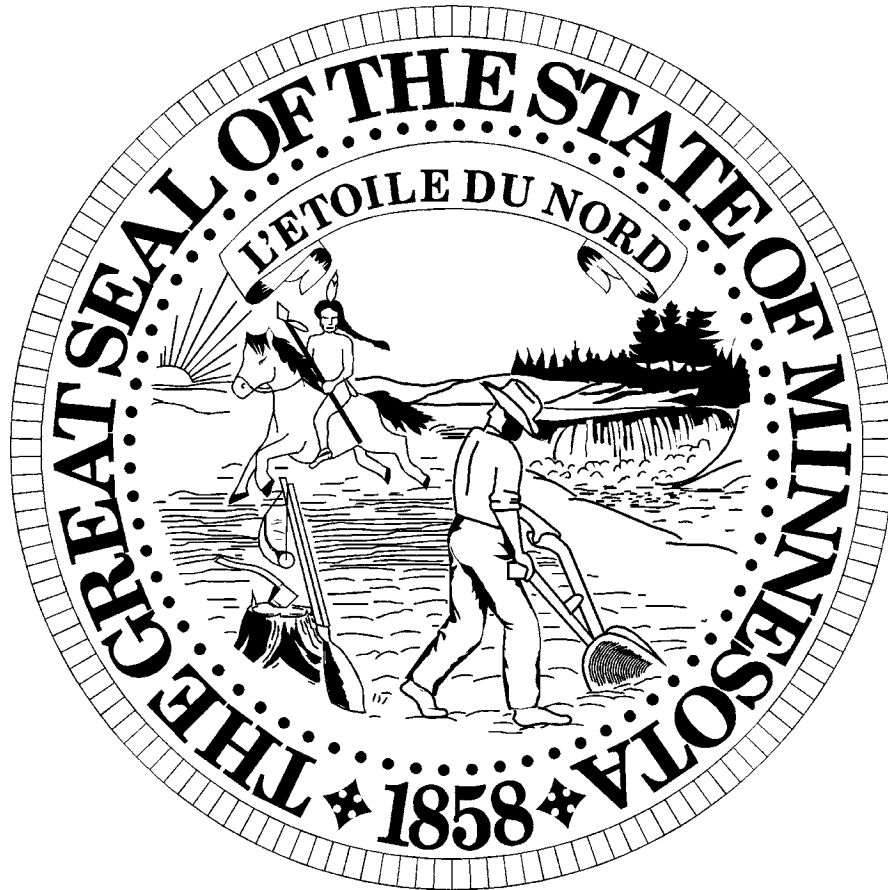


Minnesota State Register

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**Proposed, Adopted, Emergency, Expedited, Withdrawn, Vetoed Rules;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 7 November 2022
Volume 47, Number 19
Pages 417 - 448**

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- Withdrawn Rules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. 47 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)
#20	Monday 14 November	Noon Tuesday 8 November	Noon Thursday 3 November
#21	Monday 21 November	Noon Tuesday 15 November	Noon Thursday 10 November
#22	Monday 28 November	Noon MONDAY 21 November	Noon Thursday 17 November
#23	Monday 5 December	Noon Tuesday 29 November	Noon Thursday 24 November

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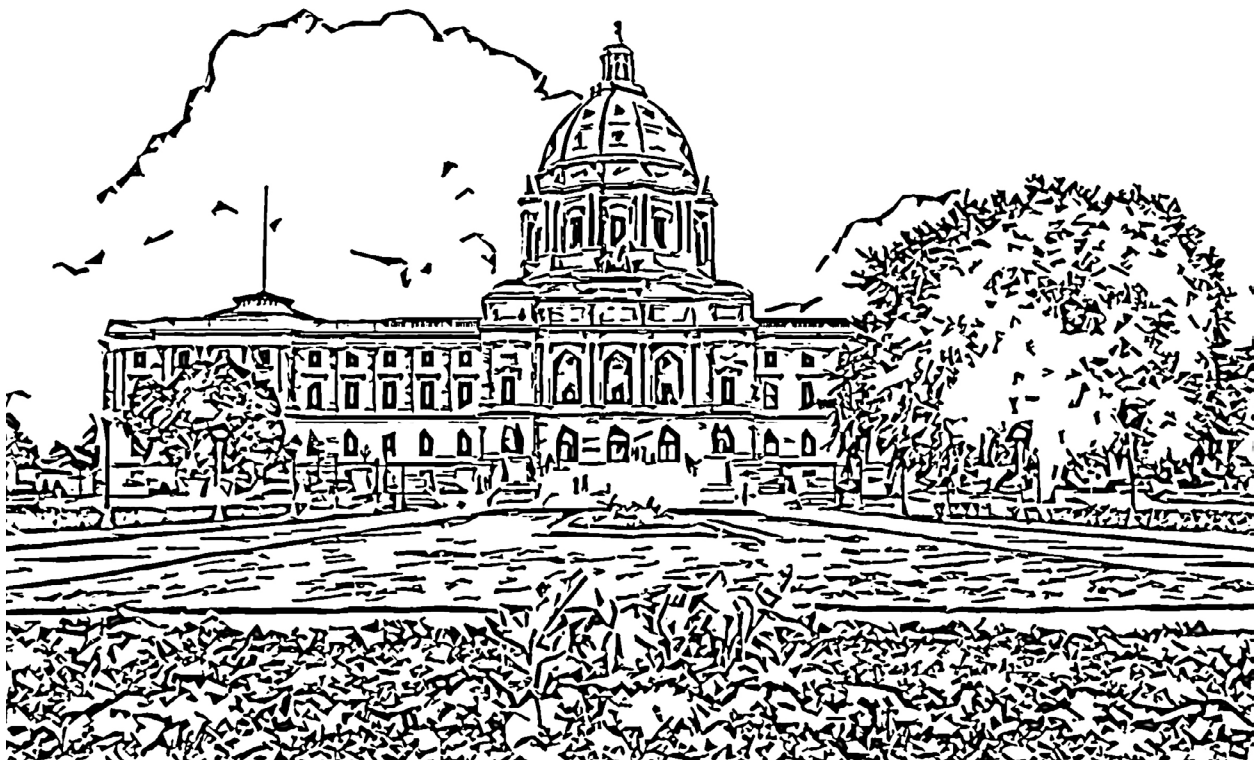
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NOTICE: How to Follow State Agency Rulemaking in the State Register

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

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

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

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

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

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

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

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

Board of Behavioral Health and Therapy

Proposed Permanent Rule to Modify Licensing Requirements; Notice of Intent to Adopt Rules without a Public Hearing

Proposed Amendments to Rules Governing the Licensure, Supervision, and Practice of Professional Counselors and Professional Clinical Counselors, *Minnesota Rules*, Chapter 2150; Revisor’s ID Number 4697

Amendments to:

- Minn. R. 2150.0060 Notice of License Renewal
- Minn. R. 2150.0070 Applying for Renewal of License
- Minn. R. 2150.0110 Termination for Nonrenewal
- Minn. R. 2150.0130 Relicensure Following Termination
- Minn. R. 2150.0140 Cancellation of License
- Minn. R. 2150.0150 Jurisdiction
- Minn. R. 2150.0160 Inactive Licenses
- Minn. R. 2150.2520 Initial Requirement
- Minn. R. 2150.2540 Criteria for Approval of Continuing Education Activities
- Minn. R. 2150.2580 Additional Sources of Continuing Education Credit
- Minn. R. 2150.5000 Predegree Supervised Field Experience

Proposed Rules

Minn. R. 2150.5010 Postdegree Supervised Professional Practice
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Minn. R. 2150.7510 Competent Provision of Services
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Minn. R. 2150.7575 Presentation to Public
Minn. R. 2150.7585 Aiding and Abetting Unlicensed Practice
Minn. R. 2150.7590 Violation of Law
Minn. R. 2150.7605 Complaints to Board

Repeal of:

Minn. R. 2150.2560 Individual Licensee's Application for Approval [Repealed]

Introduction. The Minnesota Board of Behavioral Health and Therapy ("Board") intends to adopt rules without a public hearing following the procedures in the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28.

Board Contact Person. The agency contact person is:

Samantha Strehlo, Executive Director
Minnesota Board of Behavioral Health and Therapy
335 Randolph Avenue, Suite 290
Saint Paul, Minnesota 55102
phone: 651.201.2758
fax: 651.797.1374
email: samantha.strehlo@state.mn.us.

Subject of Rules. The mission of the Minnesota Board of Behavioral Health and Therapy ("Board") is to protect the public through effective licensure and enforcement of the statutes and rules governing its licensees to ensure a standard of competent and ethical practice. The Board has licensed and regulated the practice of professional counselors ("LPCs") since the Board's inception in 2003

In 2007, the legislature granted the Board statutory authority to license and regulate the practice of professional clinical counselors ("LPCCs"). At the time, the Board interpreted its rules in compliance with *Minnesota Statutes* §148B.5301, subd. 6, which stated that LPCCs "are subject to the board's statutes and rules to the same extent" as LPCs.

