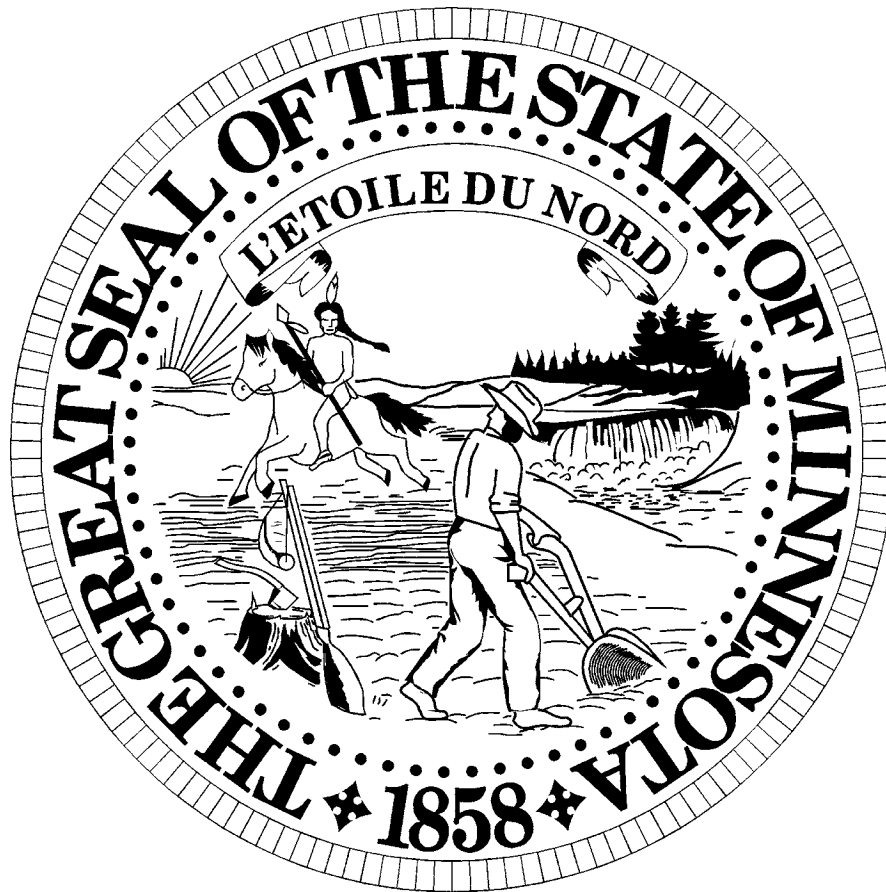


Minnesota State Register

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**Proposed, Adopted, Emergency, Expedited, Withdrawn, Vetoed Rules;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 25 October 2021
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Pages 557 - 576**

Minnesota State Register

Judicial Notice Shall Be Taken of Material Published in the Minnesota State Register

The Minnesota State Register is the official publication of the State of Minnesota's Executive Branch of government, published weekly to fulfill the legislative mandate set forth in Minnesota Statutes, Chapter 14, and Minnesota Rules, Chapter 1400. It contains:

- Proposed Rules
- Adopted Rules
- Exempt Rules
- Expedited Rules
- Withdrawn Rules
- Executive Orders of the Governor
- Appointments
- Proclamations
- Vetoed Rules
- Commissioners' Orders
- Revenue Notices
- Official Notices
- State Grants and Loans
- Contracts for Professional, Technical and Consulting Services
- Non-State Public Bids, Contracts and Grants

Printing Schedule and Submission Deadlines

Vol. 46 Issue Number	Publish Date	Deadline for: all Short Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical- Consulting Contracts, Non-State Bids and Public Contracts	Deadline for LONG, Complicated Rules (contact the editor to negotiate a deadline)
#18	Monday 1 November	Noon Tuesday 26 October	Noon Thursday 21 October
#19	Monday 8 November	Noon Tuesday 2 November	Noon Thursday 28 October
#20	Monday 15 November	Noon Tuesday 9 November	Noon Thursday 4 November
#21	Monday 22 November	Noon Tuesday 16 November	Noon Thursday 11 November

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Federal Register

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

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

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

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

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

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

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

Department of Human Services

Health Care Administration

Public Notice Regarding Changes to Payment Rates and Methodologies, and Services under the Medical Assistance Program

NOTICE IS HEREBY GIVEN to recipients, providers of services, and to the public of certain statutory changes made to the Medical Assistance (MA) Program that the 2021 Minnesota Legislature enacted during the regular session, and the First Special Session.

