Minnesota State Register

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Proposed, Adopted, Emergency, Expedited, Withdrawn, Vetoed Rules; Executive Orders; Appointments; Commissioners' Orders; Revenue Notices; Official Notices; State Grants & Loans; State Contracts; Non-State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

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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- **Withdrawn Rules**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)
#8	Monday 24 August	Noon Tuesday 18 August	Noon Thursday 13 August
#9	Monday 31 August	Noon Tuesday 25 August	Noon Thursday 20 August
#10	Tuesday 8 September	Noon Tuesday 1 September	Noon Thursday 27 August
#11	Monday 14 September	Noon Tuesday 8 September	Noon Thursday 3 September

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Mask up, Minnesota!

STAY SAFE MN

Minnesota Rules: Amendments and Additions

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

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

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

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

The State Register features partial and cumulative listings of rules in this section on the following schedule: issues #1-26 inclusive (issue #26 cumulative for issues #1-26); issues #27-52 inclusive (issue #52, cumulative for issues #27-52 or #53 in some years). A subject matter index is updated weekly and is available upon request from the editor. For copies or subscriptions to the State Register, contact Minnesota's Bookstore, 660 Olive Street (one block east of I-35E and one block north of University Ave), St. Paul, MN 55155, phone: (612) 297-3000, or toll-free 1-800-657-3757. TTY relay service phone number: (800) 627-3529.

Volume 45 - Minnesota Rules

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

Volume 45, #7

Monday 6 July - Monday 17 August

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Expedited Emergency Rules

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

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

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

Department of Natural Resources

Adopted Expedited Emergency Game and Fish Rules: Taking Sharp-Tailed Grouse and Prairie Chickens

Notice is hereby given that the above entitled rules have been adopted through the process prescribed by *Minnesota Statutes*, section 84.027, subdivision 13(b). The statutory authority for the content of the rules is *Minnesota Statutes*, sections 97A.434, subdivisions 1 through 4; 97B.605 and 97B.716 subdivisions 1 through 3.

The following conditions do not allow compliance with *Minnesota Statutes*, sections 97A.0451 to 97A.0459: Sharp-tailed grouse and prairie chicken seasons are subject to adjustment on an annual basis based upon current biological and harvest data. Population and harvest data used for setting quotas and areas is gathered annually and analyzed. Permit area boundary changes for sharp-tailed grouse and prairie chicken seasons are intended to provide additional hunting opportunities and to better reflect hunter preference.

Dated: July 7, 2020

Sarah Strommen
Commissioner of Natural Resources

6234.0300 TAKING SHARP-TAILED GROUSE.

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

Subp. 2a. **Northwest Zone.** The Northwest Zone for taking sharp-tailed grouse is that portion of the state's open area lying west of the described boundary line:

Beginning at the intersection of Voyageurs National Park and the northern boundary of the state; thence along the western boundary of the park to the public access to Lake Kabetogama at Gappa's Landing; thence along County Road 523, St. Louis County, to County State-Aid Highway (CSAH) 123, St. Louis County; thence along CSAH 123 to CSAH 122, St. Louis County; thence along CSAH 122 to U.S. Highway (US) 53, thence along US 53 to State Trunk Highway (STH) 73; thence along STH 73 to the intersection of STH 73 and STH 1.

Subp. 2b. **East-Central Zone.** The East-Central Zone for taking sharp-tailed grouse is that portion of the state's open area that is not included in the Northwest Zone.

Subp. 3. **Open season.** Sharp-tailed grouse may be taken by firearm or bow and arrow from the Saturday on or near-

est September 16 to November 30 in the Northwest Zone and from the Saturday on or nearest October 13 to November 30 in the East-Central Zone.

6237.0400 TAKING PRAIRIE CHICKENS.

Subpart 1. **Open season and methods.** Prairie chickens may be taken during the ~~five-day~~ nine-day period beginning on the last Saturday ~~nearest October 20~~ in September.

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

Subp. 4. **Open areas.** Prairie chicken permit areas are open for the prairie chicken season as prescribed by the commissioner. Prairie chicken licenses are valid only in the prairie chicken permit area specified on the license. The following prairie chicken permit areas, as described in part 6237.0550, are open: 803A, 804A, 805A, 806A, 807A, 808A, 809A, 810A, 811A, 812A, and 813A. A total of 125 licenses must be distributed.

