) and the following requirements:
- A. Occupancy of any indoor space and the entire facility must not exceed 25 percent of the normal occupant capacity as determined by the fire marshal, not to exceed 100 people in the entire facility.
 - B. Physical distancing of at least 12 feet is maintained in any area that one or more persons are exercising. Physical distancing of at least six feet must be maintained in all other situations.
 - C. Notwithstanding the provisions of Executive Order 20-81, face coverings must be worn

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- by all persons at all times.
- D. These establishments may provide services permitted under paragraphs 7.e (Child Care) and 7.f (Youth Programs).
- E. The establishments covered by this paragraph include shared or communal facilities serving more than a single household, regardless of whether such facilities are open to the public, including but not limited to those facilities located in an apartment building, condominium, or housing complex.
- viii. Venues providing outdoor events and entertainment (whether permanent, temporary, or mobile) such as racetracks, paintball, go-karts, mini-golf, performance venues, festivals, fairs, vendor fairs, and amusement parks may be open in accordance with the applicable guidance available on the Stay Safe Minnesota website (<https://staysafemn.gov/>) and the following requirements:
- A. All venues must ensure that physical distancing of at least six feet is maintained between participants from different households. Venues may not exceed 25 percent capacity, with a maximum of 100 people.
- B. Any venue that offers food or beverages for on-premises consumption or that permits food or beverages to be consumed on premises must not offer food and beverage service each day between the hours of 10:00 pm and 4:00 am and must prohibit on-premises food and beverage consumption each day between the hours of 10:00 pm. and 4:00 am. Venues must also comply with relevant industry guidance available on the Stay Safe Minnesota website (<https://staysafe.mn.gov/>), including ensuring that customers are seated when consuming food and beverage.
- C. Such venues are encouraged to offer “drive-in” or “drive-through” experiences, provided that all participants remain within their own vehicles and follow the applicable guidance available at the Stay Safe Minnesota website (<https://staysafe.mn.gov/>). Drive-in and drive-through experiences are not subject to the capacity limits set forth above.
- ix. vi. This Executive Order does not prohibit a worker or supplier of a Place of Public Accommodation from entering, exiting, using, or occupying that Place of Public Accommodation in their professional capacity.
- x. vii. Places of Public Accommodation not closed to members of the public under this Executive Order within the categories set forth in paragraph 7.e.iii may be open to members of the public, provided that they follow the requirements for all businesses set forth below and any applicable industry-specific guidance available on the Stay Safe Minnesota website (<https://staysafemn.gov/>).
8. Paragraph 7.g of Executive Order 20-99 is amended by the following additions (indicated by underlined text) and deletions (indicated by strikethrough):
- g. **Organized Youth Sports.** From Friday, December 18, 2020 at 11:59 pm through January 3, 2021 at 11:59 pm, Organized Youth Sports organizations and programs must stop all in-person activities—including practices, group workouts, games, and tournaments—unless otherwise stated below.
- ii. “Organized Youth Sports” means any sports activity, where participants are children or adolescents, organized by an entity, association, club, or organization providing for registration of participants and oversight on a regular basis for a defined period of time. Sports activities within this definition include all sports offered by schools (public and nonpublic), the Minnesota State High School League, or similar organizations, as well as

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dance, cheerleading, and other sports traditionally offered by supplemental associations or organizations.

- iii. The requirement in this paragraph, 7.g, that Organized Youth Sports organizations and programs stop in-person activities does not apply to:
 - A. Child care providers and Youth Programs as set forth in paragraphs 7.e. and 7.f that have as their primary purpose to provide care and supervision to children and youth.
 - B. Physical education instruction that meets academic requirements as part of the school day.
 - C. Outdoor workouts, practices, training, or skill-building, provided that such activities do not involve spectators, participants from more than three households, and more than one coach or instructor. Physical distancing of at least six feet must be maintained between members of different households at all times. A group of up to three households and a coach or instructor must maintain at least 12 feet of physical distancing from other groups. All participants must follow the Outdoor Recreation Guidelines. All Organized Youth Sports games, competitions, tournaments, races, spectator events, or other similar sports events continue to be prohibited, and nothing in this paragraph should be interpreted to authorize such events. Nothing in this paragraph should be interpreted to prevent an adult from providing support to a participant who, by reason of age, medical condition, or disability, needs assistance to participate in the activity. Participation in outdoor recreational activities and sports by an individual or individuals within a single household as allowed by paragraph 6.b.

