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Proposed, Adopted, Emergency, Expedited, Withdrawn, Vetoed Rules; Executive Orders; Appointments; Commissioners' Orders; Revenue Notices; Official Notices; State Grants & Loans; State Contracts; Non-State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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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- **Withdrawn Rules**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)
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#34	Tuesday 22 February	Noon Tuesday 15 February	Noon Thursday 10 February
#35	Monday 28 February	Noon Tuesday 22 February	Noon Thursday 17 February
#36	Monday 7 March	Noon Tuesday 28 February	Noon Thursday 24 February

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25 Rev. Dr. Martin Luther King Jr Blvd., St. Paul, MN 55155
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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

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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.

Capitol Area Architectural and Planning Board (CAAPB)

Proposed Permanent Rules Regulating Capitol Area Commemorative Artwork; Notice of Hearing

In the Matter of the Proposed Permanent Rules Regulating Capitol Area Commemorative Artwork, Minnesota Rules, Chapter 2400; Revisor's ID No. R-4720; OAH Docket No. 65-9055-37789

A. What is this notice?

1. **Proposed rules.** The Capitol Area Architectural and Planning Board (board) intends to adopt rules after holding a public hearing under Minnesota Rules, parts 1400.2200 to 1400.2240, and Minnesota Statutes, sections 14.131 to 14.20. The proposed rules amend Minnesota Rules, chapter 2400, and add new language on regulating commemorative artwork, which includes monuments and memorials. Specifically, the proposed rules amend Minnesota Rules, parts 2400.2040 and 2400.2705, and impose new regulations in proposed part 2400.2703.
2. **Rule hearing.** An administrative law judge from the Office of Administrative Hearings (OAH) will conduct the hearing starting at **10:00 a.m. on Monday, March 14, 2022**. The hearing will continue until 4:30 p.m., or until the last person present at the hearing has had the opportunity to comment, whichever occurs first. Additional days of hearing may be scheduled, if necessary. The hearing will be held via WebEx, a video and telephone conferencing platform. Depending on the number of individuals who wish to present oral comment,

time limits may be imposed. Commenters will be called in the order that they appear in the WebEx queue.

3. **How to join the WebEx hearing.** You can join the hearing with video and audio through an internet connection with a computer, smartphone, or tablet. You may also participate by telephone.

To join the video hearing using a computer, smartphone, or tablet:

Go to: ***https://tinyurl.com/2p9633yx***
Enter Access Code: 2488 809 8042
Enter Password: 4zwYHnqv6F3

To join by telephone (audio only):
Call: 1-855-282-6330 United States Toll Free
Enter Access Code: 2488 809 8042
Enter Password: 49994678

More information about how to attend and participate in the hearing is posted on the Capitol Area Architectural and Planning Board's ***website https://mn.gov/caapb/***

B. What are the rules about?

The proposed new and amended rules affect the board's regulations on commemorative works. To improve the rules, the board seeks to:

1. Update Minnesota Rules, part 2400.2705, regarding the application, review, and decision process the CAAPB uses for considering the proposed addition of new commemorative works to the Minnesota Capitol grounds;
2. Add rules and procedures for people to apply for proposed modification or removal of existing commemorative works on the Minnesota Capitol grounds and for the CAAPB to review and decide on those requests;
3. Increase public information about the CAAPB commemorative works process and provide specific information throughout any application review, with updates and invitations for public input; and
4. Require specific steps for public engagement and input throughout CAAPB's review of a commemorative works proposal.

Free rule copy. A copy of the proposed rules is published in the *State Register*. A free copy of the rules are available on the Capitol Area Architectural and Planning Board's ***website https://mn.gov/caapb/*** on the **Office of Administrative Hearings Rulemaking *eComments website https://minnesotaoah.granicusideas.com*,** or upon request to the CAAPB office at phone number (651)-757-1500 or ***caapb.input@state.mn.us***.

C. What is the board's statutory authority?

The board has the statutory authority to amend and adopt rules under Minnesota Statutes, sections 15B.03, subdivision 6; and 15B.06, subdivision 1, paragraph (b).

D. What is the Statement of Need and Reasonableness?

In the Statement of Need and Reasonableness (SONAR), the board justifies why the proposed rules are needed to update the board's regulations on adding, modifying, and removing commemorative works and how the board's proposed changes are reasonable. The board also describes who the rule will affect and estimates the rule's probable costs. The SONAR is now available for review on the Capitol Area Architectural and Planning Board's ***website https://mn.gov/caapb/***on the **Office of Administrative Hearings Rulemaking *eComments website https://minnesotaoah.granicusideas.com***, or upon request to the CAAPB office at phone number (651)-757-1500 or ***caapb.input@state.mn.us***.

E. How can I comment on the rule?

1. **How and when to comment.** You are encouraged to comment—supporting or opposing—on the proposed rule, including any specific rule part. **Comments on the rules must be submitted via the Office of Administrative Hearings Rulemaking *eComments website https://minnesotaoah.granicusideas.com*.** If you are unable to use the eComments website, you may submit comments by U.S. mail to Judge Ann O'Reilly, Office of Administrative Hearings, 600 North Robert Street, P.O. Box 64620, St. Paul, Minnesota 55164-0620,

or by via facsimile at fax number (651) 539-0310. **You are strongly encouraged to submit your comments using the eComments website.**

2. **Public comment is encouraged.** The board strongly encourages public comment—especially if the proposed rule affects you—and your comments should identify which rule part you are commenting on, the reason for the comment, and any proposed change. Any comments that you have about the legality of the proposed rule must also be made during the comment period.

F. Can the board modify the proposed rule after this notice is published?

The board may modify the proposed rules because of public comment, the hearing process, or as otherwise needed to comply with the Administrative Procedure Act. The board must support modifications with information or evidence, including public comments sent to the board or presented at the hearing. Unless the board follows the procedure under Minnesota Rules, part 1400.2110, the adopted rule may not be substantially different than the proposed rule.

G. Who conducts the hearing?

Administrative Law Judge Ann O'Reilly will conduct the hearing. To contact Judge O'Reilly, or if you have any questions about the rule hearing and procedure, you may contact Denise Collins at: Office of Administrative Hearings, 600 North Robert Street, P.O. Box 64620, Saint Paul, Minnesota 55164-0620, by telephone at 651-361-7900, by fax at 651-539-0310, or by email at denise.collins@state.mn.us.

H. What is the hearing procedure?

1. **Participating at the hearing.** At the hearing, you and all interested or affected persons, including representatives of associations or other interested groups, will have an opportunity to participate. You may present your views either (1) orally at the hearing, or (2) in writing at any time before the hearing record closes, as described in question E.1. All presented evidence or comments should relate to the proposed rule.
2. **Commenting after the hearing.** You may also submit written comment to be recorded in the hearing record within five working days after the public hearing ends. This comment period may be extended for up to 20 calendar days after the hearing if the Judge announces an extension at the public hearing.
3. **Commenting during the rebuttal period.** After the initial post-hearing comment period described in 2.G., there is a five-working-day rebuttal period when the board and any interested person may respond in writing to any new information submitted. Additional evidence may not be submitted during the rebuttal period.
4. **How and when to submit comments.** All post-hearing comments and responses must be submitted to the Administrative Law Judge no later than 4:30 p.m. on the due date. **All persons submitting comments and responses must use the Office of Administrative Hearings Rulemaking *eComments website https://minnesotaoah.granicusideas.com*.** If you are unable to use the eComments website, you may mail or fax your comments to the Administrative Law Judge, as described in E.1.

