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Proposed, Adopted, Emergency, Expedited, Withdrawn, Vetoed Rules; Executive Orders; Appointments; Commissioners' Orders; Revenue Notices; Official Notices; State Grants & Loans; State Contracts; Non-State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 12 July 2021

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Pages 17 - 26

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- **Withdrawn Rules**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. 46 Issue Number	Publish Date	Deadline for: all Short Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical- Consulting Contracts, Non-State Bids and Public Contracts	Deadline for LONG, Complicated Rules (contact the editor to negotiate a deadline)
#3	Monday 19 July	Noon Tuesday 13 July	Noon Thursday 8 July
#4	Monday 26 July	Noon Tuesday 20 July	Noon Thursday 15 July
#5	Monday 2 August	Noon Tuesday 27 July	Noon Thursday 22 July
#6	Monday 9 August	Noon Tuesday 3 August	Noon Thursday 29 July

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

SUBSCRIPTION SERVICES: E-mail subscriptions are available by contacting the editor at sean.plemmons@state.mn.us. Send address changes to the editor or at the Minnesota State Register, 50 Sherburne Avenue, Suite 309, Saint Paul, MN 55155.

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

- Minnesota State Register: Online subscription – $180, includes links, index, special section "CONTRACTS & GRANTS," with Sidebar Table of Contents, Early View after 4:00 pm Friday (instead of waiting for early Monday), and it's sent to you via E-mail.
- Single issues are available electronically via PDF for free.
- "Affidavit of Publication" includes a notarized "Affidavit" and a copy of the issue: $15.00.

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Minnesota Legislative Information

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

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

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

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

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Minnesota Rules: Amendments and Additions

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

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

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

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

The State Register features partial and cumulative listings of rules in this section on the following schedule: issues #1-26 inclusive (issue #26 cumulative for issues #1-26); issues #27-52 inclusive (issue #52, cumulative for issues #27-52 or #53 in some years). A subject matter index is updated weekly and is available upon request from the editor. For copies or subscriptions to the State Register, contact the editor at 651-201-3204 or email at sean.plemmons@state.mn.us

Volume 45 - Minnesota Rules

(Rules Appearing in Vol. 45 Issues #27-52 are in Vol. 45, #52 - Monday 28 June 2021)

Volume 46, #2

Tuesday 6 July - Monday 12 July

Pollution Control Agency

7050.0222; .0224; 7053.0260; .0263 (adopted)..... 5

Racing Commission

7877.0130; .0170; .0180; 7890.0100; .0110; .0120; .0130; .0160 (adopted)..... 6

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 Minnesota Pollution Control Agency Temporary Commissioner

NOTICE OF APPOINTMENT

Peter Tester

By operation of Minnesota Statutes 2020, section 15.06, you are hereby designated as:

Temporary Commissioner
Minnesota Pollution Control Agency

Effective: July 6, 2021

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 6, 2021.



Tim Walz
Governor

Steve Simon
Secretary of State

Replacing: Laura Bishop

Filed July 6, 2021
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.

Department of Commerce

Notice of Public Hearing for the Low Income Home Energy Assistance Program Draft FFY2022 State Plan

Date: Tuesday, July 27, 2021
Time: 2:00pm
Location: Webex meeting
Register: ***Webex Meeting Website Link***

Background

The draft FFY2022 Low Income Home Energy Assistance Program (LIHEAP) State Plan describes how federal LIHEAP funds will be used to help low-income households reduce their energy burdens.

Commerce uses comments received at the public hearing and during the comment period to develop the final state plan.

Visit ***mn.gov/commerce/industries/energy/service-providers/eap/*** to read the draft state plan and proposed EAP changes.

Public Hearing Information

- The public hearing starts on time and continues until all attendees have an opportunity to offer comments and ask questions, or until 3:00pm, whichever comes first
- You may join the Webex meeting up to 10 minutes early
- Minnesota Department of Commerce staff run the hearing and are available to answer questions
- You may share verbal comments at the hearing or you may submit written comments as described below

Submit Comments

Please share your comments about the FFY2022 State Plan and about Minnesota's Energy Assistance Program (EAP). We are especially interested in these topics.

- EAP only serves 25% of the estimated income eligible population. What prevents some people from applying, even when their incomes are low enough to be eligible for Energy Assistance?
- What part of applying for Energy Assistance is most difficult? If you could change one thing about the application process, what would it be?
- Are Energy Assistance applications readily available in your community and/or easy to get? What is the easiest way to get one? What is one thing that would make getting an application easier?
- Any additional comments about Minnesota's EAP?

Comment Period: Open through **Friday, August 6, 2021 at 4:30pm**

Online: ***mn.gov/commerce/industries/energy/service-providers/eap/***

Email: ***eap.mail@state.mn.us***

U.S. Mail: Michael Schmitz, Director
Office of Energy Assistance Programs
Minnesota Department of Commerce
85 7th Place East, Suite 280
St Paul MN 55101-2198

Fax: 651-539-0109

Important: Comments are publicly available, except in limited circumstances, consistent with the Minnesota Government Data Practices Act.

If any reasonable accommodation is needed to enable you to fully participate in the public hearing (e.g., sign language or large print materials), please contact 651-539-1809 at least one week in advance of the hearing.

This document can be made available in alternative formats (e.g., large print or audio) by calling 651-539-1809 (voice). Persons with hearing or speech disabilities may call us through their preferred Telecommunications Relay Service.