During the 2022 legislative session, the Minnesota Legislature amended *Minnesota Statutes* §§ 148B.33 and 148B.5301, subd. 2(c) to allow for supervision hours for LPCs and LPCCs to be completed "through real-time, two-way interactive audio and visual communication." 2022 Session Laws, Ch. 98, Art. 3, Sec. 2.

The Board now seeks to revise its rules to expressly incorporate LPCCs and the 2022 statutory changes, to make technical changes that reflect the Board processes and procedures and that incorporate language amendments suggested by the Minnesota Office of the Revisor of Statutes, and to expand opportunities for coursework and continuing education credit for licensees.

A copy of the proposed rules is published in the State Register and on the Board's website at:
<http://mn.gov/boards/behavioral-health/news/board-news>

Statutory Authority. *Minnesota Statutes* section 148B.52 authorizes the Board to do the following:

(1) establish by rule appropriate techniques, including examinations and other methods, for determining whether applicants and licensees are qualified under sections 148B.50 to 148B.593;

Proposed Rules

(2) establish by rule standards for professional conduct, including adoption of a Code of Professional Ethics and requirements for continuing education and supervision;

...

(4) establish by rule standards for initial education including coursework for licensure and content of professional education;

...

(8) periodically evaluate its rules in order to refine the standards for licensing professional counselors and to improve the methods used to enforce the board's standards.

Minnesota Statutes § 148B.52(a)(1), (2), (4), and (8) (2020). Additionally, *Minnesota Statutes* section 214.12, subdivision 1, authorizes all health licensing boards to promulgate by rule continuing education requirements. As noted above, *Minnesota Statutes* sections 148B.33 and 148B.5301 now allow for supervision hours to be completed through "real-time, two-way interactive audio and visual communication."

Public Comments. Interested persons or groups may submit comments or information on these rules before 4:30 p.m. on December 9, 2022, to the Office of Administrative Hearings Rulemaking eComments website at: <https://minnesotaoah.granicusideas.com/discussions>

All comments must be in writing and be received on the OAH eComments website before the due date. The Board encourages comment. Comments should identify the portion of the proposed rules addressed, the reason for the comment, and, if applicable, any change proposed. Any comments about the legality of the proposed rules must also be made during this comment period.

Request for a Hearing. In addition to submitting comments, commentors may also request that the Board hold a hearing on the rules. The request must be made on the OAH eComments website listed above and before the deadline listed above. The written request for a public hearing must include the name and address of each person requesting the hearing. The written request must identify the portion of the proposed rules that are objected to or include a statement that the entire set of rules is opposed. Any request that does not comply with these requirements is not valid and the Board cannot count it when determining whether it must hold a public hearing.

Withdrawal of Requests. If 25 or more persons submit a valid written request for a hearing, the Board will hold a public hearing unless enough persons withdraw their requests in writing. If enough requests for hearing are withdrawn to reduce the number below 25, the Board must give written notice of this to all persons who requested a hearing, explain the actions the agency took to cause the withdrawal, and ask for written comments on this action. If a public hearing is required, the agency will follow the procedures in *Minnesota Statutes*, sections 14.131 to 14.20.

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 Board contact person at the address or telephone number listed above.

Modifications. The Board may modify the proposed rules as a result of public comment. The modifications must be supported by comments and information submitted to the Board, and the adopted rules may not be substantially different than these proposed rules, unless the Board follows the procedure under *Minnesota Rules*, part 1400.2110. If the proposed rules affect you in any way, the Board encourages you to participate in the rulemaking process.

Statement of Need and Reasonableness. The statement of need and reasonableness statement contains a summary of the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. It is available from the Board's contact person and on the Board's website at: <http://mn.gov/boards/behavioral-health/news/board-news>

Please contact the Board contact person to obtain copies at the cost of reproduction.

Lobbyist Registration. *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. Please direct questions about this requirement to the Campaign Finance and Public

Proposed Rules

Disclosure Board at: Suite 190, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, telephone (651) 539-1180 or 1-800-657-3889.

Adoption and Review of Rules. If no hearing is required, the Board may adopt the rules after the end of the comment period. The Board will submit the rules and supporting documents to the Office of Administrative Hearings for review for legality. Interested persons may ask to be notified of the date the Department submits the rules to the office. If you want to be so notified, to receive a copy of the adopted rules, or to register with the Board to receive notice of future rule proceedings, submit your request to the Board contact person listed above.

Date: October 1, 2022

Samantha Strehlo
Executive Director

2150.0060 NOTICE OF LICENSE RENEWAL.

The board ~~shall must~~ mail ~~an application for~~ or e-mail a notice of license renewal to a licensee at least 45 days before the expiration date of the license. ~~In the alternative, upon the licensee's election, the board shall send the application via e-mail.~~ Placing the ~~application for~~ notice of license renewal in first class United States mail, addressed to the licensee at the licensee's last known mailing address with postage prepaid, constitutes valid mailing. Sending the ~~application~~ notice via e-mail to the licensee's last known e-mail address on file also constitutes valid notification. Failure to receive the ~~renewal documents~~ notice by either means does not relieve a license holder of the obligation to renew a license or to pay the renewal fee.

2150.0070 APPLYING FOR RENEWAL OF A LICENSE.

~~In order~~ To renew a license, a licensee must submit a completed; signed or electronic application for license renewal, with the required, nonrefundable license renewal fee as specified by Minnesota Statutes, section 148B.53, subdivision 3, clause (2), payable to the Board of Behavioral Health and Therapy. The application must be postmarked or received by the board by the end of the day on which the license expires, or the following business day if the expiration date falls on a Saturday, Sunday, or holiday. An application ~~which that~~ is not completed or signed; or ~~which that~~ is not accompanied by the correct fee; is void; and must be returned to the licensee.

2150.0110 TERMINATION FOR NONRENEWAL.

Subpart 1. **Notice.** Within 30 days after the renewal date, a licensee who has not renewed the license ~~shall must~~ be notified by ~~registered or certified~~ the board via letter sent to the last known address of the licensee in the board's file that the renewal is overdue and that failure to pay the current fee and current late fee within 60 days after the renewal date will result in termination of the license. A second notice must be sent by the board at least seven days before a board meeting occurring 60 days or more after the renewal date to each licensee who has not remitted the renewal fee and late fee.

Subp. 2. **Termination.** The board ~~shall must~~ terminate the license of a licensee whose license renewal is at least 60 days overdue and to whom notification has been sent as provided in subpart 1. Failure of a licensee to receive notification is not grounds for later challenge of the termination. The board must notify the former licensee ~~shall be notified~~ of the termination by ~~registered or certified~~ letter within seven days after the board action, in the same manner as provided in subpart 1.

2150.0130 RELICENSURE FOLLOWING TERMINATION.

Subpart 1. **Relicensure.**

A. For ~~a period of~~ two years, a former licensee whose license has been voluntarily terminated or terminated for nonrenewal as provided in part 2150.0110 or 2150.0120 may be relicensed after complying with all laws and rules required of applicants for examination and licensure and verifying that the former licensee has not engaged in the practice of professional counseling or professional clinical counseling in this state since the date of termination. The verification must be accompanied by a notarized affirmation that the statement is true and correct to the best knowledge and belief of the former licensee.

Proposed Rules

B. The fee for relicensure following termination is the licensure fee in effect at the time of application for relicensure, ~~and under Minnesota Statutes, section 148B.53, subdivision 3.~~ Rules governing relicensure are the rules in effect at the time the initial license was granted.

Subp. 2. Continuing education for relicensure.

A. A former licensee seeking relicensure after license termination but before the expiration of four years after the date of initial licensure must provide the board evidence of having completed at least 20 hours of continuing education activities for each year, or portion thereof, that the former licensee did not hold a license.

B. If a former licensee seeks relicensure more than four years after the initial date of licensure and has not previously reported all continuing education graduate credits required under Minnesota Statutes, section 148B.54, subdivision 2, the former licensee must report any remaining graduate credits as part of the hours required in item A.

C. If a former licensee seeks relicensure more than four years after the initial date of licensure and has not completed continuing education graduate credits, the former licensee must request a variance from the board in accordance with part 2150.2660.

2150.0140 CANCELLATION OF LICENSE.

The board ~~shall~~ must cancel and must not renew, reissue, reinstate, or restore ~~the a~~ license of ~~a former licensee which that~~ was terminated for nonrenewal; or voluntarily terminated; and for which relicensure was not sought for more than two years from the date the license was terminated for nonrenewal; or voluntarily terminated. A former licensee seeking relicensure after this two-year period must obtain a new license by applying to the board for licensure and fulfilling all requirements then in existence for an initial license to practice professional counseling in Minnesota.

2150.0150 JURISDICTION.

The board ~~shall retain~~ retains jurisdiction over a licensee whose license was terminated for nonrenewal, or voluntarily terminated, until the license is canceled pursuant to part ~~2150.0160~~, 2150.0140 and may take disciplinary action against the former licensee based on conduct occurring before ~~termination~~ cancellation of the license.