I. What is the adoption procedure after the hearing?

1. **Judge's report after the hearing.** After the hearing is held and the record closes, the Administrative Law Judge will issue a report on the rule.
2. **Being notified of the report.** You may ask to be notified when the Administrative Law Judge's report is available; you can make this request at the hearing or in writing to the Administrative Law Judge.
3. **Being notified when the rules are adopted and filed.** You may also ask to be notified when the board adopts the rules and when the rules are filed with the Secretary of State by making a request at the hearing or by contacting the CAAPB office at phone number (651)-757-1500 or ***caapb.input@state.mn.us.***

J. What if I am a lobbyist?

A lobbyist must register with the State Campaign Finance and Public Disclosure Board (*see* Minnesota Statutes, chapter 10A). You may ask questions about this requirement by contacting the Campaign Finance and Public Disclosure Board at 190 Centennial Office Building, 658 Cedar Street, St. Paul, Minnesota 55155, or phone numbers (651) 539-1180 or 1-800-657-3889.

K. Who can I contact for questions about this notice or the rule?

Please send questions to the board contact person, Merritt Clapp-Smith, by emailing her at ***caapb.input@state.mn.us.***, calling her at phone number 651-757-1500, or mailing her at the Capitol Area Architectural and Planning Board, 204

Administration Building, 50 Sherburne Avenue, St. Paul, MN 55155.

L. How can I request to be placed on the board's rulemaking list?

To be placed on the board's rulemaking list and to be notified of future rule proceedings, contact the CAAPB office at phone number (651)-757-1500 or ***caapb.input@state.mn.us.***

M. Can I request this notice in an alternative format?

Upon request, the information in this notice can be made available in an alternative format, such as large print, braille, or audio. To make a request or if you need an accommodation to make the hearing accessible, please contact the CAAPB office at phone number (651)-757-1500 or ***caapb.input@state.mn.us***.

Order. I order that the hearing be held at the date, time, and location listed according to this notice.

Date: February 7, 2022

Merritt Clapp-Smith, Executive Secretary
Capitol Area Architectural and Planning Board

2400.2040 DEFINITIONS.

[For text of subparts 1 to 3, see Minnesota Rules]

Subp. 3a. **Addition request.** "Addition request" means the application form that an applicant submits to the board requesting the addition of a new artwork and describing why the applicant believes that the artwork should be added to the commemorative artwork collection.

[For text of subparts 4 to 8, see Minnesota Rules]

Subp. 8a. **Applicant.** "Applicant" means a person or group that submits an application for an addition, modification, or removal of the artwork.

Subp. 8b. **Architectural advisers.** "Architectural advisers" means the three members of the Advisory Committee on Architecture and Planning established under Minnesota Statutes, section 15B.11, who are responsible for advising the board on all architectural and planning matters.

[For text of subparts 9 to 19, see Minnesota Rules]

Subp. 19a. **Board staff.** "Board staff" means the employees of the Capitol Area Architectural and Planning Board, led by the executive secretary, who execute the decisions of the board.

Subp. 19b. **Capitol grounds.** "Capitol grounds" means the exterior areas of any state-owned land in the Capitol area including state-owned rights-of-way, the Capitol mall, and the exterior courtyards of state-owned buildings.

Subp. 19c. **Capitol mall.** "Capitol mall" means the open space between the Department of Transportation Building, Centennial Building, Veterans Services Building, and the Capitol, including the lawn surrounding the Capitol.

Subp. 19d. **Commemorative artwork.** "Commemorative artwork" means a monument, memorial, or other type of original piece in any style, expression, genre, or media that is the unique creative expression of an artist designed to memorialize cultural, social, and political aspects of Minnesota's history. A commemorative artwork expresses or reflects the collective memory of an individual person, group, or event. Commemorative artwork serves four primary functions:

A. to memorialize and remember;

B. to inform and inspire the viewer;

C. to have lasting historic and cultural significance; and

D. to accentuate and enhance the urban landscape.

Commemorative artwork may be event-based, temporary, or long-term. Any commemorative artwork that is event-based as defined under subpart 41a is not within the scope of this subpart.

[For text of subparts 20 to 24, see Minnesota Rules]

Subp. 24a. **Design framework.** "Design framework" means a plan that provides a structure for the organized development of an area to prevent ad hoc decision-making.

Subp. 24b. **Design process.** "Design process" means the process that the board follows after the board approves a request for the addition or modification of a commemorative artwork to the Capitol grounds, a design review group selects a designer or design concept, and money is raised for the design and implementation. The design process includes:

A. schematic design: the description of the overall design concept for an artwork;

B. design development: a refined version of the schematic design with scaled drawings showing the architectural and site plan details and list of materials;

C. construction documents: the instructions for contractors to build the artwork; and

D. bidding: the search for a contractor to execute the artwork, based on price and qualifications.

Subp. 24c. **Designer.** "Designer" means a person recognized as the lead practitioner in the creative vision and design development of an artwork.

[For text of subpart 25, see Minnesota Rules]

Subp. 25a. **Disposition.** "Disposition" means the termination of ownership and possession of an artwork from the commemorative artwork collection through sale, donation, or demolition.

[For text of subparts 26 to 41, see Minnesota Rules]

Subp. 41a. **Lifespan.** "Lifespan" means the time that an artwork is displayed in the Capitol area, which is:

A. event-based: an artwork displayed in the Capitol area for up to 14 days;

B. temporary: an artwork displayed in the Capitol area 15 days to one year; or

C. long-term: an artwork displayed in the Capitol area for more than one year.

[For text of subparts 42 to 50, see Minnesota Rules]

Subp. 50a. **Modification.** "Modification" means a process that changes the meaning, character, appearance, or interpretation of an artwork. A modification includes:

A. a relocation: the movement of an existing artwork to a different location in the Capitol area;

B. a structural modification: the addition, removal, or alteration of any physical aspect of an artwork; or

C. a recontextualization: the addition of interpretive material to an artwork, such as additional signage.

Subp. 50b. **Modification request.** "Modification request" means an application form that an applicant submits to the board regarding a specific artwork, describing why the applicant is requesting to modify or relocate the artwork and requesting modification of the artwork.

[For text of subparts 51 to 65, see Minnesota Rules]

Subp. 65a. **Removal.** "Removal" means the review process and decision under part 2400.2703 to remove an artwork from the Capitol grounds.

Subp. 65b. **Removal request.** "Removal request" means an application form that an applicant submits to the board regarding a specific artwork, describing why the applicant is requesting to remove the artwork and requesting removal of the artwork.

[For text of subparts 66 to 69, see Minnesota Rules]

Subp. 69a. **Spatial envelope.** "Spatial envelope" means the shared, multidimensional space surrounding an artwork.

[For text of subparts 70 to 88, see Minnesota Rules]

2400.2703 STANDARDS FOR COMMEMORATIVE ARTWORK.

Subpart 1. **Guiding principles for commemorative artwork.**

A. Commemorative artwork on the Capitol grounds must reflect the state's diverse history and people.

B. The board must:

(1) provide for public input, public access, and transparency in making decisions about commemorative artwork on the Capitol grounds;

(2) consider the historic, architectural, and artistic integrity of the Capitol building; and

(3) review existing commemorative artwork as needed or every ten years to:

(a) gather public input regarding the commemorative artwork collection;

(b) ensure that the artwork in the commemorative artwork collection meet the standards and intent of parts 2400.2040 and 2400.2703.