Department of Human Services

Economic Assistance & Employment Supports Division – Office of Economic Opportunity

Minnesota's Draft FFY2022-2023 Community Services Block Grant State Plan Available for Public Inspection and Comment, Public Hearing August 13, 2021

Notice is hereby given that a public hearing will be held on August 13, 2021 by the Department of Human Services, Office of Economic Opportunity in conjunction with the development and submittal of Minnesota's FFY2022-2023 Community Services Block Grant State Plan. The hearing will be held on August 13, 2021 at 12:00 p.m. via WebEx (the link to join the WebEx hearing is below).The purpose of this hearing is to provide the public an opportunity to comment on the proposed use and distribution of funds to be provided through the allotment to the State of Minnesota under the Community Services Block Grant Act. 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 poverty. Draft plans will be shared at the virtual hearing, or can be accessed for public inspection and comment by contacting Marcel Urman at ***marcel.urman@state.mn.us*** .

Comments to the plan should be submitted no later than August 30, 2021 by email to: ***marcel.urman@state.mn.us***

Due to the safer at home order, there will not be a mail in option.

WebEx link to join the hearing: ***WebEx Meeting Link***

Department of Transportation (MnDOT)

Modal Planning and Program Management Division – Office of Transportation System Management

Notice of Public Comment Period for the Public Participation Plan for the 20-Year Minnesota State Highway Investment Plan Update

NOTICE IS HEREBY GIVEN that the public is invited to review and provide comments through July 22nd on the Public Participation Plan for the 20-Year Minnesota State Highway Investment Plan Update. The Minnesota State Highway Investment Plan creates a fiscally constrained, performance-based investment direction for the state highway system.

Public engagement is key to ensuring the investment direction reflects Minnesotans' priorities for investment on the state highway system. The Public Participation Plan outlines how MnDOT plans to connect with the public, stakeholders and partners to update the 20-Year Minnesota State Highway Investment Plan.

The Public Participation Plan can be accessed electronically at ***http://www.minnesotago.org***. A hard copy is available by mail with written request to the contact shared below.

Written comments will be accepted through July 22nd and should be addressed to:

Josh Pearson
Email: ***joshua.pearson@state.mn.us***
651-366-3773

For more information, contact Josh Pearson at 651-366-3773 or ***joshua.pearson@state.mn.us***, or visit ***http://www.minnesotago.org***. Follow the planning process on Twitter, @MnDOT, or Facebook, ***www.facebook.com/MnDot***.

State Grants & Loans

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

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

Department of Employment and Economic Development (DEED)

Notice of Grant Opportunity

NOTICE IS HEREBY GIVEN that the Minnesota Department of Employment and Economic Development (DEED) places notice of any available grant opportunities online at ***https://mn.gov/deed/about/contracts/open-rfp.jsp***

Department of Human Services

Economic Assistance and Employment Supports Division

Notice of Request for Proposals: Refugee Resettlement Program's RFP for Family Opportunity through Coordinated and Unduplicated Services (FOCUS)

The Minnesota Department of Human Services (DHS or State) is requesting proposals from qualified Responders to implement a state-wide network to serve families granted certain forms of humanitarian protection status who qualify for the Minnesota Family Investment Program during their first 36 months after being granted an eligible status. Providers will use an evidence-based family mentoring model to provide whole-family service coordination. Ongoing technical assistance provided by the State.

DHS is seeking proposals for the grant period: 10/1/2021 through 9/30/2022.

For more information contact:

Seble Rumicho
Department of Human Services
Economic Assistance and Employment Supports Division
P.O. Box 64951
444 Lafayette Road North, St. Paul, MN 55155-0951
Phone: (651) 431-5781
Seble.Rumicho@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 (RFP) must be received at the email listed in the RFP no later than **4:00 p.m., Central Time, on 8/23/2021. Late proposals will not be considered.** Proposals received via other methods will not be considered.

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

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

State Contracts

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

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

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

Department of Agriculture

Agriculture Marketing and Development Division

Request for Proposals (RFP) for Video Production Services

Deadline updated to 4:00 p.m. Central Time on July 27, 2021

DETAILS: The Minnesota Department of Agriculture is requesting proposals for the purpose of planning, filming, editing, and coordinating all aspects necessary to create seventeen educational videos that highlight the Harvest of the Month program and food items. The selected entity will work with the Harvest of the Month team to develop these videos.

COPY REQUEST: You may request a copy of the Request for Proposals by sending an email to:

Sue Knott, Education Specialist
MN Agriculture in the Classroom, Minnesota Department of Agriculture
sue.knott@state.mn.us

PROPOSAL DEADLINE: Proposals in response to the Request for Proposals in this advertisement must be received at the email address above not later than **4:00 p.m. Central Time on July 27, 2021. Late proposals will not be considered.**

State Contracts

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.

Department of Employment and Economic Development

State Services for the Blind (SSB)

Request for Proposals for General Liability Insurance Coverage for Business Enterprises Program (BEP) Businesses

The Minnesota Department of Employment and Economic Development, State Services for the Blind (SSB), Request for Proposals for General Liability Insurance coverage for Business Enterprises Program (BEP) businesses.

The Minnesota Department of Employment and Economic Development is seeking proposals for General Liability Insurance coverage targeted to BEP businesses.

The RFP is posted on DEED's website: ***https://mn.gov/deed/about/contracts/***. Responses must be received no later than 5:00 pm, Central Daylight Time, on July 21, 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 all the Consultant Services Help Line at 651-366-4611, Monday – Friday, 9:00am – 4:00pm.