2150.0160 INACTIVE LICENSES.

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

Subp. 3. **Renewal of inactive license.** A licensee whose license is in inactive status is subject to the renewal requirements in this chapter ~~except that the licensee need not show compliance with continuing education requirements until seeking reactivation provided in subpart 4.~~

[For text of subpart 4 and 5, see Minnesota Rules]

2150.2520 INITIAL REQUIREMENT.

Subpart 1. **Coursework.** Except as provided in subparts 2 and 3, licensees must complete 12 graduate semester credits in counseling or the quarter credit equivalent within the first four years of licensure. Coursework completed for purposes of this requirement ~~shall~~ must comply with items A to D.

[For text of item A and B, see Minnesota Rules]

C. Courses must fall within one of the course content areas specified in Minnesota Statutes, section 148B.53, subdivision 1, paragraph (b); or be related to the practice of professional counseling under Minnesota Statutes, section 148B.50, subdivisions 4 and 5, or the practice of professional clinical counseling under Minnesota Statutes, section 148B.5301, subdivision 5. Courses taken for graduate credit must be accepted by the board as satisfying the coursework requirement if the courses relate to subjects in Minnesota Statutes, section 148B.53 or 148B.5301; professional counseling and scope of practice under Minnesota Statutes, section 148B.50, subdivisions 4 and 5; professional clinical counseling and scope of practice under Minnesota Statutes, section 148B.5301, subdivision 2, paragraph (e), subdivision 4, paragraph (a), clause (8), and subdivision 5; or clinical supervision.

Proposed Rules

D. In addition to ~~submission of~~ submitting the Affidavit of Continuing Education Compliance, all licensees ~~are required to~~ must have transcripts documenting completion of the coursework sent directly to the board from the educational institutions where the coursework was completed.

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

Subp. 4. ~~Additional~~ Continuing education requirements.

A. In addition to completing the requisite graduate coursework ~~as outlined in~~ under subparts 1 to 3, each licensee ~~shall~~ must also complete in the first four years of licensure; a minimum of 40 hours of continuing education activities approved by the board as described in part 2150.2540.

B. Graduate credit hours completed in the first four years of licensure may be applied to both the graduate credit requirement and the requirement for 40 hours of continuing education activities. A licensee receives 15 continuing education hours per semester credit hour and ten continuing education hours per quarter credit hour.

2150.2540 CRITERIA FOR APPROVAL OF CONTINUING EDUCATION ACTIVITIES.

~~To satisfy the requirements of parts 2150.2500 to 2150.2660, a continuing education activity must be approved by the board or its designee. Continuing education activities may be approved for all attendees when submitted by the sponsor as prescribed in part 2150.2550; a licensee may request individual approval as prescribed in part 2150.2560, or activities may be automatically approved as prescribed in part 2150.2570. The board shall~~ must consider the following factors in determining whether an activity ~~should be~~ is approved:

[For text of items A to C, see Minnesota Rules]

D. whether the activity is structured on sound educational principles and fits into one of the following categories:

(1) structured educational activities with an instructor as a part of conventions, workshops, seminars, lectures, interactive or other online media, and graduate and postgraduate courses from regionally accredited institutions; or

(2) home study activities related to professional counseling that have an independently graded test component ~~with no more than one-fourth of the required 40 continuing education hours earned by this method;~~

[For text of items E and F, see Minnesota Rules]

2150.2580 ADDITIONAL SOURCES OF CONTINUING EDUCATION CREDIT.

~~In addition to the activities described in part 2150.2560,~~ An individual may apply for continuing education hours for the activities in items A to F in addition to the activities approved under part 2150.2540.

[For text of items A to F, see Minnesota Rules]

2150.5000 PREDEGREE SUPERVISED FIELD EXPERIENCE.

Applicants must provide evidence satisfactory to the board of having completed supervised field experience as required in Minnesota Statutes, section 148B.53, subdivision 1, paragraph (a), clause (3), for professional counselors, or 148B.5301, subdivision 1, paragraph (a), clause (3), for professional clinical counselors. Verification documenting the supervised field experience must be sent directly to the board from the program director, site supervisor, or equivalent and must be in the form of a transcript or, letter sent directly to the board from the program director or equivalent documenting the supervised field experience, or course catalog description or syllabus documenting the clock hours required for the field experience.

2150.5010 POSTDEGREE SUPERVISED PROFESSIONAL PRACTICE.

Subpart 1. **Supervision.** For the purpose of meeting this part, “supervision” means documented interactive consultation, which, subject to the limitations in subpart 4, ~~item~~ items B and C, may be conducted in person, by telephone, ~~or~~ by audio or audiovisual electronic device, or by real-time, two-way interactive audio and visual

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communications between an approved supervisor and a ~~licensed professional counselor~~ supervisee. The supervision must be adequate to ensure the quality and competence of the activities supervised. Supervisory consultation must include discussions on the nature and content of the practice of the supervisee, including; but not limited to; a review of a representative sample of counseling services in the supervisee's practice.

[For text of subpart 2, see Minnesota Rules]

Subp. 3. **Approved supervisor.** For the purpose of this part, the supervision must be provided by a supervisor, approved by the board, who must:

A. be a licensed professional counselor, licensed professional clinical counselor, licensed psychologist, or other qualified supervisor as determined by the board;

[For text of items B and C, see Minnesota Rules]

Subp. 4. **Supervised practice requirements.**

A. Licensed professional counselors must obtain supervision by an approved supervisor for ~~the first~~ 2,000 hours of post-degree professional practice. Licensed professional clinical counselors must obtain supervision by an approved supervisor for 4,000 hours of post-degree professional practice. This part does not prohibit licensees from participating in other supervisory relationships for purposes other than meeting the requirements of this part.

B. The content of supervision must include:

(1) professional counseling or professional clinical counseling knowledge, skills, values, and ethics with specific application to the practice issues faced by the supervisee;

(2) the standards of practice and ethical conduct, with particular emphasis given to the ~~professional counselor's~~ supervisee's role and appropriate responsibilities, professional boundaries, and power dynamics; and

(3) the supervisee's permissible scope of practice, as ~~defined by~~ provided under Minnesota Statutes, section 148B.50, subdivision 5, or 148B.5301, subdivision 5.

C. ~~The Supervision must be obtained at the rate of two hours of supervision per 40 hours of professional practice, for a total of 100 hours of supervision. The supervision must be evenly distributed over the course of the supervised professional practice. Professional counselors must obtain a total of 100 hours of supervision over the course of the 2,000 hours of postdegree supervised professional practice and professional clinical counselors must obtain a total of 200 hours of supervision over the course of the 4,000 hours of postdegree supervised professional practice. Supervision must be obtained at a rate of at least four hours but no more than eight hours of supervision for every 160 hours of professional practice. At least 75 percent of the required supervision hours must be received in person or through real-time, two-way interactive audio and visual communication, and the board must allow an applicant to satisfy this supervision requirement with all required hours of supervision received through real-time, two-way interactive audio and visual communication. The remaining 25 percent of the required hours may be received by telephone or by audio or audiovisual electronic device. At least 50 percent of the required hours of supervision must be received on an individual basis. The remaining 50 percent percentage may be received in a group setting. For purposes of this item, «individual basis» means one supervisee per supervisor and «group setting» means two or more supervisees per supervisor.~~

D. ~~The Supervision must be completed in no fewer less than 12 consecutive months and no more than 36 consecutive months for licensed professional counselors and no less than 24 consecutive months and no more than 72 consecutive months for licensed professional clinical counselors.~~

E. Except as provided in Minnesota Statutes, section 148B.53, subdivision 1, paragraph (c), the supervised practice must be completed under an approved supervision plan. Applicants must submit, on a form specified by the board, a written plan for meeting the supervision requirements. If the board determines that the supervision plan submitted meets the applicable supervision requirements, then the supervisee's completion of the supervised practice, as verified under this part, applies toward the supervised professional counseling or professional clinical counseling practice

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requirement provided that there was no substantial change from the approved supervision plan. ~~A licensee must not engage in the practice of professional counseling until the licensee's supervision plan has been approved by the board.~~

~~F. A professional counselor licensed under Minnesota Statutes, section 148B.53, subdivision 1, paragraph (c), and who maintain licensure as a licensed psychological practitioner may satisfy the 2,000 hours of supervised professional practice by complying with the supervision requirements for a licensed psychological practitioner in Minnesota Statutes, section 148.925. Upon completion of 2,000 hours of supervised professional practice, the supervisor shall submit the verification described in item I. If a professional counselor is no longer licensed as a psychological practitioner for any reason prior to completion of the 2,000 hours of supervised professional practice, then the professional counselor shall comply with this item until completion of the 2,000 hours of supervised professional practice.~~

~~G. F.~~ Applicants who are licensed psychologists under Minnesota Statutes, section 148.907, at the time of application for licensure as professional counselors are considered to have met the 2,000 hours of supervised professional practice. Such applicants ~~shall~~ must submit true and correct copies of notarized supervision verifications submitted to the Board of Psychology ~~pursuant~~ according to part 7200.0600.