This notice is published pursuant to 42 United States Code §1396a(a)(13)(A) (§1902(a)(13)(A) of the Social Security Act), which requires the Department to publish final institutional payment rates, the methodologies underlying the establishment of such rates, and the justification for such rates. It is also published pursuant to *Code of Federal Regulations*, title 42, part 447, section 205 (42 CFR §447.205), which requires publication of a notice when there is any significant proposed change in the methods and standards for setting payment rates for Medicaid services.

The legislative changes are estimated to result in a net increase of \$ 152,936,809 in the MA program for state fiscal year 2022 (July 1, 2021 through June 30, 2022), and a net increase of \$ 402,36,735 in the MA program for state fiscal year 2023 (July 1, 2022 through June 30, 2023).

The actual text of most of the 2021 legislative changes is contained in *Laws of Minnesota 2021*, Regular Session, Chapter 30; and *Laws of Minnesota 2021*, First Special Session, Chapter 7. These are available by calling the House of Representatives Public Information Office at (651) 296-2146 (voice) or (651) 296-9896 (TTY) or 1-800-657-3550 (Greater Minnesota) or 1-800-627-3529 (TTY); or the Senate Information Office at (651) 296-0504 (voice) or (651) 296-0250 (TTY); for Greater Minnesota call 1-888-234-1112 (voice) or 1-888-234-1216 (TTY). These laws are also available on the internet at: <http://www.revisor.leg.state.mn.us>

It is important to note that not all changes made to these programs by the 2021 legislature are mentioned in this notice. In addition, a few changes have already been published.

Information relating to implementation of these provisions will be sent to local human services agencies through bulletins and manual updates, to recipients and enrollees through written notice, and to health care providers through newsletters and updates to the *Minnesota Health Care Programs Provider Manual*, available at

http://www.dhs.state.mn.us/main/groups/business_partners/documents/pub/DHS_id_000221.hcsp

Changes were made to the following program areas:

- I. MA Services and Payment Rates
- II. MA Payment Rates for Institutional Providers
- III. MA Home and Community-Based Services and Payment Rates

I. MA Payment Rates

Effective July 1, 2021, under Minn. Stat. §256B.0625, subdivision 30, when more than one year is used for federally qualified health center (FQHC) and rural health center (RHC) rebasing, requires that years in which costs or claims volume is reduced or altered due to pandemic, disease, or other public health emergency not be used as part of

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a base year. Allows DHS to use the Medicare cost reports of a year unaffected by a pandemic, disease, or other public health emergency, or the previous two consecutive years inflated to the base year. This change has a net fiscal impact of \$36,500,000 in FY2022 and \$43,100,000 in FY2023. *Laws of Minnesota 2021, chapter 30, article 1, section 11.*

Effective January 1, 2022 and subject to federal approval, revisions to Minn. Stat. §256B.0625, subdivision 13, allows a 90-day supply of a prescription drug to be dispensed under the MA program, if the drug appears on the 90-day supply list published by the commissioner. The list must be published on the DHS website. Amendments to Minn. Stat. §256B.0625, subdivision 13e increase the professional dispensing fee from \$10.48 to \$10.77 for prescriptions filled with legend drugs, intravenous solutions that must be compounded, and prescriptions filled with over the counter drugs for dispensed quantities equal to or greater than the number of units contained in the manufacturer's original package. This change has a net fiscal impact of (\$211,258) in FY2022 and (\$611,873) in FY2023. *Laws of Minnesota, First Special Session, chapter 7, article 1, sections 8 and 11.*

Effective January 1, 2022 and subject to federal approval, a revision to Minn. Stat. §256B.0525, subdivision 31, provides that allergen reducing products are considered durable medical equipment; and a new subdivision 67 to Minn. Stat. §256B.0625 provides coverage for enhanced asthma care services and related products provided in children's homes for children with poorly controlled asthma. This change has a net fiscal impact of \$430,000 in FY2022 and \$1,207,200 in FY2023. *Laws of Minnesota, First Special Session, chapter 7, article 1, sections 14 and 16.*