- iv. After January 3, 2021 at 11:59 pm, the Organized Youth Sports organizations and programs intending to operate must do so in accordance with the following requirements:
 - A. Entities, associations, organizations, and clubs that provide Organized Youth Sports must adhere to the requirements set forth in paragraph 7.d, including development and implementation of a COVID-19 Preparedness Plan in accordance with applicable guidance for youth sports available on the Stay Safe Minnesota website (<https://staysafe.mn.gov>). COVID-19 Preparedness Plans must be distributed and available for review by participants and their parents or guardians.
 - B. Entities, associations, organizations, and clubs that provide Organized Youth Sports must ensure that all trainers and coaches understand and follow their COVID-19 Preparedness Plan and related guidance.
 - C. Indoor or outdoor facilities that support Organized Youth Sports must also adhere to the requirements set forth in paragraph 7.d, including development and implementation of a COVID-19 Preparedness Plan in accordance with applicable guidance for youth sports available on the Stay Safe Minnesota website (<https://staysafe.mn.gov>). COVID-19 Preparedness Plans must be distributed to, available for review, and followed by entities, associations, organizations, and clubs that provide Organized Youth Sports.

9. Paragraph 7.h of Executive Order 20-99 is amended by the following additions (indicated by underlined text) and deletions (indicated by strikethrough):

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- h. **Organized Adult Sports.** From Friday, December 18, 2020 at 11:59 pm through January 3, 2021 at 11:59 pm, Organized Adult Sports organizations and programs must stop all in-person activities—including practices, group workouts, games, and tournaments—unless otherwise stated below.
- i. “Organized Adult Sports” means any sports activity, where participants are adults, organized by an entity, association, club, or organization providing for registration of participants and oversight on a regular basis for a defined period of time.
 - ii. The requirement in this paragraph, 7.h, that Organized Adult Sports organizations and programs stop in-person activities does not apply to:
 - A. Outdoor workouts, practices, training, or skill-building, provided that such activities do not involve spectators, participants from more than three households, and more than one coach or instructor. Physical distancing of at least six feet must be maintained between members of different households at all times. A group of up to three households and a coach or instructor must maintain at least 12 feet of physical distancing from other groups. All participants must follow the Outdoor Recreation Guidelines. All Organized Adult Sports games, competitions, tournaments, races, spectator events, or other similar sports events continue to be prohibited, and nothing in this paragraph should be interpreted to authorize such events. Nothing in this paragraph should be interpreted to prevent an adult from providing support to a participant who, by reason of age, medical condition, or disability, needs assistance to participate in the activity. Participation in outdoor recreational activities or sports by an individual or individuals within a single household as allowed by paragraph 6.b of this Executive Order.
 - B. Professional sports, meaning sports in which the athletes receive non-de minimis payment for performance.
 - C. Any collegiate or university institution team or athlete participating in intercollegiate athletics, provided that the team or athlete follows guidance for sports activities as listed in *Recommendations for Different Levels of COVID-19 Transmission Among Higher Education Institutions*, available at MDH’s Institutes of Higher Education website (<https://www.health.state.mn.us/diseases/coronavirus/schools/ihe.html>)
 - iii. After January 3, 2021 at 11:59 pm, the Organized Adult Sports organizations and programs intending to operate must do so in accordance with the following requirements:
 - A. Entities, associations, organizations, and clubs that provide Organized Adult Sports must adhere to the requirements set forth in paragraph 7.d, including development and implementation of a COVID-19 Preparedness Plan in accordance with applicable guidance for adult sports available on the Stay Safe Minnesota website (<https://staysafe.mn.gov>). COVID-19 Preparedness Plans must be distributed and available for review by participants or guardians.
 - B. Entities, associations, organizations, and clubs that provide Organized Adult Sports must ensure that all trainers and coaches understand their COVID-19 Preparedness Plan and related guidance.
 - C. Indoor or outdoor facilities that support Organized Adult Sports must also adhere to the requirements set forth in paragraph 7.d, including the development

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and implementation of a COVID-19 Preparedness Plan in accordance with applicable guidance for adult sports available on the Stay Safe Minnesota website (<https://staysafe.mn.gov>). COVID-19 Preparedness Plans must be distributed to, available for review, and followed by entities, associations, organizations, and clubs that provide Organized Adult Sports.