[For text of subpart 5, see Minnesota Rules]

6237.0550 PRAIRIE CHICKEN PERMIT AREA DESCRIPTION.

[For text of subpart 1, see Minnesota Rules]

Subp. 2. [See repealer.]

Subp. 3. **Area 803A.** Prairie chicken permit area 803A consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of United States Highway (~~U.S.~~ US) 59 and ~~State Trunk Highway (STH) 32; thence along U.S. 59 to U.S. 2; thence along U.S. 2 to STH 32; thence along STH 32~~ County State-Aid Highway (CSAH) 3, Pennington County; thence along US 59 to US 2; thence along US 2 to US 75; thence along US 75 to CSAH 21, Polk County; thence along CSAH 21 to CSAH 3, Pennington County; thence along CSAH 3 to the point of beginning.

[For text of subparts 4 to 11, see Minnesota Rules]

Subp. 12. **Area 812A.** Prairie chicken permit area 812A consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 32 and STH 113; thence along STH 113 to United States Highway (US) 59; thence along US 59 to US 10; thence along US 10 to STH 32; thence along STH 32 to the point of beginning.

Subp. 13. **Area 813A.** Prairie chicken permit area 813A consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 32 and County State-Aid Highway (CSAH) 1, Polk County; thence along CSAH 1 to United States Highway (US) 59; thence along US 59 to STH 113; thence along STH 113 to STH 32; thence along STH 32 to the point of beginning.

REPEALER. Minnesota Rules, part 6237.0550, subpart 2, is repealed.

EFFECTIVE PERIOD. The emergency amendments to Minnesota Rules, parts 6234.0300, 6237.0400, and 6237.0550, expire December 31, 2020. After the emergency amendments expire, the permanent rules again take effect, subject to any permanent rule amendments that were adopted in the interim.

Department of Natural Resources

Adopted Expedited Emergency Game and Fish Rules: 2020 Youth and Adult Special Deer Hunts and Seasons

Notice is hereby given that the above entitled rules have been adopted through the process prescribed by *Minnesota Statutes*, section 84.027, subdivision 13(b). The statutory authority for the content of the rules is *Minnesota Statutes*, sections 97B.112, 97B.311.

The following conditions do not allow compliance with *Minnesota Statutes*, sections 97A.0451 to 97A.0459: Youth and adult special deer hunts are subject to adjustment on an annual basis based upon current biological and harvest data. Deer population and harvest data used for selecting hunters and setting quotas and areas are gathered annually and analyzed each winter. Adjustments to areas and quotas are based on annual and long-term population data as well as input from the public.

Dated: July 10, 2020

Sarah Strommen
Commissioner of Natural Resources

6232.2550 YOUTH AND ADULT SPECIAL DEER HUNTS.

[For text of subpart 1, see Minnesota Rules]

Subp. 2. **Application requirements.**

A. Applications for youth special hunts must be made according to this part and according to application instructions provided by the commissioner. Applicants for youth firearms special hunts must be at least 12 years old and under age 16 by the beginning hunt date. Applicants for youth archery special hunts must be at least 12 years old and under age 18 by the beginning hunt date. Each person must apply at an electronic license system agent or the Department of Natural Resources License Center. Group applications are not allowed. If the number of eligible applicants exceeds the quota established by the commissioner, the commissioner shall conduct a drawing to determine eligible participants. Preference for the youth special hunt drawing is given to applicants based on the number of years they have correctly applied for a youth special hunt permit but have been unsuccessful. Upon issuance of a youth special hunt permit, all accumulated preference is lost. The application deadline is the Friday nearest August 17.

B. Adult learn-to-deer-hunt participants are self-selected on a first-come, first-served basis.

Subp. 3. **Open areas.** In addition to complying with the requirements of this part, hunters who are hunting under a special deer hunt permit must meet all requirements of the municipality, park, or area in which the special hunt occurs and those of any sponsoring organization. Hunt participants must stay within any boundaries prescribed by the hunt administrator, by maps provided during a prehunt orientation session, or by posting. The youth and adult special hunt areas described in items A to W are open by permit in 2020.