Effective January 1, 2022, Minn. Stat. §256B.0631, subdivision 1, provides for a copayment of one dollar in the MA program for a prescription brand-name multisource drug listed in preferred status on the preferred drug list. This change has a net cost of \$72,738 in FY2022 and \$228,032 in FY2023. *Laws of Minnesota, First Special Session, chapter 7, article 1, section 17.*

Effective January 1, 2022 and subject to federal approval, Minn. Stat. §256B.76, subdivision 2, provides that rates for dental services increase by 98%, excluding rates to state-operated dental clinics, federally qualified health centers, rural health centers, state-operated dental clinics, or Indian health centers and net of the elimination of existing rate add-ons of 5 percent overall, 9.65 percent for dental services delivered outside the seven county metro area, 20 percent for community and public health clinics, and 23.8 percent for dental services provided to enrollees under the age of 21. Managed care plans are required to reimburse dental providers at a rate equal to MA fee-for-service rates, unless federal approval is not granted. Also effective January 1, 2022, Minn. Stat. §256B.76, subdivision 4, provides that payment to critical access dental providers shall increase by twenty percent above the reimbursement rate that would otherwise be paid to the provider. The payment increase does not apply to federally qualified health centers, rural health centers, state-operated dental clinics, or Indian health centers. Managed care plans must increase reimbursement to critical access dental providers in an equal amount, unless federal approval is not granted. These changes have a net fiscal impact of \$20,021,960 in FY2022 and \$37,704,952 in FY2023. *Laws of Minnesota, First Special Session, chapter 7, article 1, sections 22 and 23.*

Effective for services on or after January 1, 2022 and subject to federal approval, payment rates for substance use disorder (SUD) treatment providers that meet the standards for Minnesota's SUD demonstration project are increased over the base rates paid to non-demonstration providers. Current payment rates for existing demonstration providers are 15 percent above the base rates for residential services and 10 percent above the base rate for outpatient services. Effective January 1, 2022 payment rates for demonstration providers will increase to 25 percent above the base rate for residential services and 20 percent above the base rate for outpatient services. This change has a net fiscal impact of \$953,266 in FY 2022 and \$3,549,987 in FY2023. *Laws of Minnesota, First Special Session, chapter 7, article 11, section 19.*

Effective for services on or after January 1, 2022 and subject to federal approval, a new subdivision 4 to Minn. Stat. §254B.12, provides a 5% rate increase applies to substance use disorder treatment services provided by culturally specific or culturally responsive programs, or disability responsive programs. The commissioner must increase capitation rates to reflect this increase. This change has a net fiscal impact of \$434,333 in FY2022 and \$937,470 in FY2023. *Laws of Minnesota, First Special Session, chapter 7, article 11, section 12.*

Effective on January 1, 2022 and subject to federal approval, the commissioner is directed under Minn. Stat.

256B.0624, subdivision 7, to establish a statewide per diem payment rate for crisis stabilization services provided to adults in a licensed residential setting that serves no more than four adults. The bundled payment rate will be calculated prospectively for rates paid during each calendar year using uniform cost reports collected by the commissioner. Payment rates will be recalculated annually. *Laws of Minnesota, First Special Session, chapter 7, article 1, sections 14 and 16.* is change has a net fiscal impact of \$24,474 in FY2022 and \$51,282 in FY2023. *Laws of Minnesota, First Special Session, chapter 7, article 11, section 16.*

Effective January 1, 2022 and subject to federal approval, Minn. Stat. §256B.076, subdivision 2, is amended to provide for the establishment of a statewide rate for contracted case management services by counties. The final draft of proposed rate methodology must be published at least 30 days in advance of the required notice for state plan amendments, to provide for feedback from stakeholders the public. *Laws of Minnesota, First Special Session, chapter 7, article 11, section 24.*

II. MA Payment Rates for Institutional Providers

Effective for services on or after January 1, 2022 and subject to federal approval, amendments to Minn. Stat. §§256B.5012, 256B.5013, and 256B.5015 provide for a 5% rate increase for ICF/DDs and modifies the rates and procedures related to variable rates and services during the day. This change has a net fiscal impact of \$2,479,073 in FY2022 and \$6,439,685 in FY2023. *Laws of Minnesota 2021, First Special Session, chapter 7, article 13, sections 44 - 47.*