C. All decisions about commemorative artwork must account for the historic, architectural, and artistic integrity of the Capitol building and grounds.

Subp. 2. **Conditions for adding new artwork.** The board must consider displaying new commemorative artwork in the Capitol area if the artwork meets all of the following conditions:

A. there has been documented public support of the artwork;

B. the artwork has lasting statewide significance for Minnesotans;

C. the artwork is respectful of the diversity of Minnesotans;

D. viewing the artwork provides a rich experience to broaden the understanding of Minnesota's shared history, heritage, and culture; and

E. if an individual is the subject of an artwork, the individual must:

(1) have lived in Minnesota or the geographical area now identified as Minnesota for at least five years during the individual's life;

(2) have historical significance;

(3) be renowned and admired by Minnesotans; and

(4) have been deceased for at least ten years.

Subp. 3. **Application and review process for new artwork.**

A. An applicant requesting placement of a commemorative artwork in the Capitol area must submit the application form available from board staff. The board must also provide clear and accessible instructions for completing the form. When board staff receive a completed addition of a commemorative artwork request form, board staff must provide written confirmation of the application's receipt to the applicant. If the information required by the application form is not complete, board staff must notify the applicant that the application is incomplete and indicate what information is missing.

B. Board staff must review each complete application and prepare a report with a recommendation to the board on whether to accept the application. The full board must vote to accept or reject the application based on whether the application meets all of the conditions in subpart 2.

(1) If the board accepts an application for an addition request, board staff must notify the applicant. Within 14 days of the board's vote accepting the application, board staff must notify the Department of Administration of the addition request and post a proposal summary on the board's website.

(2) If the board rejects an application for an addition request, board staff must notify the applicant that the board has rejected the application for an addition request and provide reasons for the rejection.

C. After accepting an application for an addition, board staff and architectural advisers must conduct a site selection study with the applicant for the proposal. The Department of Administration must review and comment on proposed sites where the board is considering displaying the commemorative artwork. Board staff and architectural advisers must recommend a site for the proposed artwork to the full board based on the criteria for the location of new artwork in subpart 4.

D. After board staff and advisers identify a site for the proposed artwork, the board must hold a public hearing and must affirm through board vote that the proposal meets all of the conditions under subpart 2. The board must notify the applicant of the board's final decision.

E. If the board approves of the proposed artwork and the artwork's location, the applicant must raise money or otherwise pay for the cost of conducting a design competition. This money covers the cost of the design selection process such as promotion, publicity, design review group expenses, and, in the case of a formal competition, awards or stipends for the competition finalists.

F. The applicant must work with board staff and the architectural advisers to develop a design framework document that includes:

(1) the goals and objectives of the applicant;

(2) the applicable zoning standards, project planning parameters, or design guidelines for the selected site;

(3) the proposed budget, schedule, location, site-specific conditions, and technical parameters;

(4) the plan for informing and engaging key stakeholders and members of the public during the design competition; and

(5) additional competition guidelines including the composition of the design selection group, designer qualifications, the criteria that the design selection group must use, and submission requirements.

G. In accordance with Minnesota Statutes, section 15B.21, subdivision 3, the board must provide testimony to the legislature on any commemorative artwork proposal in the Capitol area seeking legislative authorization or appropriation of funding. The applicant may be asked to testify on behalf of the applicant's proposal. This testimony must address the proposal's alignment with the Capitol mall design framework and the Comprehensive Plan for the Minnesota Capitol Area, which is incorporated by reference, is not subject to frequent change, and is available on the Capitol Area Architectural and Planning Board website.

H. Using the Capitol mall design framework and the Comprehensive Plan for the Minnesota Capitol Area incorporated by reference under item G, the board must initiate either an open solicitation for design proposals or a request for qualification process to select a designer or design concept through a design competition. The board must assemble a design review group to assist the board in selecting a designer or design concept. The design review group must include board members, board staff, architectural advisers, Minnesota Historical Society staff, designers, Department of Administration staff, the applicant, and any other members that the board determines necessary to help the board select a designer or a design concept. The design review group must review the designer or design concept applications and vote for a designer or design concept. After the design review group's vote, the board must review and approve of the design review group's process and decision to ensure that the design review group followed the procedures in The Handbook of Architectural Design Competitions, which is incorporated by reference, is not subject to frequent change, and is available on the American Institute of Architects website.

I. Upon selection of a designer and design concept by the design review group and before design and construction begin, the applicant must deposit with the Department of Administration enough money to complete the project as designed and an amount equal to 20 percent of the total estimated construction costs to cover the cost of operation, repairs, and maintenance of the work over time. Board staff are available to offer funding advice and provide testimony to the legislature but must not directly raise money for the applicant.

J. After funding is provided, board staff and advisers, a designer or an artist, an applicant committee, and a Department of Administration project manager must form a working group to monitor the design framework and budget during the schematic design and design development phases. With guidance from the working group, the selected designer must enter into a contract with the Department of Administration that includes a project timeline and budget.

K. The selected designer must proceed with the schematic design and design development phases with regular working group reviews. After receiving approval by the executive secretary of the schematic design and design development phases, the project must proceed with construction documents and bidding under the guidance of the working group. The board must issue the final approval of bid documents to comply with the Capitol mall design framework in the Comprehensive Plan for the Minnesota Capitol Area and parts 2400.2040 and 2400.2703.

Subp. 4. **Criteria for determining location of new artwork.** The board must use the following criteria to evaluate the proposed location for a commemorative artwork in the Capitol area:

A. The site of the proposed location must be visible to people nearby and accessible to all members of the public.

B. The scale of the artwork must fit the artwork's location, providing familiarity to the viewer while not being overpowering. The artwork's size must not detract from the Capitol. The board must consider the artwork's visual and spatial relationships to the artwork's surroundings.

C. The use of the site must not interfere with any existing artwork.

D. The use of the site must maintain and protect existing open space and the space's public use.

E. The location must follow all applicable zoning, environmental, code, and public safety rules and regulations.

F. The artwork must fit within the thematic organization of the Capitol grounds and the Capitol mall design framework in the Comprehensive Plan for the Minnesota Capitol Area, which is incorporated by reference in subpart 3, item G. The board must consider the site's relationship to other artwork and the Capitol.

Subp. 5. **Criteria for design of new artwork.** The board must use the following criteria to evaluate and guide the design of a proposed commemorative artwork:

A. The artwork must encourage engagement with the public and provide amenities such as seating.

B. The design and setting of an artwork must consider climatic elements like sunlight, shade, wind, and the varied Minnesota seasons.

C. An artwork must seek to enhance the beauty of the Capitol area, while respecting the State Capitol's art and architecture. An artwork must embrace a design scheme that complements the Capitol area's historic features.

D. An artwork's illumination must not compete with or distract from the sight of the Capitol. If an artwork uses evening illumination, the artwork must integrate the illumination into the artwork's design and not obstruct the view of other artwork.

E. The landscape design of an artwork must incorporate hardy, low-maintenance plantings that are not prone to overgrowth.

F. The intended message of the artwork must be clear and understandable. The artwork must convey a meaning of enduring value for future generations. The artwork may incorporate signage.

G. Materials for the artwork must be visible to people nearby, durable, and compatible with the artwork's setting. To address durability concerns, the board must give preference to an artwork made of bronze over stainless steel. The board must give preference to an artwork using stone, such as granite or limestone, for key features, vertical elements, flooring, and surfaces. If an artwork uses concrete, the board must consider the artwork's color, texture, scoring, aggregate, and density. An artwork must not include metal seating that could cause burns. If water features and in-ground lighting are included in an artwork, an applicant must deposit money into a maintenance and operating fund that is at least 20 percent of construction costs.