A. Camp Ripley Military Refuge in Morrison County is open for youth taking antlerless deer and legal bucks by archery October 9 to 11. No more than 175 permits shall be issued. The Minnesota Deer Hunters Association and Minnesota State Archery Association are the sponsoring nonprofit organizations. The bag limit is two.

B. Lake Alexander Preserve in Morrison County is open October 9 to 11 for youth taking antlerless deer and legal bucks by archery. No more than 20 permits shall be issued. The Nature Conservancy, Minnesota State Archery Association, and the Minnesota Deer Hunters Association are the sponsors. The bag limit is two.

C. Portions of Afton State Park in Washington County are open November 7 and 8 for youth taking antlerless deer and legal bucks by firearms. No more than 30 permits shall be issued. The Department of Natural Resources, Division of Parks and Trails, is the sponsor. The bag limit is two.

D. Portions of Banning State Park in Pine County are open October 31 and November 1 for youth taking antlerless deer and legal bucks by firearms. No more than six permits shall be issued. The Department of Natural Resources, Division of Parks and Trails, is the sponsor. The bag limit is two.

E. Portions of Blue Mounds State Park in Rock County are open November 21 and 22 for youth taking antlerless deer and legal bucks by firearms. No more than ten permits shall be issued. The Department of Natural Resources, Division of Parks and Trails, is the sponsor. The bag limit is two, and this is an earn-a-buck hunt.

F. Portions of Buffalo River State Park in Clay County are open November 7 and 8 for youth taking antlerless deer and legal bucks by firearms. No more than 12 permits shall be issued. The Department of Natural Resources, Division of Parks and Trails, is the sponsor. The bag limit is two, and this is an earn-a-buck hunt.

G. Portions of Camden State Park in Lyon County are open October 24 and 25 for youth taking antlerless deer and legal bucks by firearms. No more than 12 permits shall be issued. The Department of Natural Resources, Division of Parks and Trails, is the sponsor. The bag limit is two, and this is an earn-a-buck hunt.

H. Itasca State Park in Clearwater, Hubbard, and Becker Counties is open October 10 and 11 for youth taking antlerless deer and legal bucks by firearms. No more than 75 permits shall be issued. The Department of Natural Resources, Division of Parks and Trails, and the Minnesota Deer Hunters Association are the sponsors. The bag limit is two.

I. Itasca State Park in Clearwater, Hubbard, and Becker Counties is open October 10 and 11 for adult learn-to-deer-hunt participants taking antlerless deer and legal bucks by firearms. No more than ten permits shall be issued. The Department of Natural Resources, Division of Fish and Wildlife, and the Minnesota Deer Hunters Association are the sponsors. The bag limit is two.

J. Kilen Woods State Park in Jackson County is open October 24 and 25 for youth taking antlerless deer and legal bucks by firearms. No more than six permits shall be issued. The Department of Natural Resources, Division of Parks and Trails, and the Minnesota Deer Hunters Association are the sponsors. The bag limit is one.

K. Portions of Lake Bemidji State Park in Beltrami County are open October 16 to 18 for youth taking antlerless deer and legal bucks by firearms. No more than 20 permits shall be issued. The Department of Natural Resources, Division of Parks and Trails, and the Minnesota Deer Hunters Association, Bemidji Chapter, are the sponsors. The bag limit is two.

L. Portions of Lake Bronson State Park in Kittson County are open October 24 and 25 for youth taking antlerless deer and legal bucks by firearms. No more than ten permits shall be issued. The Department of Natural Resources, Division of Parks and Trails, is the sponsor. The bag limit is one.

M. Portions of Lake Shetek State Park in Murray County are open November 21 and 22 for youth taking antlerless deer by firearms. No more than 12 permits shall be issued. The Department of Natural Resources, Division of Parks and Trails, is the sponsor. The bag limit is two.

N. Portions of Minneopa State Park in Blue Earth and Nicollet Counties are open November 21 and 22 for youth taking either-sex deer by firearms. No more than 12 permits shall be issued. The Department of Natural Resources, Division of Parks and Trails, is the sponsor. The bag limit is two.