Effective January 1, 2022 and subject to federal approval, the Department will update the payment rates for inpatient hospital services delivered on a fee for service basis. The rate update is being completed in accordance with Minnesota Statutes 256.969 subd 2b(h) which requires the Commissioner to update the rates every two years. The base year for this rate update is 2018. The Commissioner will combine the claims from 2017 and 2018 to compute the rates for this update in accordance with *Laws of Minnesota 2021, Chapter 30, Article 1, Section 2.* Two years of claims data are being used for this rebasing because the number of claims in 2018 fell below the threshold required to ensure a statistically valid sample of claims for the rate update. This rebase will also increase the newborn screening add-on to inpatient rates to reimburse hospitals for the Medicaid costs of the screening tests hospitals are required to perform on all newborns. This change is expected to increase payments for inpatient hospital services by \$6,347,000 in FY2022 and \$7,914,000 in FY2023.

III. MA Home and Community-Based Services and Payment Rates

Effective January 1, 2022, or upon federal approval, revisions to Minn. Stat. §§256S.21 and 256S.2101 further phase-in rate setting methods under §§256S.211 to 256S.215, which results in rate increases for many services delivered under the elderly waiver, alternative care, and essential community supports programs. This change has a net fiscal impact of \$3,121,685 in FY2022 and \$13,863,728 in FY2023. *Laws of Minnesota 2021, First Special Session, Chapter 7, article 13, sections 63 and 64.*

Effective the later of January 1, 2022 or upon federal approval, the commissioner must increase the annual budgets by 7.5% of participants of consumer-directed community supports under the alternative care program, the consumer support grant program, and the MA home and community-based waiver programs, for participants assessed to need ten or more hours of personal care assistance services or community first services and supports per day, when the recipient uses direct support services from an appropriately trained worker. This change has a net fiscal impact of \$892,500 in FY2022 and \$2,400,000 in FY2023. *Laws of Minnesota, First Special Session, chapter 7, article 13, sections 6 and 67.*

Effective the later of January 1, 2021 or upon federal approval, a housing transition payment of one time per year will apply under Minn. Stats. §256B.051. This change has a net fiscal impact of \$682,000 in fiscal year 2022 and \$1,637,000 in fiscal year 2023. In addition, funding is made available to provide additional assistance, \$4,000,000 in fiscal year 2022 and \$4,000,000 in fiscal year 2023. *Minnesota Laws 2021, Special Session 1, Chapter 7, Article 17, Sections 5.*

Effective upon federal approval, additional funding grants for transition to community initiative are available under Minn. Stat. §256.478. Funding includes \$5,500,000 in fiscal year 2022 and \$5,500,000 in fiscal year 2023. *Minnesota Laws 2021, Special Session 1, Chapter 7, Article 17, Sections 6.*

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For more information or questions about submitting or reviewing comments, please contact Patrick Hultman at (651) 431-4311 or patrick.hultman@state.mn.us. Comments may also be mailed to Patrick Hultman at PO Box 64983, St. Paul, MN 55164. Copies of this notice, and any comments received, may be reviewed by appointment at the Elmer L. Andersen Human Services Building located at 540 Cedar Street, St. Paul, MN 55101.

Department of Labor and Industry

Construction Codes and Licensing Division

REQUEST FOR COMMENTS on Possible Amendment to Rules Governing the Adoption of *ANSI/ASHRAE/IES Standard 90.1-2019 Energy Standard for Buildings Except Low-Rise Residential Buildings*, Minnesota Rules, Chapter 1323; Revisor's ID Number R-04696

Subject of Rules. The Minnesota Department of Labor and Industry requests comments on its possible amendment to *Minnesota Rules*, chapter 1323, "Commercial Energy Code." The existing *Minnesota Rules*, chapter 1323, incorporates by reference the commercial provisions of the 2018 edition of the *International Energy Conservation Code* ("IECC"), with amendments. The Department is considering rule amendments that will no longer incorporate by reference the commercial provisions the IECC, and will instead incorporate by reference *ANSI/ASHRAE/IES Standard 90.1-2019 Energy Standard for Buildings Except Low-Rise Residential Buildings* (ASHRAE 90.1), with amendments, and any other amendments necessary to administer and enforce the Commercial Energy Code.