H. The proposed artwork must not interfere with any existing artwork. Any element of the artwork other than trees must not exceed 20 feet in height.

I. The size of the artwork must reflect the artwork's importance and adhere to the Capitol mall design framework in the Comprehensive Plan for the Minnesota Capitol Area, which is incorporated by reference in subpart 3, item G. Due to the limited open space on the Capitol grounds, the board must give preference to smaller commemorative artwork.

J. A freestanding artwork must affect the space in which the artwork stands. The size of the surrounding spatial envelope must be compatible with the scale of the artwork.

K. The artwork's design, construction, materials sourcing, and maintenance must conserve energy and water resources.

L. The design and placement of an artwork must consider contextual issues, such as the artwork's orientation and background. The artwork's height and scale must be appropriate to the artwork's location on the Capitol mall.

Subp. 6. **Conditions for modification or removal of an existing artwork.** The board must consider requests for the modification or removal of an existing commemorative artwork if one or more of the following conditions apply:

A. there has been sustained, overwhelming, and documented public objection to the artwork;

B. the artwork does not meet the guiding principles or violates parts 2400.2040 and 2400.2703;

C. the artwork has faults in construction or requires maintenance such that the Department of Administration is

unable to properly care for or store the artwork;

D. the site for the artwork is no longer safely accessible to the public or is due to be demolished; or

E. significant changes in the use, character, or design of the site require a re-evaluation of the relationship of the artwork to the site.

Subp. 7. **Application and review process for modification or removal of an existing artwork.**

A. An applicant requesting the modification or removal of a commemorative artwork in the Capitol area must submit the application form available on the board website. The board must also provide clear and accessible instructions for completing the form. When board staff receive a modification or removal request, board staff must provide written confirmation of receipt to the applicant. Board staff must not process incomplete applications and must notify the applicant if the application is incomplete.

B. Board staff must determine if the modification or removal request meets one or more of the conditions in subpart 6.

(1) If the modification or removal request meets one or more conditions in subpart 6, board staff must notify the applicant that the application has been accepted. Within 14 days of completing the review of an application for modification or removal of an existing artwork, board staff must notify the Department of Administration of the modification or removal request and post a proposal summary on the board website.

(2) If the modification or removal request does not meet any of the conditions in subpart 6, board staff must notify the applicant that the board rejected the application and the reasons for the rejection.

C. If the board executive secretary receives a complete request form and determines that the request meets one or more conditions in subpart 6 for modification or removal, the board executive secretary must convene a select commemorative artwork review committee that includes the following members appointed by the chair of the board:

(1) one board member;

(2) one architectural adviser;

(3) one person appointed by the commissioner of the Department of Administration to represent the agency;

(4) two professionals experienced in the fields of visual art, public art, art history, architecture, or history. One of the professionals must have knowledge of artwork conservation;

(5) up to five additional committee members as needed for technical expertise or to represent the public interest; and

(6) board staff that oversee and support the committee's work.

D. The commemorative artwork review committee must open a 30-day comment period and hold at least one public meeting to gather public input regarding a proposed modification or removal. The committee may also decide to hold additional public meetings or gather community input using other methods. If the applicant is no longer available, the committee must give timely notice of the public meeting to an individual or a group that shares the applicant's values or is able to represent the applicant's perspective. At least ten days in advance of the public hearing, the committee must give notice of the hearing to the applicant requesting modification or removal of the artwork. The committee must give both applicants the opportunity to testify at the public hearing.

E. The board executive secretary must prepare and post on the board website a commemorative artwork background report that includes:

(1) a written description and images of the artwork, information about and images of the artwork's site, and a warranty of the originality of the artwork;

(2) the origin, derivation, history, and past ownership of the artwork; the original acquisition method and purchase price; the original intent of the artwork by the artist or organization that advanced the artwork; and evidence of public debate, if applicable;

(3) a summary of the proposed modification or removal; and

(4) an analysis of the reasons for the proposed modification or removal and the proposal's impact on the commemorative artwork collection.

F. Board staff must provide the commemorative artwork background report to the commemorative artwork review committee for review and present the report to the public in a public hearing. Each committee member must present the committee member's views and participate in the discussion. The committee must make the committee's recommendation to the full board for a final decision. The board must determine if an additional 30-day comment period and second public hearing are necessary to gather further input. Upon making the final decision concerning the request, the board must send a written copy of the board's decision to the applicant.

G. The board executive secretary must prepare and post to the board website a report that includes:

(1) a summary of feedback received from the public hearing and any additional input gathered using other methods;

(2) opinions gathered from committee experts or other independent professionals, such as conservators, engineers, architects, critics, and safety experts who are professionally qualified to comment on the artwork and on the concern prompting review; and

(3) a detailed budget for all aspects of the modification or removal request, options for funding the request, and a recommendation on who should be responsible for funding the request.

H. If the board approves the application for modification or removal and before implementation begins, the applicant must demonstrate that funding for the project, consistent with the estimated budget, is committed. Board staff are available to offer funding advice and provide testimony to the legislature but may not directly raise money to fund the project.

I. If the board approves the request to modify an existing artwork, the board must work with the Department of Administration pursuant to Minnesota Statutes, section 15B.15, subdivision 2, paragraph (a), and the Minnesota Historical Society pursuant to Minnesota Statutes, section 15B.34, clause (3), to initiate a request for qualification or request for proposal process to select a design.

J. If the board approves of the request for the removal of an artwork, the Minnesota Historical Society must determine the final disposition of the artwork pursuant to Minnesota Statutes, section 138.68. The Minnesota Historical Society reserves the first right of refusal for removed artwork of historic value. If the Minnesota Historical Society does not accept the artwork, the artwork's disposition must be determined according to Minnesota Statutes, section 138.68.

Subp. 8. **Criteria for modification of an existing artwork.** The board must use the following criteria to evaluate requests for the modification of a commemorative artwork:

A. The proposed modification must make the artwork more welcoming and engaging to nearby and statewide communities. The applicant, with the support of board staff, must involve nearby and statewide communities in the conceptualization and development of the proposed modification.

B. The proposed modification must embrace historical complexity and create space for a productive range of responses, conversations, and interpretations.

C. The proposed modification must consider the social and cultural conditions at the time of the artwork's addition.

D. The proposed modification must prompt reflection, conversation, and awareness of the stories, perspectives, and experiences of historically marginalized or oppressed communities.

E. The proposed modification must incorporate the views of all interested groups and individuals and consider the relationship of these groups' collective history, heritage, and values to the artwork.

F. The proposed modification must create an opportunity to increase public understanding of and dialogue about Minnesota's history.

G. The proposed modification must enhance the artwork's function as a source of collective identity and belonging for all Minnesotans. The proposed modification must generate, contribute to, or enhance existing social activity in the surrounding public space.

H. The proposed modification must represent or commemorate a significant event, group, or individual in Minnesota's history.

I. The proposed modification must respect the contributions and perspectives of the artwork's creators and the group or individuals depicted in the artwork and the group's or individuals' communities.

J. The proposed modification must seek to achieve peace, reconciliation, truth, and justice for individuals, groups, and communities that are not represented or who are misrepresented in the historical record.

K. The proposed modification must acknowledge evolving social values and account for the views and needs of the contemporary community.