O. Rydell National Wildlife Refuge in Polk County is open October 24 and 25 for youth taking antlerless deer and legal bucks with firearms. No more than 15 permits shall be issued. The Friends of the Rydell and Glacial Ridge

Refuges Association is the sponsor. The bag limit is three.

P. Portions of St. Croix State Park in Pine County are open October 31 and November 1 for youth taking antlerless deer and legal bucks by firearms. No more than 90 permits shall be issued. The Department of Natural Resources, Division of Parks and Trails, is the sponsor. The bag limit is two.

Q. Portions of Savanna Portage State Park in Aitkin County are open October 24 and 25 for youth taking antlerless deer and legal bucks by firearms. No more than 25 permits shall be issued. The Department of Natural Resources, Division of Parks and Trails, is the sponsor. The bag limit is two.

R. Sibley State Park in Kandiyohi County is open October 31 and November 1 for youth taking antlerless deer and legal bucks by firearms. No more than ten permits shall be issued. The Department of Natural Resources, Division of Parks and Trails, is the sponsor. The bag limit is one.

S. Portions of Zippel Bay State Park in Lake of the Woods County are open October 17 and 18 for youth taking antlerless deer and legal bucks by firearms. No more than 20 permits shall be issued. The Department of Natural Resources, Division of Parks and Trails, is the sponsor. The bag limit is two.

T. Portions of Upper Sioux Agency State Park in Yellow Medicine County are open October 24 and 25 for youth taking antlerless deer by firearms. No more than six permits shall be issued. The Department of Natural Resources, Division of Parks and Trails, is the sponsor. The bag limit is two.

U. Portions of Eagle Bluff Environmental Learning Center in Fillmore County are open October 10 and 11 for adult learn-to-deer-hunt participants taking antlerless deer and legal bucks by firearms. No more than five permits shall be issued. The Department of Natural Resources, Division of Fish and Wildlife, is the sponsor. The bag limit is two.

V. Portions of St. Croix State Park in Pine County are open October 31 and November 1 for adult learn-to-deer-hunt participants taking antlerless deer and legal bucks by firearms. No more than 14 permits shall be issued. The Department of Natural Resources, Division of Parks and Trails, is the sponsor. The bag limit is one.

W. Portions of Minnesota Valley National Wildlife Refuge in Carver and Scott Counties are open October 24 and 25 for adult learn-to-deer-hunt participants taking antlerless deer and legal bucks by firearms. No more than ten permits shall be issued. The Department of Natural Resources, Division of Fish and Wildlife, and the Minnesota Valley National Wildlife Refuge are the sponsors. The bag limit is two.

EFFECTIVE PERIOD. The emergency amendments to Minnesota Rules, part 6232.2550, expire December 31, 2020. After the emergency amendments expire, the permanent rules again take effect, subject to any permanent rule amendments that were adopted in the interim.

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 20-83: 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 2019, 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, and July 13, 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 is referred to as the "COVID-19 Peacetime Emergency."

As a result of the COVID-19 pandemic, all fifty states are in states of emergency. 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 5 million people have been infected in the United States, resulting in over 162,000 deaths. On July 24, 2020, the CDC reported 74,818 new cases—the highest number to date. As it has with the rest of the nation, the COVID-19 pandemic continues to take its toll on Minnesota. Just days ago, MDH reported the largest one-day increase in positive cases since the pandemic began. Minnesota has had over 61,000 confirmed COVID-19 cases, with over 5,600 hospitalizations and over 1,600 fatalities. We have continued to learn more about COVID-19's propensity to spread rapidly throughout our communities—both rural and urban—and continued action is necessary to mitigate its impacts.

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 requiring Minnesotans to stay at home to slow the spread of the virus.

On July 22, 2020, I issued Executive Order 20-81 requiring Minnesotans to wear a face covering in certain settings to prevent the spread of COVID-19. According to the CDC, face coverings are effective in preventing the transmission of respiratory droplets that may spread COVID-19. Ideally, face coverings should be worn in combination with other

infection control measures, including social distancing, but face coverings are especially important in settings where social distancing is difficult to maintain. Many states are now mandating face coverings in certain settings to control the spread of COVID-19. As of August 11, 2020, 34 states, Washington D.C., and Puerto Rico have implemented a face covering requirement. Our collective actions have saved lives, but the threat remains, and our work must continue.