Persons Affected. The amendment to the rules would likely affect building officials, building inspectors, building contractors, architects, engineers, installers, building owners and managers, and the general public.

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

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

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

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

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

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

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

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

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

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

Date: October 14, 2021

Roslyn Robertson, Commissioner
Department of Labor and Industry

Minnesota Department of Revenue

Official Notice: Cigarette Sales Tax – Rate Change

Pursuant to *Minnesota Statutes*, section 297F.25, the Commissioner of Revenue has determined that the new cigarette sales tax rate will be 66.3 cents per pack of 20 cigarettes. For packs of cigarettes with other than 20 cigarettes, the tax must be adjusted proportionally. This rate is effective for sales on or after January 1, 2022.

Publication Date: October 25, 2021

Department of Transportation (MnDOT)

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

Notice of Public Comment Period for the Revised Public Participation Plan for the Statewide Multimodal Transportation Plan

NOTICE IS HEREBY GIVEN that the public is invited to review and provide comments through December 10 on the revised Public Participation Plan for the Statewide Multimodal Transportation Plan. The Statewide Multimodal Transportation Plan provides policy guidance for all modes of travel and for all transportation partners. The SMTP shares objectives, performance measures and strategies for transportation decisions over the next two decades. Following the Statewide Multimodal Transportation Plan, updates to MnDOT's plans for highways, rail, aviation, transit, freight and non-motorized transportation (walking, bicycling and rolling) answer what the Minnesota GO vision and the Statewide Multimodal Transportation Plan mean for each type of transportation.

Public engagement is key to ensuring the final plan reflects Minnesotans' transportation priorities. The revised Public Participation Plan outlines how MnDOT plans to connect with the public, stakeholders and partners to update the

Official Notices

Statewide Multimodal Transportation Plan.

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

Written comments will be accepted through December 10 and should be addressed to:

Hally Turner
Project Director
Hally.Turner@state.mn.us
651-366-3901

For more information, contact Hally Turner at 651-366-3901 or *hally.turner@state.mn.us*, or visit <http://www.minnesotago.org>.

Minnesota Department of Transportation (MnDOT)

Aeronautics Office

REQUEST FOR COMMENTS for Possible Amendments to Rules Governing Airport Zoning Standards, *Minnesota Rules*, Part 8800.2400 and 8800.2500; Revisor's ID Number R-04655

Subject of Rules. The Office of Aeronautics of the Department of Transportation requests comments on its possible amendment to rules governing public airport zoning standards adopted by joint airport zoning boards or other local units of government. The amendments will bring the zoning standards into conformance with statutory changes made in recent years and provide greater flexibility to local units of government. The Department also requests comments on the addition of rules incorporating existing standards for funding airport clear zone acquisition to enhance aviation safety by ensuring compatible land use. Adopting long-existing funding standards into rule will make the standards more easily accessible and transparent.

Persons Affected. The amendments to the rules would likely affect local units of government that govern public airports such as joint airport zoning boards and counties and municipalities with an airport located in their boundaries; public-use airport managers; pilots; flight schools and persons receiving instruction in piloting; persons travelling in aircraft; persons on the ground in the vicinity of a public-use airport; and landowners in the approach zones of a public-use airport.

Statutory Authority. *Minnesota Statutes*, section 360.015, Subdivision 3 authorizes the Department to adopt aeronautics rules for the purpose of protecting and ensuring “the general public interest and safety, the safety of persons receiving instruction concerning, or operating, using, or traveling in, aircraft, and of persons and property on land or water” and “to develop and promote aeronautics in this state.”

Public Comment. Interested persons or groups may submit comments or information on these possible rules in writing or orally until further notice is published in the *State Register* that the Department intends to adopt or to withdraw the rules. The Department will not publish a notice of intent to adopt the rules until more than 60 days have elapsed from the date of this request for comments. The Department does not plan to appoint an advisory committee to comment on the possible rules but will otherwise affirmatively seek comment on the possible rules from stakeholders.