~~H. G.~~ The board ~~shall~~ must not accept the verification of supervised practice, or approve a supervision plan, if the board determines that the supervisor does not meet the requirements of subpart 3.

~~I. H.~~ Upon completion of the 2,000 hours of supervised professional practice for professional counseling or the 4,000 hours of supervised professional practice for professional clinical counseling, the supervisor ~~shall~~ must verify, on a form specified by the board, that the supervisee has completed the supervision plan. The supervised practice required under this part is unacceptable if the supervisor attests that the supervisee's performance, competence, or adherence to the standards of practice and ethical conduct has been unsatisfactory.

~~J. I.~~ A licensee ~~shall~~ must submit a new supervision plan for board approval within 30 days if any of the following occur:

- (1) the licensee has a new supervisor;
- (2) the scope or content of the counseling practice changes substantially during the course of the supervision;

or

- (3) the licensee begins a new counseling position.

~~K. J.~~ Failure to submit changes to the supervision plan as required by item ~~J~~ ~~shall result~~ I results in hours accrued during this time period not counting ~~towards~~ toward the supervised practice requirement.

~~L. K.~~ An applicant may receive complete or partial credit for supervised professional practice experience occurring postdegree but ~~prior to~~ before licensure if the supervised professional practice meets the requirements of this subpart. Verification ~~shall~~ must be on a form specified by the board; and ~~shall~~ must be submitted in lieu of the supervision plan required in item E.

2150.7505 DEFINITIONS.

Subpart 1. **Scope.** The terms used in parts ~~2150.7500~~ 2150.0050 to 2150.7610 have the meanings given in this part.
[For text of subparts 2 and 3, see Minnesota Rules]

Subp. 4. **Client.** "Client" means an individual or entity who is the recipient of any of the professional counseling services described in Minnesota Statutes, section 148B.50, subdivisions 4 and 5, or the professional clinical counseling services described in Minnesota Statutes, section 148B.5301, subdivision 5. Client also means "patient" as defined in Minnesota Statutes, section 144.291, subdivision 2, paragraph (g).

Subp. 5. **Competence.** "Competence" means the ability to provide services within the practice of licensed

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professional counseling ~~as defined in~~ under Minnesota Statutes, section 148B.50, or licensed professional clinical counseling under Minnesota Statutes, section 148B.5301, subdivision 5, that:

[For text of items A to C, see Minnesota Rules]

[For text of subpart 6, see Minnesota Rules]

Subp. 7. **Dual clients.** “Dual clients” means two or more individuals or entities that are each a corecipient of professional counseling or professional clinical counseling services. Dual clients may include; but are not limited to; two or more family members, when each is the direct recipient of services; each client receiving group counseling services; a court and a client under court order to receive counseling services; or an employer and employee when the employee receives services in order to provide the employer with information regarding an employment matter.

[For text of subparts 8 to 10, see Minnesota Rules]

Subp. 11. **Forensic.** “Forensic” means services within the practice of professional counseling or professional clinical counseling, of which the purpose is to address questions and issues relating to parties to legal proceedings and to law and the legal system, including the courts, correctional agencies and facilities, attorneys, and administrative, judicial, and legislative agencies acting in an adjudicative capacity.

[For text of subparts 12 and 13, see Minnesota Rules]

Subp. 14. **Licensee of the board or licensee.** “Licensee of the board” or “licensee” means a licensed professional counselor or a licensed professional clinical counselor.

[For text of subparts 15 and 16, see Minnesota Rules]

Subp. 17. **Practice foundation.** “Practice foundation” means that a professional counseling or professional clinical counseling service or continuing education activity is based upon observations, methods, procedures, or theories that are generally accepted by the professional community in professional counseling.

[For text of subparts 18 to 23, see Minnesota Rules]

Subp. 24. **Scientific foundation.** “Scientific foundation” means that a professional counseling, professional clinical counseling, or continuing education activity is based upon quantitative or qualitative research, such as; but not limited to; published peer-reviewed experiments or correlational, observational, or ethnographic studies, or upon research presented at professional meetings.

[For text of subparts 25 and 26, see Minnesota Rules]

Subp. 27. **Student.** “Student” means an individual over whom the provider has evaluative academic authority, including an individual who is enrolled in a graduate program in professional counseling or professional clinical counseling at an educational institution or who is taking a professional counseling or professional clinical counseling course for credit. This does not apply to an individual who is taking a professional counseling course to receive continuing education credit from a board or who is auditing a course.

Subp. 28. **Supervised field experience.** “Supervised field experience” means an internship, practicum, or other supervised professional experience used for purposes of obtaining licensure as a professional counselor or professional clinical counselor.

[For text of subparts 29 to 34, see Minnesota Rules]

2150.7510 COMPETENT PROVISION OF SERVICES.

Subpart 1. **Limits on practice.** ~~Professional counselors shall~~ Providers must limit practice to the client populations and services for which they have competence or for which they are developing competence.

Subp. 2. **Developing competence.** When the ~~professional counselor~~ provider is developing a competence in a service, method, or procedure; or to treat a specific client population, the ~~professional counselor shall~~ provider must obtain professional education, training, continuing education, consultation, supervision, or experience, or a combination thereof, necessary to demonstrate competence.

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Subp. 3. **Experimental, emerging, or innovative services.** ~~Professional counselors~~ Providers may offer experimental, emerging, or innovative services, methods, or procedures that are based on a scientific or practice foundation. However, when doing so, ~~they~~ providers have a heightened responsibility to understand and communicate the potential risks to clients, to use reasonable skill and safety, and to undertake appropriate preparation as required in subpart 2 to ensure that they provide such services, methods, or procedures competently and in a manner that protects clients from harm.

Subp. 4. **Limitations to scope of practice.** ~~Professional counselors shall~~ Providers must recognize the limitations to the scope of practice of professional counseling and professional clinical counseling. When the needs of clients appear to be outside this scope, providers ~~shall~~ must inform the clients that there may be other professional, technical, community, and administrative resources available to them. Providers ~~shall~~ must assist with identifying such resources when it is in the best interests of clients to be provided with alternative or complementary services.

[For text of subpart 5, see Minnesota Rules]

2150.7515 PROTECTING THE PRIVACY OF CLIENTS.

Subpart 1. **Safeguarding private information.** The provider ~~shall~~ must safeguard the private information obtained in the course of the practice of professional counseling or professional clinical counseling. Private information may be disclosed to others only in accordance with part 2150.7520, with certain exceptions as specified in subparts 2 to 13.

[For text of subpart 2, see Minnesota Rules]

Subp. 3. **Services to dual clients.** Whenever ~~professional~~ counseling services are provided to dual clients, the provider ~~shall~~ must initially inform each client of the provider's responsibility to treat any information gained in the course of rendering the services as private information, including any limitations to each client's right to privacy.

[For text of subparts 4 to 12, see Minnesota Rules]

Subp. 13. **Initial contacts.** When the provider is initially contacted by an individual regarding ~~professional~~ counseling services to a potential client, the provider or another individual designated by the provider may, with oral consent from the potential client, contact third parties to determine payment or benefits information, arrange for precertification of services when required by the individual's health plan, or acknowledge a referral from another health care professional.

2150.7540 IMPAIRED OBJECTIVITY OR EFFECTIVENESS.

Subpart 1. **Situations involving impaired objectivity or effectiveness.** A ~~professional counselor~~ provider must not provide counseling services to a client or potential client when the ~~professional counselor's~~ provider's objectivity or effectiveness is impaired. The situations in items A to F are deemed to involve impaired objectivity or effectiveness and are prohibited as specified.

[For text of items A to F, see Minnesota Rules]

[For text of subpart 2, see Minnesota Rules]

2150.7550 CLIENT WELFARE.

Subpart 1. **Providing explanation of procedures.** A client has the right to have and a ~~counselor~~ provider has the responsibility to provide, on request, a nontechnical explanation of the nature and purpose of the counseling procedures to be used and the results of tests administered to the client. The ~~counselor~~ provider ~~shall~~ must establish procedures to be followed if the explanation is to be provided by another individual under the direction of the ~~counselor~~ provider.