Thanks to Minnesotans' compliance with previous executive orders, we have reopened most sectors of our economy. In consultation with public health and occupational safety experts, we have implemented science-driven protections to keep our citizens safe and our businesses open. Nonetheless, the science and experience of other states show that increased social interaction leads to an increased presence of the virus in our communities and increased demands on our health care system. Indeed, other states that relaxed pandemic-related restrictions too quickly saw dramatic outbreaks of the virus and needed to reinstate restrictions. To avoid the fate of those other states, we continue to need statewide coordination and resources to fight the pandemic. 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 2019, 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 2019, 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 and July 10, 2020, I issued proclamations calling the Legislature into special sessions. On August 7, 2020, I again issued a proclamation calling the Legislature into a third special session to begin today, August 12, 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 September 11, 2020, 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 2019, section 12.31, subdivision 2(b), whichever occurs earlier.

3. On August 7, 2020, I issued a proclamation calling a third special session of the Legislature beginning today, August 12, 2020, pursuant to Minnesota Statutes 2019, 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 September 11, 2020.

Pursuant to Minnesota Statutes 2019, 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 August 12, 2020.

Tim Walz
Governor

Filed According to Law:

Steve Simon
Secretary of State

Approved by the Executive Council on August 12, 2020:

Alice Roberts-Davis
Secretary, Executive Council

Office of the Governor

Emergency Executive Order 20-84: Rescinding Emergency Executive Orders 20-15, 20-16, and 20-32; Amending Emergency Executive Order 20-23

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. Since I first declared a peacetime emergency in response to this pandemic, my administration has taken proactive measures using the authority granted by the Legislature to the Governor under the Minnesota Emergency Management Act, Minnesota Statutes 2019, Chapter 12. We have used that authority to take bold actions to build hospital capacity, secure critical care and personal protective equipment for healthcare providers, and launch an aggressive testing strategy. These actions have slowed the spread of the virus and have saved lives. Of course, it is important for us to assess the continued need for existing executive orders. In this Executive Order, I am rescinding executive orders that are no longer necessary.

On March 23, 2020, I issued Executive Order 20-15, directing the Department of Employment and Economic Development ("DEED") to fund the Small Business Emergency Loan Program. This program funded forgivable, zero percent interest loans for small businesses during the COVID-19 peacetime emergency. DEED worked with the Legislature to codify this authority in Minnesota Laws 2020, Chapter 71, article 1, section 11, as amended by Minnesota Laws 2020, 1st Special Session, Chapter 1, section 2. All funds from the program have been distributed. For these reasons, Executive Order 20-15 is no longer necessary and can be rescinded.

On March 23, 2020, I issued Executive Order 20-16, which directed non-hospital entities to take inventory of their personal protective equipment ("PPE") and submit this information to the State. Executive Order 20-16 also directed non-hospital entities to refrain from using PPE and to instead donate or sell their PPE for use by healthcare personnel. This Order was necessary to identify and preserve available PPE for healthcare personnel. On May 6, 2020, Executive Order 20-51 amended 20-16 by eliminating the restrictions on non-hospital entities. After Executive Order 20-51 took effect, the directive to submit a PPE inventory was the only active portion of Executive Order 20-16. Because the deadline for the inventory has passed and inventories have been submitted, Executive Order 20-16 is no longer necessary and can be rescinded.

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. Executive Order 20-23 also authorized the Minnesota Board of Pharmacy to require that prescription drug orders for chloroquine or hydroxychloroquine must

contain an appropriate diagnosis and be dispensed for no more than 30 days at a time. Although the modification of licensure requirements remains necessary during the pandemic, we no longer need to limit the use of chloroquine or hydroxychloroquine because these medicines have not been proven to be effective treatments for COVID-19 and are no longer in high demand. The authorization for the Minnesota Board of Pharmacy to implement dispensing limitations related to these medicines is no longer necessary and can be rescinded.