Pursuant to Minnesota Statutes 2020, 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 December 16, 2020.

Tim Walz
Governor

Filed According to Law:

Steve Simon
Secretary of State

Approved by the Executive Council on December 17, 2020:

Alice Roberts-Davis
Secretary, Executive Council

Official Notices

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

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

Department of Agriculture

Rural Finance Authority

Notice of Meeting Schedule, Meeting Via Conference Call

Future monthly meetings of the Rural Finance Authority Board are scheduled for 1:00 P.M. at 625 Robert Street North on the following dates in 2021: January 13; February 10; March 10; April 14; May 12; June 9; September 8; October 13; November 10; December 8. July and August meetings are combined into one all-day, out-state meeting and tour. Notice of the date and location of the out-state meeting will be published at a later date. Some members may participate in certain of these meetings by electronic means. In accordance with Minnesota Statutes, Section 471.705 (1997), the Agency, to the extent practicable, will allow a person to monitor those certain meetings electronically from a remote location. If such monitoring shall occur, the Agency may require the person making such a connection to pay for documented marginal costs that the Agency incurs as a result of the additional connection. If you wish to attend, sign in at the front desk; you will be issued a badge and call 651-201-6004 for an escort to the meeting.

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For additional information, contact Matt McDevitt, Minnesota Department of Agriculture, 625 Robert Street North, St. Paul, MN 55155-2538 or call (651) 201-6311.

Matt McDevitt, Ag Finance Supervisor
Minnesota Department of Agriculture

Department of Health

Division of Health Policy – Managed Care Systems Section

Notice of Application for Essential Community Provider Status

NOTICE IS HEREBY GIVEN that an application for designation as an Essential Community Provider (ECP) has been submitted to the Commissioner of Health by South Central Human Relations, Inc. Clinical services are offered at:

- 17 5th St SE Kasson, MN 55944
- 204 2nd St NW Waseca, MN 56093
- 610 Florence Ave Owatonna, MN 55060

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

For more information contact:

Lauren Piper
Managed Care Systems Section
Health Policy Division
Minnesota Department of Health
P.O. Box 64882
St. Paul, MN 55164-0882

Minnesota Higher Education Facilities Authority

Notice of Public Hearing on Revenue Obligations on Behalf of St. Olaf College

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Minnesota Higher Education Facilities Authority (the “Authority”) with respect to a proposal to issue revenue bonds or other obligations on behalf of St. Olaf College (the “College”), a Minnesota nonprofit corporation, as owner and operator of St. Olaf College (the “Institution”), at the Authority’s offices at Suite 450, 380 Jackson Street, St. Paul, Minnesota, on Wednesday, January 6, 2021, at 10:00 a.m. central time. Under the proposal, the Authority would issue its revenue bonds or other obligations in an aggregate original principal amount not to exceed \$71,000,000 to finance projects generally described as (i) the acquisition, construction, equipping and furnishing of a new student housing project consisting of a 300-bed residence hall and 14 new townhouses, each townhouse containing 10 beds; and (ii) renovations, equipping and furnishing of an existing residence hall (collectively, the “Project”), and to fund capitalized interest and costs of issuance. The Project is or will be owned and operated by the College, and located on the Institution’s main campus, the principal street address of which is 1520 St. Olaf Avenue, Northfield, Minnesota.

The Authority’s meeting and public hearing on January 6, 2021, will be conducted by telephone or other electronic means in accordance with Minnesota Statutes, Section 13D.021. Members of the public may attend the meeting via telephone by calling toll-free 1 877 978-6969; Access Code 536-888-055#. Some members of the Authority may participate by telephone or other remote means.