Subp. 9. **Criteria for evaluating removal of an existing commemorative artwork.** The board must use the following criteria to evaluate a request for the removal of an existing commemorative artwork:

A. community feedback about the artwork, the artwork's site, and the artwork's condition collected at public meetings;

B. the degree to which the artwork misrepresents the state's history or has the effect of significantly intimidating or adversely affecting a group of people;

C. the method by which the artwork was acquired and accessioned in the commemorative artwork collection, such as by donation, loan, or commission;

D. the qualifications and professional reputation of the artist, and the artwork's craftsmanship, conceptual content, style, and form;

E. the availability of necessary funding for conservation, maintenance, and repair of the artwork; exhibition and storage space; real property for siting artwork; and staff support;

F. the degree to which removal of the artwork would detract from the overall artistic and architectural integrity of the Capitol or Capitol area;

G. the artwork's style, form, scale, diversity, quantity, quality, longevity, and compatibility with the existing commemorative artwork collection, and goals of the board;

H. accessibility, public safety, and the social, cultural, historical, ecological, physical, and functional context of the artwork in relation to the site, both existing and planned;

I. issues related to liability, insurance, intellectual property rights, warranties, ownership, theft, vandalism, loss, indemnification, and public safety;

J. safety, the avoidance of emergencies caused by hazards, relevant construction schedules, and the allowance of enough time for a review process; and

K. the value of the artwork as determined by a professional appraiser.

2400.2705 STANDARDS FOR CIVIC AND INSTITUTIONAL USES.

Subpart 1. **Monuments, memorials, and commemorative ~~works~~ artwork.** Monuments, memorials, and commemorative ~~works~~ artwork structures must be approved for placement ~~under~~, modification, or removal according to part 2400.2703 and Minnesota Statutes, section 15B.05, subdivision 3.

~~A. All commemorative works for the Capitol area must meet the following objectives:~~

~~(1) to preserve the integrity of the Capitol area;~~

~~(2) to ensure that such works are appropriately designed, constructed, and located;~~

~~(3) to maintain the dignity of existing memorials;~~

~~(4) to ensure that the subject is of lasting significance to the people of the state;~~

~~(5) to reflect the diversity of the state's people and culture, yet not be partisan in nature; and~~

~~(6) to provide an enriching experience that illuminates underlying values and broadens understanding of the state's heritage and culture.~~

~~B. The commemorative work must be consistent with and meet the conditions of the following board documents:~~

~~(1) Comprehensive Plan for the State Capitol Area, 1998, as amended in 2009;~~

~~(2) Specific Actions for Implementation of the Comprehensive Plan for the State Capitol Area, February 1998; and~~

~~(3) Commemorative Works in the Capitol Area: A Framework for Initiation, Evaluation and Implementations of Commemorative Works in the Capitol Area, May 1993.~~

~~These documents are incorporated by reference and are available at the board's office and website and the State Law Library. They are not subject to frequent change.~~

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

Adopted Rules

A rule becomes effective after the requirements of *Minnesota Statutes* §§ 14.05-14.28 have been met and five working days after the rule is published in the *State Register*, unless a later date is required by statutes or specified in the rule. If an adopted rule is identical to its proposed form as previously published, a notice of adoption and a citation to its previous *State Register* publication will be printed. If an adopted rule differs from its proposed form, language which has been deleted will be printed with strikeouts and new language will be underlined. The rule's previous *State Register* publication will be cited.

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

Minnesota Board of Dentistry

Adopted Permanent Rules Relating to Professional Licensure

The rules proposed and published at State Register, Volume 46, Number 22, pages 669-674, November 29, 2021 (46 SR 669), are adopted with the following modifications:

3100.1200 DENTAL HYGIENIST.

Subp. 5. **Emeritus license.** A dental ~~therapist~~ hygenist who wishes to apply for an emeritus license may apply for an emeritus inactive license under part 3100.1340 or an emeritus active license under part 3100.1350.

Subp. 6. **Professional development.** A dental ~~therapist~~ hygenist must complete professional development requirements including maintaining a professional portfolio under parts 3100.5100 to 3100.5300.

3100.3600 ADMINISTRATION OF NITROUS OXIDE INHALATION ANALGESIA, GENERAL ANESTHESIA, DEEP SEDATION, AND MODERATE SEDATION.

Subp. 13. **Nitrous oxide inhalation analgesia; application and educational training requirements for a dental therapist.**

A. A dental therapist who administers nitrous oxide inhalation analgesia must be under the general supervision of a licensed dentist.

Subp. 14. **Nitrous oxide inhalation analgesia; application and educational training requirements for a dental hygienist.**

A. A dental hygienist who administers nitrous oxide inhalation analgesia must be under the general supervision of a licensed dentist.

Subp. 15. **Nitrous oxide inhalation analgesia; application and educational training requirements for a licensed dental assistant.**

A. A licensed dental assistant who administers nitrous oxide inhalation analgesia must be under the direct supervision of a licensed dentist.

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 22-02: Preparing Resources to Provide Public Safety Assistance

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 federal trial of three former Minneapolis police officers involved in the death of George Floyd is underway in Saint Paul. Those same former officers face a trial in state court later this year. In anticipation of these trials, local officials have been in communication with state officials about state support during any related civil unrest threatening public safety.

As part of ongoing planning activities, and to ensure optimal readiness in the case of changes to the public safety environment, the Mayor of Saint Paul has requested state assistance, including the Minnesota National Guard. The National Guard can assist with preparation and planning activities in support of local and state law enforcement and emergency management agencies. The National Guard can also support local law enforcement efforts to protect life and property, ensure public safety, and protect freedom of speech by allowing for peaceful demonstrations. Pursuant to the Minnesota Emergency Operations Plan, the National Guard should undertake such public safety activities only where local law enforcement resources have been exhausted. Bringing personnel, equipment, and facilities to state active duty will allow the National Guard to continue to assist with preparation and planning work with state and local partners. It will also allow the National Guard to quickly be ready to support law enforcement activities as needed to prevent threats to public safety.

For these reasons, I order as follows:

1. The Adjutant General will order to state active duty the personnel, equipment, and facilities needed to coordinate and support public safety and security services in the City of Saint Paul and communities across the State of Minnesota, at a time deemed appropriate by the Adjutant General in consultation with the Governor and for such period of time as necessary to coordinate and support public safety and security services.

2. The Adjutant General is authorized to procure the goods and services needed to accomplish the mission.

3. The costs of this assistance will be paid from the general fund as allowed by Minnesota Statutes 2021, section 192.52.

This Executive Order is effective immediately under Minnesota Statutes 2021, section 4.035, subdivision 2, and it will remain in effect until it is rescinded by proper authority or December 31, 2022, whichever occurs first.

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 February 4, 2022.

Executive Orders

Tim Walz
Governor

Filed According to Law:

Steve Simon
Secretary of State

Official Notices

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

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

Investment Advisory Council
Official Meeting Notice

The Investment Advisory Council of the Minnesota State Board of Investment will meet on Monday, February 14, 2022 at 12:00 p.m. via Teleconference or Video Conference.

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***.