Subp. 2. **Clients' bill of rights.** The provider ~~shall~~ must display prominently on the premises of the professional practice or make available as a handout the bill of rights of clients as required by Minnesota Statutes, section 144.652, that includes a statement that consumers of professional counseling services have the right to:

[For text of item A, see Minnesota Rules]

B. examine public records maintained by the board of ~~Behavioral Health and Therapy~~ that contain the credentials of the provider;

C. obtain a copy of the Rules of Conduct from ~~Minnesota's Bookstore, Department of Administration, 660 Olive Street, St. Paul, MN 55155, or its current location~~ the board website;

D. report complaints to the board of ~~Behavioral Health and Therapy~~;

[For text of items E to N, see Minnesota Rules]

[For text of subparts 3 to 5, see Minnesota Rules]

Subp. 6. **Sexual behavior with client.** A provider ~~shall~~ must not engage in any sexual behavior with a client including:

A. sexual contact with the client, as defined in Minnesota Statutes, section ~~148A.01~~ 604.20, subdivision 7; or

[For text of item B, see Minnesota Rules]

[For text of subparts 7 to 10, see Minnesota Rules]

2150.7555 WELFARE OF STUDENTS, SUPERVISEES, AND RESEARCH SUBJECTS.

[For text of subpart 1, see Minnesota Rules]

Subp. 2. **Student, supervisee, and research subject protections.** To protect the welfare of their students, supervisees, or research subjects, providers ~~shall~~ must not:

[For text of items A and B, see Minnesota Rules]

C. engage in any sexual behavior with a current student, supervisee, or research subject, including sexual contact, as defined in Minnesota Statutes, section ~~148A.01~~ 604.20, subdivision 7, or any physical, verbal, written, interactive, or electronic communication, conduct, or act that may be reasonably interpreted to be sexually seductive, demeaning, or harassing. Nothing in this part shall prohibit a provider from engaging in teaching or research with an individual with whom the provider has a preexisting and ongoing sexual relationship;

[For text of items D to F, see Minnesota Rules]

2150.7575 PRESENTATION TO PUBLIC.

Subpart 1. **Requirements for professional identification.** All ~~licensees~~ providers, when representing themselves in activities relating to the practice of professional counseling or professional clinical counseling, including in written materials or advertising, ~~shall~~ must identify the academic degree upon which their licensure is based, as well as their licensure. Individuals licensed on the basis of the equivalent of a master's degree in a doctoral program ~~shall~~ must similarly use the designation «M. Eq.» to identify the educational status on which their licensure is based, as well as their licensure.

Subp. 2. **Disclosure of education.** At the initial meeting, a ~~licensee~~ provider ~~shall~~ must display or make available to each new client accurate information about the qualifications and competencies of the ~~licensee~~ provider, including whether the ~~licensee~~ provider is currently completing the postlicensure supervised practice requirement.

Subp. 3. **Requirements for representations to public.**

A. Unless licensed under Minnesota Statutes, sections 148B.50 to 148B.593, persons ~~shall~~ must not represent themselves or permit themselves to be represented to the public by:

(1) using any title or description of services, incorporating the words “licensed professional counselor,” or «professional counselor,” «licensed professional clinical counselor,” or «professional clinical counselor» or otherwise holding themselves out to the public by any title or description stating or implying that they are licensed to engage in the practice of professional counseling or professional clinical counseling; or

(2) representing that the person has expert qualifications in an area of professional counseling or professional clinical counseling.

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B. Individuals trained in professional counseling or professional clinical counseling who are employed by an educational institution recognized by a regional accrediting organization, by a federal, state, county, or local government institution, by agencies, or by research facilities, may represent themselves by the title designated by that organization provided that the title does not indicate that the individual is licensed by the board.

C. An individual trained in professional counseling or professional clinical counseling from an institution described in item B may offer lecture services and is exempt from ~~the provisions of~~ this part.

[For text of item D, see Minnesota Rules]

Subp. 4. Persons or techniques not regulated by board.

A. Nothing in Minnesota Statutes, sections 148B.50 to 148B.593, may be construed to limit the occupational pursuits consistent with their training and codes of ethics of professionals such as licensed physicians, registered nurses, licensed practical nurses, licensed psychologists, probation officers, attorneys, social workers, marriage and family therapists, qualified rehabilitation consultants, natural family planning practitioners certified by the American Academy of Natural Family Planning, and registered occupational therapists or certified occupational therapist assistants. These persons must not, however, use a title incorporating the words “licensed professional counselor” or “licensed professional clinical counselor” or otherwise hold themselves out to the public by any title or description stating or implying that they are licensed to engage in the practice of professional counseling or professional clinical counseling unless they are licensed under Minnesota Statutes, sections 148B.50 to 148B.593.

B. Use of professional counseling and professional clinical counseling techniques by ~~business and industrial organizations~~ industrial or business firms or corporations for their own personnel purposes or by employment agencies or state vocational rehabilitation agencies for ~~the evaluation of~~ evaluating their own clients ~~prior to recommendation~~ before recommending for employment is also specifically allowed. However, no representative of an industrial or business firm or corporation may sell, offer, or provide any professional counseling or professional clinical counseling services as defined in under Minnesota Statutes, ~~section sections~~ 148B.50 and 148B.5301, unless the services are performed or supervised by individuals licensed or exempt under Minnesota Statutes, sections 148B.50 to 148B.593.

[For text of subpart 5, see Minnesota Rules]

2150.7585 AIDING AND ABETTING UNLICENSED PRACTICE.

A provider ~~shall~~ must not aid or abet an unlicensed individual to engage in the practice of professional counseling or professional clinical counseling. However, a provider who supervises a student as part of an internship, practicum, or other supervised field experience is not in violation of this part if the supervision is conducted according to part 2150.5000 and Minnesota Statutes, sections 148B.50 to 148B.593. Additionally, properly qualified individuals who administer and score testing instruments under the direction of a provider who maintains responsibility for the service are not ~~considered to be~~ in violation of this part. The provider assumes responsibility for adequate training, experience, and oversight to ~~assure~~ ensure proper qualifications to administer and score the instruments.

2150.7590 VIOLATION OF LAW.

A provider ~~shall~~ must not violate any law in which the facts giving rise to the violation involve the practice of professional counseling as defined in or professional clinical counseling under Minnesota Statutes, sections 148B.50 to 148B.593. In any board proceeding alleging ~~such~~ a violation of this part, the proof of a conviction of a crime constitutes proof of the underlying factual elements necessarily underlying that conviction.

2150.7605 COMPLAINTS TO BOARD.

Subpart 1. **Mandatory reporting requirements.** A provider ~~shall~~ must file a complaint with the board when the provider has reason to believe that another provider:

[For text of item A, see Minnesota Rules]

B. is engaging in or has engaged in sexual behavior with a client or former client in violation of part 2150.7550, subparts 5 and 6. This subpart item does not apply when the information is obtained in the course of treating the other

provider for the sexual behavior;

C. has failed to report abuse or neglect of children or vulnerable adults in violation of Minnesota Statutes, chapter 260E or section ~~626.556~~ or 626.557; or

D. has employed fraud or deception in obtaining or renewing a professional counseling or professional clinical counseling license.

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

REPEALER. Minnesota Rules, part 2150.2560, is repealed.

RENUMBERING INSTRUCTION. Minnesota Rules, part 2150.7505, is renumbered as part 2150.0010, and any necessary changes to cross-references resulting from the renumbering are made.

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.

Minnesota State Agricultural Society (Minnesota State Fair) Board of Managers Meeting Notice

The Minnesota State Agricultural Society board of managers will meet at 10 a.m. Wednesday, November 9 on the State Fairgrounds. The session opens with a meeting of the board's sales committee. A general business meeting will follow. The society is the governing body of the Minnesota State Fair. Please email fairinfo@mnstatefair.org with any questions.

The 2023 Minnesota State Fair runs Aug. 24 - Labor Day, Sept. 4.

Minnesota Board of Electricity REQUEST FOR COMMENTS for Possible Amendment to Rules Governing the Minnesota Electrical Code, *Minnesota Rules*, Chapter 1315

Subject of Rules. The Minnesota Board of Electricity ("Board") requests comments on its possible amendment to rules governing the Minnesota Electrical Code contained in Minnesota Rules Chapter 1315. The Board is considering rule amendments that incorporate by reference and adopt the 2023 National Electrical Code (*a/k/a* "NFPA 70"), with any Minnesota amendments.

Persons Affected. The amendment to the rules would likely affect electrical contractors, master and journeymen electricians; electrical installers, maintenance electricians, electrical equipment suppliers; elevator contractors and constructors; power limited technicians; code enforcement authorities; employers of persons who perform electrical work; persons who wish to perform electrical work; engineers; residential and commercial building contractors; and building/homeowners, in Minnesota.

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Statutory Authority. Minnesota Statutes, section 326B.32, establishes the Minnesota Board of Electricity and the powers and duties of the board, among other things. Specifically, Minnesota Statutes, section 326B.32, subdivision 2(a) (3) (2022), provides the power and authority for the Board to adopt the Minnesota Electrical Code, which must be the most current edition of the National Electrical Code (“NEC”), and any amendments thereto.

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 Board intends to adopt or to withdraw the rules. The Board 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.

Interested persons or groups may view a free online draft of the 2023 National Electrical Code/NFPA 70® at the NFPA website. The website address is www.nfpa.org.

The link to all the proposals considered by the NFPA Electrical Code Committees and the actions taken with respect to those proposals, including the latest version of the draft of the 2023 National Electrical Code/NFPA 70®, can be found at: <https://www.nfpa.org/Codes-and-Standards/All-Codes-and-Standards/List-of-Codes-and-Standards>. To access the latest 2023 NEC draft, click on this link and select “NFPA 70®” from the list on the left-hand margin. Once the NFPA 70® page loads, select “Current Edition.” You will then be asked to either sign-in or create a free profile for access to the copyrighted draft version. It is expected that these online resources will be updated and remain accessible during the comment period. For assistance with accessing the latest draft or final versions of the 2023 NEC/NFPA 70®, please contact the Agency Contact Person listed below.