Rules Drafts. The Department has not yet drafted the possible rules amendments and additions. When prepared, the Department will make rules drafts available to stakeholders and the general public on the Department's public web site.

Agency Contact Person. Written or oral 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: Rylan Juran, MnDOT Office of Aeronautics, 395 John Ireland Boulevard, St. Paul, MN, 55155; (651) 234-7190; facsimile (651) 366-3127 (if

sending by fax, clearly mark the submittal on the first page as “Aeronautics Rulemaking, Attention Rylan Juran”); Rylan.juran@state.mn.us.

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

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

Dated: October 22, 2021

Margaret Anderson Kelliher, Commissioner
Department of Transportation

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 Commerce

Division of Energy Resources

Request for Proposals for Community Energy Collaborative – COMM-SEP01-20211025

The Minnesota Department of Commerce Division of Energy Resources requests proposals from qualified organizations or individuals to develop an equitable process (or multiple processes) to engage communities in state-level energy planning. Through this program, Commerce anticipates issuing up to 3-5 awards in the range of \$10,000 - \$30,000 each.

The Department acknowledges that underserved communities bear the greatest adverse impacts from climate change, shoulder the highest energy burdens, and stand to benefit the most from the emerging clean energy economy. The intent of this Request for Proposals is for the Department to establish long-term trusting relationships with communities that have traditionally been underserved or underrepresented in the state-based energy conversation. As a result, the Department is seeking to proactively engage with organizations representing and serving underserved, diverse populations. The Project Scope includes two parts:

Part I: In conjunction with the Department, develop processes or mechanisms for equitable communication flow for one or both of the following areas: Area 1: Energy Policy Development, and/or Area 2: Energy Program Development/Implementation and Communications.

Part II: Implement proposed mechanism with one or more topics, collaboratively defined by Commerce, the selected responder, and represented communities.

At minimum, successful responders will demonstrate how they will develop a reciprocal engagement structure between community-based organizations representing underserved communities and the Department of Commerce. In

State Grants & Loans

addition, the responders are encouraged to propose one or more of the following deliverables:

- A collaboratively-designed policy proposal, including a plan for community members to testify for Legislative committees.
- Comprehensive communication strategy to reach historically underserved communities for Energy-based Assistance Programs
- Guidelines for culturally specific language, imagery or messaging that would resonate with underserved communities (this could be for one or more specific communities).
- Other applicable deliverables proposed by the responder are encouraged.

A Request for Proposals (RFP) and required forms will be available for download on the Department's website <https://mn.gov/commerce/industries/rfp/> through the deadline of Monday, November 22, 2021, 5:00PM Central Time.

Applications must be submitted through the GRANT INTERFACE WEBSITE, Minnesota Department of Commerce's online grant interface website, link provided at the RFP website <https://mn.gov/commerce/industries/rfp/> by no later than **Monday, November 22, 2021, 5:00PM Central Time. Late proposals will not be considered.** Instructions for submitting proposals are detailed in the RFP.

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

Department of Employment and Economic Development (DEED) Notice of Grant Opportunity

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

Department of Human Services

HIV Supports Section of the Disability Service Division

Notice of Request for Proposals to Provide HIV Care and Support Services to people with HIV and Capacity Development for the Service Sector that Will Assist Individuals in Accessing And Maintaining Hiv Care

The Minnesota Department of Human Services HIV Supports Section is requesting proposals to provide the following HIV care and support services: Health Education/Risk Reduction Medical Case Management, Non-medical Case Management, Outpatient Health Care Services, Referral for Health Care/Supportive Services, Substance Abuse (Outpatient); and the following Capacity Building Services: Clinical Supervision for HIV Medical Case Managers and Housing Advocacy.

DHS is seeking proposals for the grant period 7/1/2022 through 6/30/2024.

For more information email:

Thomas Blissett, HIV Community Services Supervisor
Department of Human Services, Disability Services Division, HIV Supports Section
HIVgrantsmanagement@state.mn.us

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

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

State Grants & Loans

Proposals submitted in response to this Request for Proposals (RFP) must be received at the email listed in the RFP no later than **4:00 p.m., Central Time, on January 10, 2022. Late proposals will not be considered.** Proposals received via other methods will not be considered.