On April 8, 2020, I issued Executive Order 20-32, which permitted the Minnesota Department of Health ("MDH") to delay, waive, or modify a number of health-related statutory and regulatory requirements for healthcare facilities. Executive Order 20-32 was necessary because strict compliance with these laws and regulations would have limited these facilities' ability to effectively provide essential services. Executive Order 20-32 also gave MDH flexibility in carrying out its other regulatory activities and in administering state-funded grants to meet the needs of responding to the pandemic. MDH worked collaboratively with the Legislature to codify these important changes in Minnesota Laws 2020, Chapter 74, article 1, section 13. Due to this codification, Executive Order 20-32 is no longer necessary and can be rescinded.

For these reasons, I order that:

1. Executive Order 20-15 is rescinded.

2. Executive Order 20-16 is rescinded.

3. Paragraph 5 of Executive Order 20-23, which pertains to chloroquine and hydroxychloroquine, is rescinded. Executive Order 20-23 otherwise remains in effect as approved by the Executive Council until the peacetime emergency declared in Executive Order 20-01 is terminated or until it is rescinded by proper authority.

4. Executive Order 20-32 is rescinded.

Pursuant to Minnesota Statutes 2019, section 4.035, subdivision 2, and section 12.32, this Executive Order is effective immediately upon approval by the Executive Council.

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 August 12, 2020.

Tim Walz
Governor

Filed According to Law:

Steve Simon
Secretary of State

Approved by the Executive Council on August 12, 2020:

Alice Roberts-Davis
Secretary, Executive Council

Appointments

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

Office of the Governor

Notice of Appointment for the Department of Labor and Industry Temporary Commissioner

NOTICE OF APPOINTMENT

Roslyn Robertson

By operation of Minnesota Statutes 2019, section 15.06, you are hereby designated as:

Temporary Commissioner
Minnesota Department of Labor and Industry

Effective: August 13, 2020

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

Signed and sealed August 13, 2020.



Tim Walz
Governor

Steve Simon
Secretary of State

Replacing: Nancy Leppink

Filed on August 13, 2020
Office of the Minnesota Secretary of State, Steve Simon

Office of the Governor

Notice of Appointment for the Minnesota Management and Budget Commissioner

NOTICE OF APPOINTMENT

James Schowalter

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

Commissioner

Minnesota Management and Budget

Effective: September 2, 2020

Expires: January 2, 2023

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

Signed and sealed August 12, 2020.



Tim Walz
Governor

Steve Simon
Secretary of State

Replacing: Myron Frans

Filed on August 12, 2020 Office of the Minnesota Secretary of State, Steve Simon

Appointments

Office of the Governor

Notice of Appointment for the Department of Military Affairs Adjutant General

NOTICE OF APPOINTMENT

Brigadier General Shawn P. Manke

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

Adjutant General

Minnesota Department of Military Affairs

Effective: August 20, 2020

Expires: August 20, 2027

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

Signed and sealed August 12, 2020.



Tim Walz
Governor

Steve Simon
Secretary of State

Replacing: Brigadier General Sandra L. Best

Filed on August 12, 2020 Office of the Minnesota Secretary of State, Steve Simon

Office of the Governor

Notice of Appointment for the Department of Military Affairs Temporary Adjutant General

NOTICE OF APPOINTMENT

Brigadier General Sandra L. Best

By operation of Minnesota Statutes 2019, section 15.06, you are hereby designated as:

Temporary Adjutant General
Minnesota Department of Military Affairs

Effective: August 3, 2020

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

Signed and sealed July 31, 2020.



Tim Walz
Governor

Steve Simon
Secretary of State

Replacing: Major General Jon A. Jensen

Filed July 31, 2020
Office of the Minnesota
Secretary of State
Steve Simon

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.

Executive Council, State Board of Investment and Land Exchange Board

Official Meeting Notice

The Executive Council, State Board of Investment and the Land Exchange Board will meet on Wednesday, August 26, 2020 at 10:00 a.m. via Teleconference.

Notice, including any instructions for public access to the meeting, will be posted at the SBI office and on the SBI Website at ***http://mn.gov/sbi***. For more information, the State Board of Investment can be reached at ***minn.sbi@state.mn.us***.