Written comments may be sent by regular mail to the attention of the Operations Manager at the offices of the

Authority, 380 Jackson Street, Suite 450, Saint Paul, Minnesota 55101, or emailed to info@mnhefa.org or sent by facsimile to (651) 297-5751. Anyone requiring an accommodation consistent with the Americans with Disabilities Act should contact the Authority at (651) 296-4690 at least 48 hours in advance of the meeting to arrange for any necessary accommodations.

For additional information on such public hearing, see the Notice of Public Hearing – St. Olaf College, on the Authority’s website: mnhefa.org – Recent News.

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

Department of Labor & Industry (DLI) Notice of Prevailing Wage Minimum Truck Rental Rates

The temporary Commissioner of Labor & Industry has certified the minimum truck rental rates for state-funded highway projects effective December 21, 2020. This certification follows the publication of the Notice of Truck Rental Rate Determination in the *State Register* on November 30, 2020, and the informal conference held pursuant to Minnesota Rules, part 5200.1105 on December 11, 2020.

According to Minnesota Rules, part 5200.1105, the purpose of the informal conference was for DLI to obtain further input regarding the determined rates prior to certification. No written input regarding the determination was received by DLI prior to the informal conference.

The truck rental rate is determined for each equipment type by adding the average hourly cost of operating the vehicle to the certified prevailing wage for the driver. The average hourly operating costs are determined by voluntary survey of truck owner operators, trucking contractors and trucking firms.

The certification of the minimum truck rental rates is available online at:

Prevailing wage: *Minimum truck rental rates | Minnesota Department of Labor and Industry*

The minimum truck rental rates in the state’s ten highway and heavy construction areas will be effective for all MnDOT highway construction work financed in whole or part with state funds advertised for bid on or after the day the notice of certification is published in the *State Register*.

Questions regarding certification may be directed to the following:

Division of Labor Standards & Apprenticeship
443 Lafayette Road N
St. Paul, MN 55155

Phone: 651-284-5091
Email: dli.prevwage@state.mn.us

Department of Natural Resources Division of Lands and Minerals Notice of Proposed Conveyance to Correct Boundary Line Issues

NOTICE IS HEREBY GIVEN, that the Minnesota Department of Natural Resources, Division of Lands and Minerals, proposes to make a conveyance, under the authority of *Minnesota Statutes*, section 84.0273, to correct boundary line issues affecting the ownership interests of the state and adjacent landowner, James Roy Yohe, Sr. The

Official Notices

conveyance involves land located in part of the Northeast Quarter of Section 24, Township 103 North, Range 6 West, and that part of the West Half of the Northeast Quarter and that part of the Northwest Quarter of Section 19, Township 103 North, Range 5 West in Houston County, Minnesota. The reason for the conveyance is to describe the boundary lines between Yohe and the State to agree with the location of the monuments set on the ground in 1966. The State and Yohe wish to make their mutual boundaries more definite and certain, and clarify their legal descriptions to coincide more accurately with the actual use on the ground.

For more information about this conveyance or a copy of the proposed conveyance, contact Vicki Sellner, Department of Natural Resources, Division of Lands and Minerals, 1525 Third Avenue East, Hibbing, Minnesota 55746; telephone 218-231-8454, TTY: 1-800-657-3929, vicki.sellner@state.mn.us.

Minnesota Department of Transportation (MnDOT) Notice of Public Comment Period for Statewide Pedestrian System Plan

NOTICE IS HEREBY GIVEN that the public is invited to review and provide comments through January 11, 2021 on the Statewide Pedestrian System Plan. The Statewide Pedestrian System Plan will improve walking in Minnesota. The Plan will help to document action steps that MnDOT can take so that Minnesota is safer, easier, and more desirable for walking. The Statewide Pedestrian System Plan builds on the Minnesota GO Vision and the Statewide Multimodal Transportation Plan's direction for Minnesota's transportation system.