The Board has appointed an advisory subcommittee to review the updated 2023 NEC and comment on any possible amendments to the full Board, including a final recommendation. Meeting dates and times of the advisory committee will be posted on the Board’s website at: <https://www.dli.mn.gov/about-department/boards-and-councils/nec-2023-adoption-review-committee>. The public is invited to participate. Public participation is welcomed and encouraged.

Rule Drafts. A draft of the rule adopting the 2023 NEC, including possible amendments, is being compiled. When the Board has approved a near-final draft version of the proposed rule, the draft and other information about the rulemaking will be posted on the Board of Electricity rulemaking docket at: <http://www.dli.mn.gov/about-department/boards-and-councils/board-electricity>.

Agency Contact Person. Written comments, questions, requests to receive a draft of the rules when it has been prepared, and requests for more information on these possible rules should be directed to: Amanda Spuckler at the Department of Labor and Industry, 443 Lafayette Road North, St. Paul, MN 55155, **Phone:** (651) 284-5361, or **Email:** amanda.spuckler@state.mn.us, **fax:** (651) 284-5725.

Alternative Format. Upon request, this Request for Comments can be made available in an alternative format, such as large print, Braille, or cassette tape. To make such a request, please contact the agency contact person at the address 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 Board 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.

Dated: November 1, 2022

Duane Hendricks, Chair
Minnesota Board of Electricity

State Board of Investment Administrative Committee Official Meeting Notice

The State Board of Investment Administrative Committee will meet on Monday, November 14, 2022 immediately following the Investment Advisory Council Meeting that starts at 12:00 p.m. at the Retirement Systems Building, Room 106 (Main Floor), 60 Empire Drive, St. Paul, Minnesota.

Some members of the SBI Administrative Committee may participate in the meeting electronically. If a Committee Member calls in, in accordance with Minnesota Statutes, section 13D.015, subd. 4, the State Board of Investment shall, to the extent practical, allow a person to monitor the meeting electronically from a remote location.

Investment Advisory Council (IAC) Official Meeting Notice

The Investment Advisory Council (IAC) of the Minnesota State Board of Investment will meet on Monday, November 14, 2022 at 12:00 p.m. The meeting will be held at the Retirement Systems Building, Room 106 (Main Floor), 60 Empire Drive, St. Paul, Minnesota.

Some members of the Investment Advisory Council may participate in the meeting electronically. If an IAC Member calls in, in accordance with Minnesota Statutes, section 13D.015, subd. 4, the IAC shall, to the extent practical, allow a person to monitor the meeting electronically from a remote location.

Minnesota Department of Labor and Industry Workers' Compensation Division Notice of Adoption of Version 3.1.5 (XML format) of the Claims Release Standard published by the International Association of Industrial Accident Boards and Commissions and the Corresponding Minnesota Implementation Guide

Notice is hereby given that the Minnesota Department of Labor and Industry (DLI) has adopted Version 3.1.5 (XML format) of the Claims Release Standard (R3.1) published by the International Association of Industrial Accident Boards and Commissions (IAIABC) (hereinafter "R.3.1.5") and the corresponding Minnesota Release 3.1.5 XML format electronic filing and implementation guide (hereinafter "Minnesota implementation guide"). R3.1.5 and the Minnesota implementation guide will be used by self-insured employers, insurers, and third-party administrators (called trading partners) that are required by law to electronically report workers' compensation claim information to the commissioner. They will also be used by the trading partners' vendors that facilitate submission of the electronic transactions to DLI. R3.1.5 and a draft implementation guide have been available in Minnesota for trading partners to review since June 2022.

Statutory authority and background: The authority to adopt the IAIABC Claims Release Standard and the corresponding Minnesota implementation guide is in Minnesota Statutes, section 176.231, subd. 5 (d). Under this law, the adopted versions of the Claims Release Standard and Minnesota implementation guide are not rules under Minnesota Statutes, chapter 14, but they have the force and effect of law as of the effective date, which will be Thursday, February 9, 2023.

Minnesota adoption of Version 3.1.5 (XML format) of the Claims Release Standard: Minnesota Statutes, section 176.231, requires self-insured employers and insurers to file first reports of workers' compensation injuries (FROI) and subsequent reports of injury (SROI) with the commissioner. The commissioner is adopting Version 3.1.5 (XML format) of the Claims Release Standard because it conforms to the most recent IAIABC standard for electronic data interchange (EDI), which includes data elements important to Minnesota claims reporting. This mandate does not affect the method

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insured employers use to report injuries to their insurance companies or to the commissioner and will not affect eform trading partners.

The Minnesota implementation guide: The Minnesota implementation guide is the Minnesota-specific documentation that technically implements R3.1.5; it explains how R3.1.5 is used in the Minnesota workers' compensation system for its first report of injury (FROI) and subsequent report of injury (SROI) electronic reporting structure. The FROI transaction is used to transmit new and updated claim information; the SROI transaction is used to transmit payment and denial information related to previously submitted claims. Version 3.1.5 (XML format) defines the types of electronic transactions that can be reported. Each of the transactions is associated with one or more record types with various fields. The fields within the transactions are known by specific data element numbers that identify the type of data contained.

Certain fields in the EDI record are validated to enforce database integrity and to inform DLI's trading partners whether the transmission or transaction is accepted or rejected. As the transmission and transaction are validated for consistency and accuracy, acknowledgment transactions are sent back to each trading partner. In the case of a rejected transmission (e.g., a missing header record data element), the acknowledgment record is created and no further processing of that transmission file will take place (i.e., nothing is written to DLI's database). In the case of a rejected transaction, (e.g., a missing value for a mandatory field), the acknowledgment record will be created but no further processing of that transaction will take place (i.e., nothing is written to the database for that claim). If rejected, a new transmission or transaction must be submitted.

The adopted R3.1.5 standard and Minnesota implementation guide will be used in conjunction with all applicable Minnesota workers' compensation statutes and rules.

Revisions to the Minnesota implementation guide as proposed. On July 5, 2022, DLI published a Notice of Intent to Adopt Version 3.1.5 (XML format) of the Claims Release Standard and the corresponding Minnesota implementation guide in the Minnesota *State Register* and on DLI's webpage at www.dli.mn.gov/business/workers-compensation/work-comp-electronic-data-interchange-edi-and-efroi-web-portal. DLI also sent the Notice of Intent to 28,264 recipients representing all entities and individuals signed up to receive workers' compensation notices from DLI. The comment period ended at 4:30 p.m., on Tuesday, Oct. 3, 2022. No comments were received during the comment period.

Therefore, after additional review, the changes to the Minnesota implementation guide as proposed in the July 5, 2022 *State Register* are hereby adopted.

How to obtain Version 3.1.5 (XML format) of the Claims Release Standard and the Minnesota implementation guide: The adopted Minnesota implementation guide is available electronically for viewing and downloading on DLI's website at www.dli.mn.gov/business/workers-compensation/work-comp-electronic-data-interchange-edi-and-efroi-web-portal. The adopted Claims Release R3.1.5 (XML format) is copyrighted by and can be purchased from the IAABC at www.iaabc.org. Any person may arrange to review a paper copy of R3.1.5 (XML format) and the Minnesota implementation guide at DLI by contacting DLI at campus.ediguide.DLI@state.mn.us or 651-284-5011.

Dated: October 26, 2022

Nicole Blissenbach, Temporary Commissioner
Department of Labor and Industry

MNsure

Call for Applications for MNsure Advisory Committee Membership

NOTICE IS HEREBY GIVEN that the MNsure Board of Directors is in the process of recruiting members to fill open seats on its two statutorily-required Advisory Committees. The Advisory Committees are tasked with providing input representative of the various stakeholder groups affected by MNsure so as to better align the long-term future of MNsure with the needs of the public. Members are each appointed by the MNsure Board to a two-year term and may serve a maximum of two complete consecutive terms.

Currently, the Board is seeking applicants for two Committees: the Health Industry Advisory Committee and the

Consumer and Small Employer Advisory Committee. Additional information on these Advisory Committees is available on the MNsure website.

Minnesotans who are interested in serving on these MNsure Advisory Committees are asked to complete an application, available on the MNsure website, *MNsure.org*.

Submissions are due by 5 p.m. on Friday, December 16, 2022, and must include (1) a résumé and (2) the application, which includes submission of basic contact information and a description of why the applicant is interested in serving on the committee.

Submissions may be made electronically via email to: *MNsureBoard@state.mn.us*.

They may also be mailed physically to:

MNsure
Attn: Board Advisory Committees
355 Randolph Ave., Suite 100
St. Paul, MN 55102

The MNsure Board will review applications and anticipates making appointments in January 2023.

If you have questions or would like to request another format of the application, please contact MNsure at *MNsureBoard@state.mn.us*.