Minnesota Department of Labor and Industry
Construction Codes and Licensing Division
REQUEST FOR COMMENTS on Possible Amendments to Rules Governing the Adoption of *ASCE/SEI 24-14 Flood Resistant Design and Construction*, *Minnesota Rules*, Chapter 1335; Revisor's ID Number R-04735

Subject of Rules. The Minnesota Department of Labor and Industry ("Department") requests comments on its possible amendments to *Minnesota Rules*, chapter 1335, *Floodproofing*. Existing *Minnesota Rules,* chapter 1335, incorporates by reference sections 100 to 1406 of the 1972 edition of the U.S. Army Office of the Chief Engineers' *Flood Proofing Regulations* ("FPR"), with amendments. The FPR incorporated by reference in existing chapter 1335 has not been updated since 1972 and is inconsistent with current Minnesota Department of Natural Resources ("DNR") floodplain management practices and Federal Emergency Management Agency ("FEMA") guidance, as well as modern methods and techniques for flood resistant design and construction of residential and commercial buildings located in flood hazard areas. The Department is considering rule amendments that will delete reference to the 1972 FPR and replace it by incorporating by reference the 2014 edition of *ASCE/SEI 24-14 Flood Resistant Design and Construction* ("ASCE 24"), with amendments, and any other amendments necessary to administer and enforce floodproofing regulations in the State of Minnesota. The proposed adoption of ASCE 24 in chapter 1335 will provide for improved consistency between the Minnesota State Building Code, DNR floodplain management practices, and FEMA regulations and guidance for newly built structures in Minnesota's floodplains. It will also tend to lower the cost of residential and commercial construction in these flood hazard areas by allowing for more modern methods and techniques utilized in flood resistant design for homes and commercial buildings.

Persons Affected. The amendment to the rules would likely affect building officials, floodplain administrators, building inspectors, building contractors, architects, engineers, installers, homeowners and building owners/managers of new structures and existing structures undergoing alteration, addition, or substantial improvement, built in floodplain hazard areas, and the general public.

Statutory Authority. *Minnesota Statutes*, section 326B.02, subdivision 5, authorizes, in part, the Commissioner of the Department of Labor and Industry ("Commissioner") to adopt, amend, suspend, and repeal rules relating to the Commissioner's responsibilities under Chapter 326B, except for rules for which the rulemaking authority is expressly transferred to the Plumbing Board, the Board of Electricity, or the Board of High Pressure Piping Systems.

Minnesota Statutes, section 326B.101 requires, in part, that the Commissioner "administer and amend a state code of building construction which will provide basic and uniform performance standards, establish reasonable safeguards for health, safety, welfare, comfort, and security of the residents of this state and provide for the use of modern methods, devices, materials, and techniques which will in part tend to lower construction costs."

Minnesota Statutes, section 326B.106, subdivision 1, requires, in part, that the Commissioner "shall by rule and in consultation with the Construction Codes Advisory Council establish a code of standards for the construction, reconstruction, alteration, and repair of buildings, governing matters of structural materials, design and construction, fire protection, health, sanitation, and safety, including design and construction standards regarding heat loss control, illumination, and climate control." That statutory provision also requires that the code "include duties and responsibilities for code administration, including procedures for administrative action, penalties, and suspension and revocation of certification. The code must also conform insofar as practicable to model building codes generally accepted and in use throughout the United States, including a code for building conservation."

Public Comment. Interested persons or groups may submit comments or information on these possible rules in writing until further notice is published in the *State Register* that the Department intends to adopt or to withdraw the rules. The Department will not publish a notice of intent to adopt the rules until more than 60 days have elapsed from the date of this request for comments.

If you believe that the possible rule amendments would require your local unit of government to adopt or amend an ordinance or other local regulation to comply with the proposed rules, the Department requests that you provide information about the ordinance or regulation to the Agency Contact person listed below. Additionally, the agency requests any information pertaining to the cumulative effect of this rule with other federal and state regulations related to the specific purpose of the rule. Cumulative effect means the impact that results from incremental impact of the proposed rule in addition to the other rules, regardless of what state or federal agency has adopted the other rules.

The Department is also interested in determining whether the cost of complying with the rule in the first year after the rule takes effect will cost or exceed $25,000 for any small city or small business under *Minnesota Statutes*, section 14.127, subdivision 1. A small city is a statutory or home rule charter city that has less than ten full-time employees and a small business means a business that has less than 50 full-time employees.

Rules Drafts. The Department has not yet drafted the possible rule amendments and does not anticipate that a draft of the proposed rule amendments will be available before the publication of any notice of intent to adopt the proposed rules.

Agency Contact Person. Written comments, questions, and requests for more information on these possible rules should be directed to: Amanda Spuckler at the Minnesota Department of Labor and Industry, 443 Lafayette Road N., St. Paul, MN 55155, phone (651) 284-5006, and email to: ***dli.rules@state.mn.us***.

Alternative Format. Upon request, this information can be made available in an alternative format, such as large print, braille, or audio. To make such a request, please contact the Agency Contact person at the address, email or telephone number listed above.

NOTE: Comments received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge if and when a proceeding to adopt rules is started. The agency is required to submit to the judge only those written comments received in response to the rules after they are proposed. If you submitted comments during the development of the rules and you want to ensure that the Administrative Law Judge reviews the comments, you should resubmit the comments after the rules are formally proposed.

Date: 1/24/2022

Roslyn Robertson, Commissioner
MN Department of Labor and Industry

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

Disability Services Division

Notice of Request for Proposals for Grantee to Provide Innovative Solutions for People with Disabilities to Achieve Integrated Life Outcomes

The Minnesota Department of Human Services (DHS or State) is requesting proposals from qualified Responders to support innovative strategies to improve outcomes for people with disabilities, with priority for proposals serving people eligible for or receiving Home and Community Based Services. This RFP includes three programs: a) Innovation Grant Program, b) Individualized Grant Program, and c) Employment Provider Transition funds. Responders may choose to apply to individual or multiple programs, each requiring a separate application.

DHS is seeking proposals for the grant period June 1, 2022 until May 31, 2024 (with the exception of the Employment Provider Transitions funds which will end March 31, 2024).

For more information contact:

Gaoly Yang
Department of Human Services
Disability Services Division
dsd.innovation@state.mn.us

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

To obtain this information in a different format, please email ***Emily.Waymire@state.mn.us***.

Proposals submitted in response to this Request for Proposals (RFP) must be received through DSD's online grant management system listed in the RFP no later than **4:00 p.m., Central Time, on March 16, 2022. 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.

Minnesota Department of Transportation (MnDOT)

Office of Civil Rights

Request for Proposals for Micro Grant

MnDOT requests responses from certified small businesses who are seeking financial assistance for eligible expenses that increase their business capacity and/or industry knowledge to assist in their pursuit of MnDOT projects/contracts.

Responses must be received no later than 2:00 p.m. Central Standard Time on April 29, 2022 or until funding is exhausted. Late responses will not be considered.

To view the RFP go to: ***https://www.dot.state.mn.us/civilrights/rfps.html***.

For more information, visit: ***https://www.dot.state.mn.us/civilrights/micro-grant.html.***

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 Administration

Notice of Availability of Request for Proposal (RFP) for Designer Selection for: Minnesota Department of Veteran Affairs - Renovate Building 16 - RECS project No. 75MP0098 (SDSB Project # 21-11)

The State of Minnesota, acting through Department of Administration through the State Designer Selection Board, is soliciting proposals from interested, qualified consultants for architectural and engineering design services for the above referenced project.

A full Request for Proposals is available on the Minnesota Department of Administration's website at ***https://mn.gov/admin/government/construction-projects/sdsb/projects/*** (click SDSB Project #21-11).