The Plan is available for public review on the project website: www.minnesotawalks.org. Printed copies of the plan can be sent by mail upon request.

Written comments will be accepted through January 11, 2021 and should be addressed to:

Jake Rueter
Project Manager
Jacob.Rueter@state.mn.us
651-366-4164

For more information, contact Jake Rueter at 651-366-4164 or jacob.rueter@state.mn.us, or visit www.minnesotawalks.org.

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

Deaf and Hard of Hearing Services Division

Notice of Request for Proposals to ASL Interpreting Student Internship Stipend Program Coordinator

The Minnesota Department of Human Services (DHS) is requesting proposals to assist the STATE in ASL Interpreter internships in greater Minnesota.

DHS is seeking proposals for the grant period July 1, 2021 through June 30, 2023

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

Sharisse Leier
Department of Human Services
Deaf and Hard of Hearing Services Division
P.O. Box 64969
444 Lafayette Road North, St. Paul, MN 55155 0969
Phone: (651) 431-3253, Fax: (651) 431-7417
sharisse.leier@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 email Emily.Waymire@state.mn.us.

Proposals submitted in response to this Request for Proposals must be received at Sharisse.leier@state.mn.us no later than **4:00 p.m., Central Time, January 29, 2021. 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

Workplace Safety Consultation Unit

Notice of Safety Grants for Employers

The Department of Labor and Industry (DLI) announces continuation of its safety hazard abatement matching grant program under *Minnesota Statutes*, section 79.253, and *Minnesota Rules*, parts 5203.0010 through 5203.0070. Employers covered by workers' compensation insurance, and those approved as self-insured employers, are eligible to apply for safety/health matching grants to abate safety hazards in their workplace. The safety/health hazards must have been identified in an on-site survey conducted by one of the following:

State Grants & Loans

- 1) MNOSHA safety/health investigator,
- 2) DLI Workplace Safety Consultation safety/health consultant,
- 3) in-house employee safety/health committee,
- 4) workers' compensation underwriter,
- 5) private safety/health consultant or
- 6) a person under contract with the Assigned Risk Plan.

The on-site safety/health survey must have resulted in specifically recommended safety and/or health practices or equipment, training for purchased equipment, and/or tuition reimbursement designed to reduce the risk of injury to employees. Costs eligible for program participation are all or part of the cost of purchasing and installing recommended safety/health equipment, training for purchased equipment, tuition reimbursement, the cost of operating or maintaining safety/health equipment, and/or the cost of purchasing or renting real property, if necessary, to meet criteria established by the on-site safety/health survey. Automobiles, weapons, or personnel costs, such as salary and benefits, will not be covered by these grants.

Whether we approve your grant application or not, does not diminish, delay, or absolve you of any obligation to abate hazards as required by law. No state funds will be distributed until all grant documents are signed by all parties and the safety grant project is completed, including payments for all items in the project. Costs incurred before all parties have signed the grant document must not rely on grant approval. Invoices dated prior to your fully executed grant agreement are not eligible for this program.

Grants are limited to a total maximum match of up to \$10,000 per project. The employer must provide at least \$1.00 (one dollar) in project costs for every dollar awarded. No grant will be awarded for more than half the amount of the approved project. Grant applications submitted by the application deadlines of February 15, 2021, April 15, 2021, June 15, 2021, August 15, 2021, October 15, 2021, and December 15, 2021, respectively, will be evaluated and processed so that grant contracts or denial letters will be issued within the two months following each application deadline.

Projects will be judged according to the criteria established by law. Priority will also be given to projects in select areas that are a current focus of Minnesota OSHA. Go on-line at ***MNOSHA Safety Grant Priority Industries*** to view the current list of priority industries.

An employer that has received a grant for a particular worksite will not be eligible to receive another grant for that worksite during the two years after the date of the award. All applicable information requested on the grant application form is required for grant approval. Missing information will result in your application being disqualified for consideration. Less than the requested amount may be awarded if program resources are insufficient to provide full assistance to all approved applicants and if the reduced grant could still achieve safety objectives.