Minnesota Pollution Control Agency (MPCA) REQUEST FOR COMMENTS on Possible Amendments to Rules Governing Drainage Holes Beneath Sewage Tank Operating Levels, *Minnesota Rules* chapter 7080; Revisor's ID Number R-04773

Overview. The Minnesota Pollution Control Agency (MPCA) is requesting comments on possible amendments to subsurface sewage treatment systems (SSTS) rules, *Minnesota Rules* (Minn. R.) chapter 7080. This rulemaking is referred to as the Drainage Hole SSTS Rule. The MPCA is considering amendments to the listed rule chapters and requests comments on the proposed amendments from affected or interested parties. See the **Comments** and **MPCA Contact Person** sections of this notice for information on how to submit comments.

This request for comments is the MPCA's legal notice of its intent to begin rulemaking. This is the first of several opportunities for public comment and input on this rulemaking. At this stage, we do not have a draft of the rule amendments; we want your feedback to inform us about the ideas described under the **Subject of Rules** section. If you have other ideas related to this rulemaking that we need to consider, please submit them in writing as well. For example, we recognize that costs to regulated parties can be a concern with rulemaking, so if you have cost information or data related to this rulemaking that you wish to share with us to inform our decisions, please submit that information. Submitting your ideas and information at this early stage in rulemaking allows us more time to address issues that may come up, and helps to ensure informed decision-making on our part. If the rules under consideration affect you in any way, the MPCA encourages you to participate in the rulemaking process.

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

Subject of Rules. The MPCA requests comments on its possible amendment of SSTS rules governing drainage holes beneath sewage tank operating levels. The MPCA is considering rule amendments allowing the installation of drainage holes on newly manufactured concrete sewage tanks to allow drainage of accumulated precipitation during storage on sewage tank manufacturers' lots. Minn. R. 7080.1990 subpart 1, item C, currently prohibits this practice by ensuring no pipe penetration points or openings exist in sewage tank exterior walls or tank bottoms below the tank liquid

Official Notices

operating level. Specifically, the MPCA is considering amendments relating to sewage tank storage, transport and use, and watertightness testing as described in Minn. R. 7080.1990 subpart 1, item C, and Minn. R. 7080.2010 subpart 3. For this rulemaking project, the MPCA will not consider other changes to sewage tank prescriptive requirements outside of this scope.

The MPCA especially seeks input on the following items:

1. sewage tank precipitation management practices (i.e., snow and rain management for sewage tanks in storage);
2. methods to create, repair and seal drainage holes;
3. watertightness of repaired drainage holes throughout the anticipated design life;
4. any previous experiences with drainage holes below sewage tank operating depth;
5. potential costs associated with creating drainage holes vs. alternative precipitation management;
6. potential impacts to SSTS homeowners, including low-income communities, communities of color, Indigenous people, and others who bear disproportionate effects of pollution and environmental health disparities; and
7. impacts to local government unit program administration and inspection protocols.

The MPCA does not plan to appoint a specific advisory committee to comment on the rule amendments under consideration. The MPCA does not anticipate that the rule amendments will require a local government to adopt or amend an ordinance or other regulation under *Minnesota Statutes* section, 14.128; local governments may submit written information to the contrary. The MPCA requests any information pertaining to the cumulative effect of the rule amendments with other federal and state regulations related to the specific purpose of the rule. Cumulative effect means the impact that results from incremental effects of the proposed rule in addition to other rules, regardless of what state or federal agency has adopted the other rules.

Parties Affected. These amendments to the existing rules would be most likely to affect concrete sewage tank manufacturers, licensed SSTS businesses, local units of government administering SSTS ordinances, owners of SSTS (including low-income homeowners and others in communities considered “areas of increased concern” for environmental justice), and the real estate industry.

Comments. Interested parties may submit written comments or information on these possible rules in writing until **4:30 p.m. on Thursday, December 22, 2022**. Submit written comments or information to the Office of Administrative Hearings (OAH) Rulemaking e-Comments website at <https://minnesotaoah.granicusideas.com>. Any questions about submitting comments via the Rulemaking e-Comments website should be directed to Denise Collins at the OAH, telephone 651-361-7875 or email denise.collins@state.mn.us.

If it is not possible to use the e-Comments website, comments may be submitted in person, via U.S. mail, or by facsimile addressed to Denise Collins, Office of Administrative Hearings Court Administrator, 600 North Robert Street, P.O. Box 64620, St. Paul, Minnesota 55164-0620 or at 651-539-0310 (fax). All comments received are public and will be available for review at the OAH.

The MPCA will not publish a Notice of Intent to Adopt Rules until more than 60 days have elapsed from the date of this Request for Comments.

NOTE: The MPCA will carefully consider all comments received in response to this notice. However, the comments received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the Administrative Law Judge (ALJ) if and when a proceeding to adopt rules is started. The MPCA is required to submit to the ALJ only the written comments received in response to the draft rules after they are proposed with a Notice of Intent to Adopt Rules. If you submit comments during the development of the rules and want to ensure that the ALJ reviews your comments, you should resubmit the comments after the rules are formally proposed.

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

1. During the public comment period associated with this Request for Comments:
 - a. Submit all comments in response to this notice as described in the **Comments** section of this Request for Comments.
 - b. Contact the MPCA contact person with clarification questions and requests for more information.
2. After the public comment period closes, please route communications to the following staff:
 - a. Technical subject-matter questions: Cody Robinson, 651-757-2535 or cody.robinson@state.mn.us
 - b. Rulemaking process questions: Katie Izzo, 651-757-2595 or katie.izzo@state.mn.us

Rules Drafts. The MPCA has not yet drafted the possible rule amendments. Persons interested in being notified when a draft of the rules is available and of other activities relating to this rulemaking are encouraged to register at http://public.govdelivery.com/accounts/MNPCA/subscriber/new?topic_id=MNPCA_485 (MPCA GovDelivery-Rulemaking: Drainage Hole SSTS).

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

Statutory Authority. *Minnesota Statutes* §116.07, subd. 4, authorizes the MPCA to adopt rules for the collection, transportation, storage, processing, and disposal of solid waste and the prevention, abatement, or control of water, air, and land pollution which may be related thereto, and the deposit in or on land of any other material that may tend to cause pollution; and for sewage sludge, addressing the intrinsic suitability of land, the volume and rate of application of sewage sludge of various degrees of intrinsic hazard, design of facilities, and operation of facilities and sites.

Date: 10/20/2022

Katrina Kessler, Commissioner
Minnesota Pollution Control Agency

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>

State Grants & Loans

Minnesota Department of Transportation (MnDOT)

Office of Civil Rights

Request for Proposal: SFY 2023 Certified Small Business Micro Grant Program

MnDOT requests responses from Minnesota-based Certified Small Businesses to financially assist them with their eligible expenses that increases their business capacity and/or industry knowledge to assist in their pursuit of MnDOT projects/contracts.

Responses must be received no later than 02:00 p.m. Central Standard Time on April 28, 2023 or until funding is exhausted. Late responses will not be considered.

To view the RFP go to: mndot.gov/civilrights/requests-for-proposals.html.

For more information, visit: mndot.gov/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.

Minnesota State Colleges and Universities (Minnesota State)

Notice of Bid and Contracting Opportunities

Minnesota State is now placing additional public notices for contract opportunities, goods/commodities and related services on its Vendor and Supplier Opportunities website (<https://www.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 email the Minnesota State Procurement Unit at Sourcing@MinnState.edu.

Minnesota State Colleges and Universities (Minnesota State)

Minnesota West Community & Technical College

Notice of Request for a Massey Ferguson MF8680

The State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities, on behalf of Minnesota West Community and Technical College, is requesting proposals for a Massey Ferguson 8680 tractor with less than 7000 hours. Delivery required by December 9, 2022.

To receive a copy of the proposal, please email mike.devries@mnwest.edu

Proposals must be sealed with a notation on the outside of the envelope stating: Bid for Massey Ferguson MF8680 DELIVER IMMEDIATELY.

Mail or delivered (faxes and email will not be accepted) sealed proposals must be delivered no later than November 11, 2022 by 12:00pm:

Minnesota West Community & Technical College
Attn: Mike DeVries
1011 First Street West
Canby MN 56220

PROPOSAL CLOSE DATE is November 11, 2022 at 12:00 pm CST

Minnesota State Colleges and Universities (Minnesota State)

Minnesota West Community & Technical College

Notice of Request for PT2012 Maktest Electronic Testbench

The State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities, on behalf of Minnesota West Community and Technical College, is requesting proposals for an Maktest PT2012 electronic fuel injection test bench. Delivery required by March 17 2023.

To receive a copy of the proposal, please email mike.devries@mnwest.edu

Proposals must be sealed with a notation on the outside of the envelope stating: Bid for Maktest PT2012 electronic testbench DELIVER IMMEDIATELY.

Mail or delivered (faxes and email will not be accepted) sealed proposals must be delivered no later than November 11, 2022 by 12:00pm:

Minnesota West Community & Technical College
Attn: Mike DeVries
1011 First Street West
Canby MN 56220

PROPOSAL CLOSE DATE is November 11, 2022 at 12:00 pm CST

Minnesota State Colleges and Universities (Minnesota State)

Rochester Community and Technical College

Notice of Request for Proposals (RFP) for Food Service and Concession Needs

NOTICE IS HEREBY GIVEN that Rochester Community and Technical College is accepting Requests for Proposals for our food service and concessions operation.