Some members of the Executive Council, State Board of Investment and Land Exchange Boards may participate in the meeting electronically. If a Board Member calls in, in accordance with Minnesota Statutes, section 13D.015, subd. 4, the Executive Council, State Board of Investment and Land Exchange Board shall, to the extent practical, allow a person to monitor the meeting electronically from a remote location. The person making a connection may be required to pay for documented marginal costs that the entity incurs as a result of the additional connection.

Department of Human Services

Office of Economic Opportunity

Draft FFY2020-2022 Minnesota's CARES Act CSBG Supplemental State Plan Available for Public Inspection and Comment, August 17 - August 28, 2020

Notice is hereby given that all comments are due by August 28, 2020. The purpose of this posting is to provide the public an opportunity to comment on the proposed langue to be used in the State of Minnesota's CARES Act Supplemental State Plan. These funds are used by federally defined eligible entities, including Community Action Agencies, Tribal Governments and the Department of Human Services to address the causes and effects of the Coronavirus and the COVID-19 pandemic. The draft plan can be accessed for public inspection and comment at ***https://www.minncap.org/*** or by contacting Marcel Urman at ***marcel.urman@state.mn.us*** or 651-431-5593.

Comments to the plan should be submitted no later than August 28, 2020 by email to ***marcel.urman@state.mn.us***

Minnesota Pollution Control Agency (MPCA)

Watershed Division

Notice of Availability of the Draft Upper Mississippi River Total Suspended Solids Total Maximum Daily Load Report and Request for Comment

The Minnesota Pollution Control Agency (MPCA) produced this report to set suspended solids pollution reduction goals and strategies for the watershed, and is requesting written comments during the public comment period:

- Public comment period begins: August 17, 2020
- Public comment period ends: 4:30 on September 16, 2020

Agency contact person: Written comments and requests for more information should be directed to:

Bonnie Finnerty
Watershed Division
7678 College Rd, Ste 105
Baxter, MN 56425-9525
Phone: 218-316-3897; 800-657-3864
Email: ***bonnie.finnerty@state.mn.us***

The draft report is available for review at: ***https://www.pca.state.mn.us/water/watersheds/mississippi-river-grand-rapids*** and ***https://www.pca.state.mn.us/water/watersheds/mississippi-river-brainerd***.

The official public notice for the reports and information on public notice procedures is available for review at the MPCA public notices webpage: ***https://www.pca.state.mn.us/public-notices*** – find it located under public notices issued on August 17, 2020.

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.

State Contracts

Department of Commerce

Request for Information on Possible Improved Electronic Systems Technology

The Minnesota Department of Commerce ("Department") is pursuing improved technology through a consolidation of the Department's electronic systems for the licensing and regulation of insurance, real estate, real property appraisal, debt collection, bullion product sales, and athlete agency. The purpose of our Request for Information ("RFI") is to obtain information on whether the Department's needs can be met by a computer software management program.

To obtain a copy of the Request for Information, you may either:

- send a request via email to Peter Bratsch at: **peter.bratsch@state.mn.us**, or
- visit ***https://mn.gov/commerce/industries/rfp/***, provide your name and email address, and download the RFI.

Please e-mail an electronic copy of your response to Peter Bratsch at ***peter.bratsch@state.mn.us*** no later than 4:00 p.m., Central Time, September 30, 2020. Late responses may be reviewed as time permits.

This RFI, and responses to it, do not in any way obligate the State, nor will it provide any advantage to respondents in potential future Requests for Proposals for competitive procurement. All expenses incurred in responding to this notice are solely the responsibility of the responder.

Minnesota Judicial Branch

9th Judicial District

Request for Proposal – Polk Courtrooms Audio Visual (AV) Upgrades

The Ninth Judicial District, of the Minnesota Judicial Branch (MJB), is using a competitive selection process to select possible vendors to provide Polk Courtrooms AV Upgrades.

The Ninth Judicial District, of the Minnesota Judicial Branch (MJB), is seeking proposals from vendors, to provide, install, and train on Polk Courtrooms AV Upgrades

The request for proposal does not obligate the MJB to award a contract or complete the project, and the MJB reserves the right to cancel the solicitation if it is considered to be in its best interest.