A **mandatory** informational meeting will be held on **Thursday February 17, 2022, at 10:00am CT at the Minneapolis Veteran's Home 5101 Minnehaha Ave, Minneapolis, MN 55417, Building 16 – see Exhibit A for map**. The meeting will include a tour of the proposed project areas and a review of the scope of work. Please ensure you check in the day of the site visit with Marque Garczynski, RECS Project Manager. **Pre-registration is required.**

Please pre-register as early as possible, but no later than **2:30pm Wednesday, February 16, 2022**. Pre-registration requests can be sent to Marque Garczynski ***marque.garczynski@state.mn.us***.

Any project questions should be directed to Erin Fogerty-Miller ***erin.fogerty-miller@state.mn.us***. Project questions will be taken by this individual only. Questions regarding this RFP must be received by **2:00pm CT Monday, February 21, 2022.**

Proposals must be delivered to ***SDSB.Proposals.ADM@state.mn.us*** not later than Monday, **February 28, 2022, by 12:00 noon CT**. Late responses will not be considered.

The Department of Administration is not obligated to complete the proposed project and reserves the right to cancel the solicitation if it is considered to be in its best interest.

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)
Lake Superior College
Request for Proposals for Salesforce Implementation Partner

NOTICE IS HEREBY GIVEN that proposals are being solicited for a Salesforce student life cycle implementation partner. The vendor will be handling the technical development and implementation of the automation and data necessary to support students and staff from registration through graduate follow-up.

For additional information or to request a copy of the Request for Proposal, please contact:

Mike Francisco, Purchasing
Lake Superior College
2101 Trinity Road, Duluth MN 55811
P: 218-733-5968 E: ***purchasing@lsc.edu***

The RFP can also be found at ***https://www.lsc.edu/rfp/*** . Proposals are due at the Lake Superior College Business Office on Tuesday, February 22nd , 2022 by 4:00pm CST.

This notice and the Request for Proposal do not obligate the State of Minnesota, Minnesota State Colleges and Universities or Lake Superior College to award a contract; and reserves its right to withdraw from the RFP if it is considered to be in its best interest.

Minnesota Historical Society (MNHS)

Request for Proposals for Architect/Design Services for Master Planning – Minnesota History Center

Minnesota History Center
345 Kellogg Boulevard West
Saint Paul, MN 55102

The Minnesota Historical Society (MNHS) is soliciting proposals from qualified consultants to work collaboratively with MNHS to lead a Master Planning effort focusing on the core functions of the Minnesota History Center (MHC). In order to more effectively and comprehensively conduct this work, the Study will include analysis of two other buildings with overlapping administrative and program operations; the Kellogg Center (KLG) and 1500 Mississippi Warehouse (MIS), both of which are also located in St. Paul, MN.

The Request for Proposal and other documents are available by contacting Mary Green Toussaint, Contract and Purchasing Manager, Minnesota Historical Society, by email only: ***mary.green-toussaint@mnhs.org***

There will be a **MANDATORY** pre-bid meeting for all interested parties on **TUESDAY, FEBRUARY 22, 2022, at 1:00 PM Local Time** at the Minnesota History Center, 345 Kellogg Boulevard West, Saint Paul, MN 55102.

Attendees are required to follow current MNHS Covid safety measures, including wearing a mask during the pre-bid meeting.

All bids must be received in .pdf form by Mary Green Toussaint, Contract and Purchasing Manager, at ***mary.green-toussaint@mnhs.org*** - .pdf format only, no later than **2:00 PM Local Time WEDNESDAY, MARCH 9, 2022.** Due to the ongoing pandemic, there will be no public bid opening.

Department of Human Rights

Request for Proposals for Consultant for MDHR's Findings and Consent Decree Phase of its Investigation of the Minneapolis Police Department

PROJECT NAME: Consultant for MDHR's Findings and Consent Decree Phase of its Investigation of the Minneapolis Police Department

DETAILS: The Minnesota Department of Human Rights (MDHR) requests proposals to provide support to MDHR during the findings and potential consent decree phase of MDHR's investigation into possible racial discrimination by the Minneapolis Police Department. On June 1, 2020, MDHR launched its pattern or practice investigation into possible racial discrimination by the City of Minneapolis and the Minneapolis Police Department (MPD). MDHR is approaching the end of its extensive investigation and in the coming months will release Findings in this case. If MDHR finds probable cause of discrimination, the Department will seek to negotiate a consent decree (settlement) in this case. The responder will provide expertise in engaging with community members in support of MDHR's work, to ensure that MDHR staff any has information about community ideas, concerns, and needs. The responder will work closely with MDHR's Commissioner, Deputy Commissioner, and other staff in support of their work during this phase of the investigation.

Work is anticipated to start after March 1, 2022

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

Scott Beutel
Assistant Commissioner
scott.beutel@state.mn.us

PROPOSAL DEADLINE: Proposals in response to the Request for Proposals in this advertisement must be received by email to scott.beutel@state.mn.us not later than **9:00 A.M., Central Time, February 28, 2022. Late proposals will not be considered.** Mailed or faxed proposals will not be considered.

This request does not obligate the State of Minnesota to award a contract or complete the proposed program, and the State reserves the right to cancel this solicitation if it is considered in its best interest. All costs incurred in responding to this solicitation will be borne by the responder.

Minnesota State Lottery
Request for Proposals for Sponsorship Agreements

Description of Opportunity

The Minnesota State Lottery develops sponsorship agreements throughout the year with organizations, events, and sports teams to create excitement for lottery players, to interest new players and increase the visibility of lottery games. The Lottery encourages and continually seeks new sponsorship agreements to help achieve current Lottery marketing goals.

Proposal Content

A sponsorship proposal presented to the Lottery should meet the following three criteria:

1. Maximize Lottery Visibility – the event, sports or tie-in proposal should draw a large number of desired participants (typically 50,000 or more) whose demographics match the Lottery player profile. The Lottery is interested in effectively delivering its message of fun and entertainment to Minnesota adults whose demographics skew primarily towards those aged 25-64, with a household income of $35,000-$75,000, and having an educational background of some college or higher. The Lottery does not market to those under the age of 18, and family events with high levels of children present are generally not accepted. Attendance, on-site signage visibility and paid media exposure will be critical components that will be evaluated.

2. Enhance Lottery Image- – the event, sports or tie-in proposal should inherently project the attitude that the Lottery is a fun and socially acceptable part of the community. The Lottery's presence should fit well within the lineup of other sponsors. The Lottery is interested in creating opportunities whereby the sponsorship can translate into sales revenue, either via on-site sales from a Lottery booth, from sales-generating promotions with Lottery retailers or from joint programs with the sponsor's media partners.

3. Provide Promotional Extensions – the event, sports or tie-in proposal should offer exciting, value-added ways to interact with our players and have opportunities to motivate attendees, listeners and viewers to participate in and purchase Lottery games. The proposal must include proper staffing availability or other considerations to help the Lottery implement any appropriate promotional extension ideas.

Proposals should address all pertinent elements of the sponsorship and how the Lottery criteria as stated above and on the Evaluation Form are to be met. To view or print copies of the Request for Proposal go to ***http://www.mnlottery.com/vendorops.html***

This Solicitation does not obligate the state to award a contract or pursue a proposed sponsorship opportunity, and the state reserves the right to cancel the solicitation if it is considered to be in its best interest.

Questions

Questions concerning this Solicitation should be directed to:

Jason LaFrenz, Marketing Director
Minnesota State Lottery
2645 Long Lake Road
Roseville, MN 55113
Telephone: (651) 635-8230
Toll-free: 1-888-568-8379 ext. 230
Fax: (651) 297-7496
TTY: (651) 635-8268
E-mail: ***jasonla@mnlottery.com***

Other personnel are not authorized to answer questions regarding this Solicitation.