The contract will be awarded for three (3) years beginning July 1, 2023, running through June 30, 2026, with a two (2) one year renewal option.

To receive a copy of the RFP, send an e-mail to june.meitzner@rctc.edu

A **mandatory** informational meeting and walk through for all interested bidders is on Tuesday, November 29, 2022, from 1:00-3:00 P.M. in room CF206/208.

State Contracts

Proposals are due back by Monday December 5, 2022; 4:00 P.M. CT and are to be addressed to June Meitzner, Rochester Community and Technical College 851 30th Ave SE Rochester, MN 55904; Room SS153. Late responses will not be considered. Faxes are not acceptable.

A food service presentation by invitation may be scheduled for Monday, December 12, 2022, in room TBD.

Any questions should be in a form of an RFI and directed to Kelly Pyfferoen: *Kelly.pyfferoen@rctc.edu*

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

Minnesota State Colleges and Universities (Minnesota State) System Office, Marketing and Communications Request for Proposals for a media buyer to support marketing and communication efforts for Minnesota Future Together Grant

Minnesota State Colleges and Universities (Minnesota State) is requesting proposals for a media buying agency to assist with making media purchases during the 2022-2023 academic year, as well as assisting with creative. The selected vendor will supply media recommendations and proposals to assist Minnesota State in promoting the Minnesota Future Together Grant at our 33 colleges and universities.

Minnesota State must receive all responses to this RFP no later than 4:00 P.M. Central Time on Tuesday, Nov. 15, 2022. Proposal must be emailed to:

Barbara Hein, Director of Marketing
Barbara.Hein@MinnState.edu

Inquiries about this RFP must be directed to:

Barbara Hein, Director of Marketing
Telephone: 651-201-1429
E-mail: *Barbara.hein@minnstate.edu*

For a complete copy of the RFP and required submission materials, please visit the RFP website at <https://www.minnstate.edu/vendors/>. Click on General Opportunities and Follow the Media Buying Link for Minnesota State.

Minnesota State Colleges and Universities (Minnesota State) Winona State University Request for Proposals (RFP) for Winona State University Ewarrior: Digital Life and Learning Program to Provide a Laptop Service Program for HP and Mac Laptops

Notice is hereby given that Winona State University is seeking proposals for A LAPTOP SERVICE PROGRAM FOR HP AND MAC LAPTOPS.

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

Sealed proposals must be received by Laura Mann, Purchasing Director, at Winona State University, PO Box 5838 or 175 West Mark Street, Business Office, Somsen Hall 106, Winona, MN 55987, by Tuesday, November 15, 2022 3:00 pm CST.

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

Minnesota Joint Underwriting Association Request for Proposals for Legal Counsel Services

The Minnesota Joint Underwriting Association (Association) is requesting proposals from law firms that have experience in performing board counsel services for entities created by statute that function with a board of directors appointed per statute. A description of our organization and the services needed is outlined below.

Selection of a board counsel will be made in the best interests of the Association based upon the bids submitted and the quality of service indicated. Follow-up information or interviews may be requested from any bidder after the deadline to clarify any portion of the proposal. The Association intends to select a firm as soon as reasonably possible after the bid closes.

Background of the Minnesota Joint Underwriting Association

The Minnesota Joint Underwriting Association (Association) was created by the 1986 Minnesota State Legislature to provide liability insurance coverage for individuals or entities unable to obtain insurance through ordinary methods if the insurance is required by statute, ordinance or otherwise required by law (Minnesota Statutes 62I).

The Association is composed of three funds (a) Medical Malpractice, (b) General Liability, and (c) Liquor Liability. Each of the funds reports financial results separately, with combined annual written premium of approximately \$3 Million.

The Association is an assessment based organization with its members being certain Minnesota licensed property and casualty insurance companies. The Association Is an independent organization that reports to the Minnesota Department of Commerce, has an 11 member board of directors, and is administered by its Executive Director and staff.

For more information, please visit our website at www.mjua.org.

Scope of Work

The firm which wishes to enter into an agreement will:

- A. Respond to requests by the Board to undertake specific research on issues related to the Association.
- B. Attend Board meetings when requested;
- C. Provide information to and take direction from the Board and Executive Director as requested.
- D. Provide advice and guidance on legislative issues throughout the year
- E. Provide detailed, itemized billing statements quarterly.

Required Proposal Content

- A. An Executive Summary describing your understanding of the work to be performed and your firm's ability to perform the work.
- B. A presentation of prior experience providing similar services.
- C. A detailed description of the delineation of the responsibility among your personnel performing the services and managing the relationship, including backgrounds, training and experience of specific lawyers and other staff within the firm.
- D. A detailed description of your fee arrangements, including a fee schedule specifying rates for specific lawyers, legal assistants, and administrative or clerical staff.
- E. A demonstration by you that no conflicts of interest would exist should you be awarded this contract, or a description of potential conflicts and how such conflicts would be addressed.
- F. A minimum of three references.

Proposal Selection

- A. Nature of Procurement

This procurement is undertaken by the Association pursuant to the provisions of Minnesota Statutes. As such,

State Contracts

it is not governed by strict competitive bidding requirements frequently associated with the purchase of supplies and materials by the State.

Accordingly, the Association shall award the contract based on whose proposal and oral presentation, if requested, demonstrate clear capability to best fulfill the purpose of the RFP in a cost effective manner. The Association reserves the right to accept or reject proposals in whole or in part and to negotiate separately to serve the best interests of the Association.

Proposal and Contract

- A. Any firm possessing the capabilities necessary to provide the services required may submit a bid to this office prior to the deadline.
- B. **Deadlines – Questions** Requests for additional information and questions must be submitted electronically to Amy Gordon at amy@mjua.org no later than 4:00 PM November 15, 2022. Questions will be accumulated and a single Q&A addressing all questions submitted will be provided by November 18, 2022. Proposals will be accepted by the MJUA until 4:00 p.m., on December 2, 2022. No proposals received after that time will be considered for acceptance.

Additional Proposal and Contract Requirements

- A. Public Status of Proposals Submitted - Pursuant to Minnesota Law, all proposals submitted in response to this RFP shall become property of the Association. Such proposals shall also constitute public records and shall be available for viewing and reproduction by any person after the bid period has been closed and a contract has been engaged.
- B. Selection of Board Counsel will be made in the best interests of the Association based upon the bids submitted and the quality of service indicated. Follow-up information or interviews may be requested from any bidder after the deadline to clarify any portion of the proposal. The Association intends to select a firm as soon as reasonably possible after the bid closes.

Evaluation of Proposals

- A. While cost is an important factor, the Association will evaluate proposals on cost and the following criteria:
 - a. Prior similar experience.
 - b. Qualifications of staff to be assigned to the engagement.
 - c. Firm's understanding of the work to be performed.
 - d. References.
 - e. Completeness and timeliness of proposal.

Contact Information

- A. The MJUA's agent for purposes of responding to inquiries regarding RFP requirements is:

Amy Gordon, Executive Director
Minnesota Joint Underwriting Association
12400 Portland Avenue South
Suite 190
Burnsville, MN 55337
Phone: (952) 641-0260
Email: amy@mjua.org

Please return two original hard copies of your completed proposal to Amy's attention at the address provided above.

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.

State Contracts

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



**MINNESOTA STATE REGISTER:
THE SOURCE FOR RULES THAT MATTER TO YOU**

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 Miscellaneous Airfield Construction Phase 2 - GSE Charger Installation

Airport Location:	Minneapolis-St. Paul International Airport
Project Name:	2022 Miscellaneous Airfield Construction Phase 2 - GSE Charger Installation
MAC Contract No.:	106-1-342
Bids Close At:	11:00 AM on November 21, 2022
Bid Opening Conference Call:	11:30 AM on November 21, 2022
Teleconference Dial In #:	1-612-405-6798
Conference ID #:	681 090 675#

Notice to Contractors: Electronic Bid Submission for the project listed above will be received by the MAC, a public corporation, via QuestCDN <https://questcdn.com/> until the official time and date as displayed in QuestCDN Online.

Note: You can sign up on our web site (<https://metroairports.org/doing-business/solicitations>) to receive email notifications of new business opportunities.

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 at the QuestCDN Online indicated below and at the Minnesota Builders Exchange; Rochester 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 <https://www.questcdn.com>. Bidders may download the complete set of digital documents for \$15.00, or other fee as determined by QuestCDN, by entering eBidDocTM #8326320 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. Bid documents for this project may be viewed for no cost at QuestCDN Online. For this project, bids will **ONLY** be received electronically. Contractors submitting an electronic bid will be charged an additional \$30.00, or other fee as determined by QuestCDN, at the time of bid submission via the online electronic bid service QuestCDN Online.

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids for this project will be available on November 7, 2022, at MAC's web address of <https://metroairports.org/doing-business/solicitations> (construction bids).



**GO WHERE YOU WANT.
GET THE STATE REGISTER SENT TO YOU.
SUBSCRIBE TODAY.**