Interested party's submissions must be in writing and received by the MJB no later than 4:00 pm CST, 09/08/2020. The proposals must be delivered to:

Wade Young
Ninth Judicial District Administration Office
Minnesota Judicial Branch
616 America Ave NW, Suite 250
Bemidji, MN 56601

A complete copy of the Request for Proposal may be found on the Minnesota Judicial Branch website (in the News and Announcements/Public Notices section) at ***www.mncourts.gov***.

Minnesota Department of Transportation (MnDOT)

Engineering Services Division

Notices Regarding Professional/Technical (P/T) Contracting

P/T Contracting Opportunities: MnDOT is now placing additional public notices for P/T contract opportunities on the MnDOT's Consultant Services website. New public notices may be added to the website on a daily basis and be available for the time period as indicated within the public notice.

Taxpayers' Transportation Accountability Act (TTAA) Notices: MnDOT is posting notices as required by the TTAA on the MnDOT Consultant Services website.

MnDOT's Prequalification Program: MnDOT maintains a Pre-Qualification Program in order to streamline the process of contracting for highway related P/T services. Program information, application requirements, application forms and contact information can be found on MnDOT's Consultant Services website. Applications may be submitted at any time for this Program.

MnDOT Consultant Services website: ***www.dot.state.mn.us/consult***

If you have any questions regarding this notice, or are having problems viewing the information on the Consultant Services website, please all the Consultant Services Help Line at 651-366-4611, Monday – Friday, 9:00am – 4:00pm.

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/*.

Capitol Region Watershed District (CRWD)

Request for Bids for Seminary Pond Improvements

NOTICE IS HEREBY GIVEN that sealed bids will be received by Capitol Region Watershed District (CRWD), on-line through Quest VirtuBid (vBid), until **3:30 PM Central Time on September 2, 2020** at which time they will be publicly opened online and read aloud for the furnishing of all labor and materials and all else necessary for the following:

Seminary Pond Improvements
CRWD Project #430-16886

Use your computer, tablet or smartphone to join the **virtual bid opening meeting** at the following website: ***Seminary Pond Bid Opening*** (if prompted for a password: 090220).You can also dial in using your phone: United States: +1 (404) 410-4502 with Meeting Number or Access Code: 133-957-5289.

Project work includes earthwork and stabilization practices adjacent to and within a stormwater management pond and ravines in the City of Lauderdale, Minnesota.

The contract documents are available at ***www.questcdn.com***. This contract is QuestCDN project number **7234882**. A contractor may view the contract documents at no cost prior to deciding to become a plan holder. To be considered a plan holder for bids, a contractor must register with ***QuestCDN.com*** and purchase the contract documents in digital form at a cost of thirty dollars ($30.00). Registering as a plan holder is recommended for all prime contractors (potential bidders) and subcontractors as plan holders will receive automatic notice of addenda and other contract document updates via QuestCDN.

The recommended virtual pre-bid meeting is scheduled for **1:00 p.m., Central Time on August 19, 2020**, unless otherwise modified by Addendum.

Use your computer, tablet or smartphone to join the **virtual pre-bid meeting** at the following website: ***Virtual Pre-Bid Meeting*** (if prompted for a password: 081920).You can also dial in using your phone: United States: +1 (404) 410-4502 with Meeting Number or Access Code: 133-771-7094.

Direct inquiries can be made to Owner's Representative, Nathan Campeau at Barr Engineering Co. at (952)-832-2854 or ***ncampeau@barr.com***.

Metropolitan Emergency Services Board (MESB)

Request for Proposals for Development of a Next Generation 911 GIS-Derived Master Street Address Guide (MSAG) Maintenance Process

The Metropolitan Emergency Services Board (MESB) is soliciting proposals from qualified respondents to develop a Next Generation 9-1-1 (NG9-1-1) GIS-derived Master Street Address Guide (MSAG) maintenance process that can be implemented for the 10-county Minneapolis/St. Paul metropolitan region.

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

Proposals are due by 4:00 p.m. on Friday, September 11, 2020.