Response Delivery
All responses must be in writing and delivered to the contact noted above. Proposals will be accepted on an ongoing basis.

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/*.

Metropolitan Airports Commission (MAC)

Notice of Call for Bids for 2022 Parking Structure Rehabilitation & 2022 Parking Ramp Railing Refinishing

Airport Location:	**Minneapolis-St. Paul International Airport**
Project Name:	**2022 Parking Structure Rehabilitation & 2022 Parking Ramp Railing Refinishing**
MAC Contract No.:	**106-3-657 & 106-3-658**
Bids Close At:	**2:00 p.m. Tuesday, February 15, 2022**
Bid Opening At:	**3:00 p.m. Tuesday, February 15, 2022 via teleconference**
Teleconference Dial In #:	**+6124056798**
Conference ID #:	**6810900675#**

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.

2022 Parking Structure Rehabilitation includes miscellaneous concrete repairs, expansion joint replacement, construction joint rehabilitation, water repellant placement, floor drain replacement, parking stall striping, aluminum storefront, miscellaneous plumbing repairs, and miscellaneous electrical work.

2022 Parking Ramp Railing Refinishing includes removing existing railings from the parking structure, installing temporary fence, blasting and repairing railings at an off-site facility, steel fabrications, blasting and repainting railing posts in place, and reinstalling the railings.

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

Bid Security: Each bid shall be accompanied by a "Bid Security" in the form of a certified check made payable to the MAC in the amount of not less than five percent (5%) of the total bid, or a surety bond in the same amount, running to the MAC, with the surety company thereon duly authorized to do business in the State of Minnesota.

Availability Of Bidding Documents: Bidding documents are on file for inspection at the QuestCDN website indicated below and at the Minnesota Builders Exchange; Dodge Data and Analytics; and NAMC-UM Plan Room.

Bidders desiring bidding documents for personal use may secure a complete digital set at ***http://www.questcdn.com***. Bidders may download the complete set of digital bidding documents for $15.00 by entering eBidDoc™ **#8054059** in the "Search Projects" page. Contact Quest Construction Data Network at (952) 233-1632 or ***info@questcdn.com*** for assistance. Hard copy bidding documents 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 January 31, 2022, at the following: ***Solicitations | Metropolitan Airports Commission (metroairports.org)***.

Certificates of Assumed Name

Minnesota Statutes Chapter 333 requires the filing of an assumed name with the Secretary of State. This filing does not protect a users exclusive right to that name. The filing is required as a consumer protection, in order to enable consumers to be able to identify the true owner of a business. For more information, or to register an assumed name contact the Secretary of State, Business Services Division at the ***Secretary of State's Website***.

Office of the Minnesota Secretary of State

Certificate of Assumed Name Second Publication – Cinch Auto Finance

Assumed Name: Cinch Auto Finance

Principal Place of Business: 3820 Mansell Road, Suite 140, Alpharetta, GA 30022, United States

Nameholder(s) and address: The Credit Union Loan Source, LLC, 3820 Mansell Road, Suite 140, Alpharetta, GA 30022

By typing my name, I, the undersigned, certify that I am signing this document as the person whose signature is required, or as agent of the person(s) whose signature would be required who has authorized me to sign this document on his/her behalf, or in both capacities. I further certify that I have completed all required fields, and that the information in this document is true and correct and in compliance with the applicable chapter of Minnesota Statutes. I understand that by signing this document I am subject to the penalties of perjury as set forth in Section 609.48 as if I had signed this document under oath.

Signed by: Allison Morle

Date filed: 01/14/2021

Office of the Minnesota Secretary of State

Certificate of Assumed Name – Herschel House

Assumed Name: Herschel House

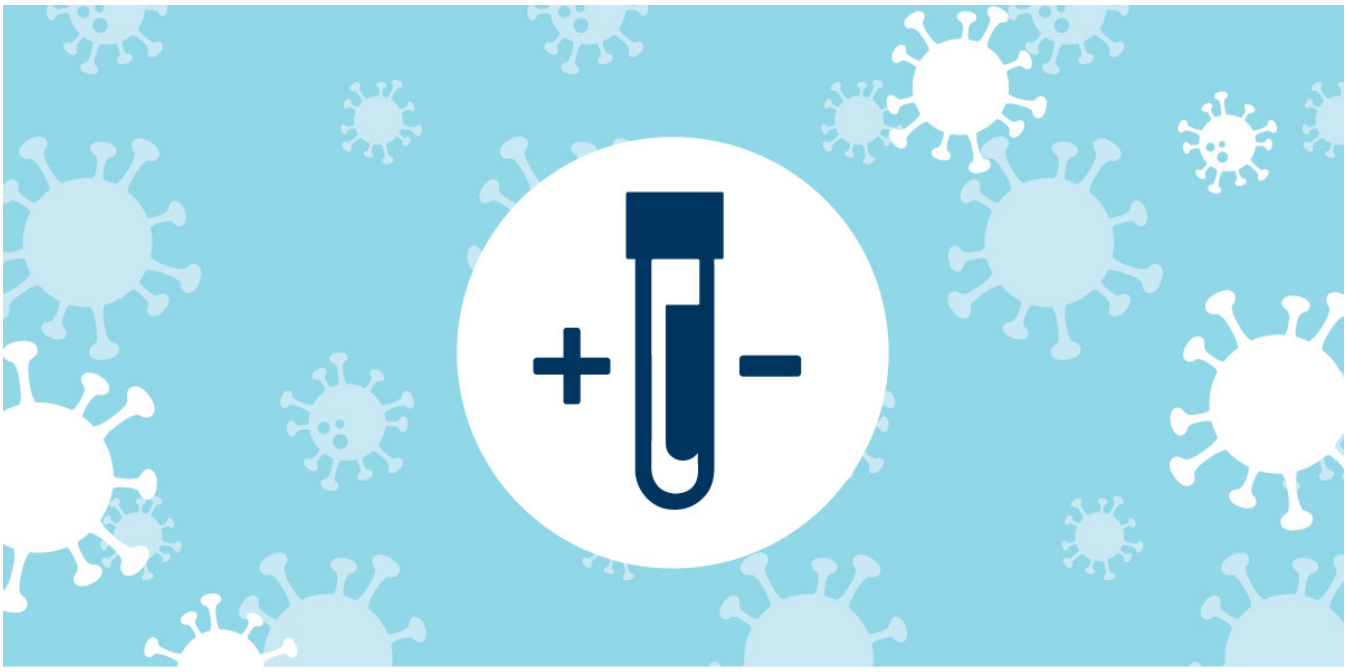
Principal Place of Business: 466 Herschel St, St. Paul, MN 55014, United States

Nameholder(s) and address: Miguel Ricardo Briseno and Nadia Iman Effendi, 2301 Silver Ridge Ave, Los Angeles, CA 90039

By typing my name, I, the undersigned, certify that I am signing this document as the person whose signature is required, or as agent of the person(s) whose signature would be required who has authorized me to sign this document on his/her behalf, or in both capacities. I further certify that I have completed all required fields, and that the information in this document is true and correct and in compliance with the applicable chapter of Minnesota Statutes. I understand that by signing this document I am subject to the penalties of perjury as set forth in Section 609.48 as if I had signed this document under oath.

Signed by: Miguel Ricardo Briseno and Nadia Iman Effendi

Date filed: 1/31/2022



Testing remains important.
For Everyone.

Vaccinated + Unvaccinated.

STAY SAFE MN