Applicants can submit a safety grant application using the on-line application form that is accessed at:
<https://secure.doli.state.mn.us/grants/>

Additional information can be found on the Safety Grant Program web-page: ***MNOSHA Safety Grant Program***, or contact the Safety Grants Administrator at: (651) 284-5338, 1-800-731-7232 or e-mail at ***dli.grants@state.mn.us***

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) Inver Hills Community College Notice of Request for Proposal for the Desire to Secure a Service Provider to Redesign the Inver Hills Community College website, Inverhills.edu

Access the complete RFP here: <http://minnstate.edu/vendors/index.html>

Proposals must be sealed with a notation on the outside of the envelope stating: Inver Hills Community College website redesign proposal – DELIVER IMMEDIATELY

Mail or deliver (faxes and email will not be accepted) sealed proposal must be delivered no later than **Noon, Wednesday, Jan. 6, 2021** to:

Inver Hills Community College
Receiving/Mail Room
2500 East 80th Street, Inver Grove Heights, MN 55076
Attn: Marlo Teal
Phone (651) 423-8268

PROPOSAL CLOSE DATE IS **Wednesday, Jan. 6, 2021 – Noon**

State Contracts

Minnesota State Colleges and Universities (Minnesota State) Rochester Community and Technical College Notice of Request for Bid for RCTC Firearms Training Simulator

NOTICE IS HEREBY GIVEN that Rochester Community and Technical College Request for Bid (RFB) for firearms training simulator.

To receive a copy of the RFB, send an e-mail to *June.meitzner@rctc.edu*

Proposals are due back by Tuesday, January 5, 2021 4:00 p.m. CT and are to be addressed to June Meitzner, Rochester Community and Technical College 851 30th Ave SE Rochester, MN 55904.

Faxes or emails are not acceptable.

Late Responses will not be considered.

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

Minnesota State Colleges and Universities (Minnesota State) Winona State University Request for Proposals for Banking Services

Notice is hereby given that Winona State University is seeking proposals for Banking Services.

Proposal specifications are available by contacting Laura Mann, Purchasing Director, PO Box 5838, 106 Somsen Hall, Winona, MN 55987 or via email to *lmann@winona.edu*.

Sealed proposals must be received by Laura Mann, Purchasing Director, at Winona State University, PO Box 5838 or 175 West Mark Street, Business Office, Somsen Hall 106, Winona, MN 55987, by 3:00 PM CST, January 4, 2021.

Winona State University reserves the right to reject any or all proposals and to waive any irregularities or informalities in proposals received.

Department of Employment and Economic Development (DEED) Vocational Rehabilitation Services Request for Proposals for Work Based Learning Licensure Endorsement for Special Educators

The Department of Employment and Economic Development, through its Vocational Rehabilitation Services Division, is seeking proposals for work-based learning licensure endorsement for special educators. The RFP is posted on DEED's website: <https://mn.gov/deed/about/contracts/>. Responses must be received not later than 5:00 pm, Central Daylight Time, on January 15, 2021.

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 2021 Terminal 1 Passenger Boarding Bridge Replacement

Project Location: Minneapolis-St. Paul International Airport
Project Name: 2021 Terminal 1 Passenger Boarding Bridge Replacement
MAC Contract No. 106-2-930
Bids Close At: 2:00 PM on January 12, 2021

Notice to Contractors: Sealed bid proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040-28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated. This project provides for the replacement of three (3) Passenger Boarding Bridges, new boarding bridge fixed walkways, and all associated controls, equipment, and accessories

Non-State Public Bids, Contracts & Grants **==**

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 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 2.0%.

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 TKDA, the Minnesota Builders Exchange, Dodge Data and Analytics, and NAMC-UM Plan Room. Digital copies of the drawings and specifications will also be available at www.questcdn.com. Documents may be downloaded for a non-refundable fee of \$50.00 by entering Quest Project No. 7366102 on the Project Search page. Please contact QuestCDN at (952) 233-1632 or info@questcdn.com for assistance and free membership registration. 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 December 21, 2020, at MAC's web address of <http://www.metroairports.org/airport-authority/business-opportunities/solicitations> (construction bids).