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

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

Department of Human Services

Purchasing and Service Delivery Division

Notice of Request for Proposals to Provide Prepaid Health Care Services to Eligible Individuals through the Minnesota Senior Health Options and Minnesota Senior Care Plus throughout 87 counties in the State of Minnesota

The Minnesota Department of Human Services (DHS or State) is requesting proposals to provide benefits through the Minnesota Senior Health Options (MSHO) and Minnesota Senior Care Plus (MSC+) contracts in all 87 counties of the State of Minnesota.

DHS is seeking proposals for the grant period January 1, 2023 through December 31, 2023.

For more information contact:

Kristi Burt
Department of Human Services
Purchasing and Service Delivery Division
444 Lafayette Road North, St. Paul, MN 55155 0984
SNP_RFPs@state.mn.us

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

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

Proposals submitted in response to this Request for Proposals (RFP) must be received at the address listed in the RFP no later than **4:00 p.m., Central Time, on February 18, 2022. Late proposals will not be considered.** Proposals received via other methods will not be considered.

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

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

Department of Human Services

Purchasing and Service Delivery Division

Notice of Request for Proposals to Provide Prepaid Health Care Services to Eligible Individuals through the Special Needs BasicCare and Integrated Special Needs BasicCare contracts in all 87 counties of the State of Minnesota

The Minnesota Department of Human Services (DHS or State) is requesting proposals to provide benefits through the Special Needs BasicCare and Integrated Special Needs BasicCare contracts in all 87 counties of the State of

State Grants & Loans

Minnesota.

DHS is seeking proposals for the grant period January 1, 2023 through December 31, 2023.

For more information contact:

Kristi Burt
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444 Lafayette Road North, St. Paul, MN 55155 0984
SNP_RFPs@state.mn.us

This is the only person designated to answer questions by potential responders regarding this request.
To obtain this information in a different format, please email *Emily.Waymire@state.mn.us*.

Proposals submitted in response to this Request for Proposals (RFP) must be received at the address listed in the RFP no later than **4:00 p.m., Central Time, on February 18, 2022. Late proposals will not be considered.** Proposals received via other methods will not be considered.

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

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

Minnesota Department of Transportation (MnDOT)

Office of Civil Rights

Request for Proposals for Micro Grant

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

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

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

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

State Contracts

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

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

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

Minnesota State Colleges and Universities (Minnesota State) Non-Construction Related Bid and Contracting Opportunities

Minnesota State is now placing additional public notices for P/T contract opportunities, goods/commodities, and non-construction related services on its Vendor and Supplier Opportunities website (<http://minnstate.edu/vendors/index.html>). New public notices may be added to the website on a daily basis and be available for the time period as indicated within the public notice.

If you have any questions regarding this notice, or are having problems viewing the information on the Vendor and Supplier Opportunities website, please call the Minnesota State Procurement Unit at 651-201-1444, Monday-Friday, 9:00 am – 4:00 pm.

Minnesota State Colleges and Universities (Minnesota State) Minnesota West Community & Technical College Notice of Request for Proposals for Compact Track Loader

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 compact track loader with **minimum** specifications of:

- 98 horsepower
- 17" rubber tracks
- Block Heater
- Cab package including but not limited to Heat/AC, backup camera, air ride seat, rear view mirror kit
- 80" heavy duty bucket
- 60" trencher with standard accessories
- One-year warranty
- Assembly, setup, and delivery
- Delivery required by December 30, 2021.

To receive a copy of the proposal, please email judy.tebben@mnwest.edu.

Proposals must be sealed with a notation on the outside of the envelope stating: Compact Track Loader – DELIVER IMMEDIATELY.

State Contracts

Mail or delivered (faxes and email will not be accepted) sealed proposals must be delivered no later than November 2, 2021 at 2:00 pm CST to:

Minnesota West Community & Technical College
Attn: Judy Tebben
1593 11th Avenue
Granite Falls, MN 56241

PROPOSAL CLOSE DATE is November 2, 2021 at 2:00 pm CST

Minnesota State Colleges and Universities (Minnesota State)

Minnesota West Community & Technical College

Notice of Request for Proposal for Website Design, Implementation, and Support

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 to assist in the following:

1. To select a vendor for visual design and implementation of Minnesota West Community and Technical College's existing strategic plan (i.e. wireframes and technical expectations).
2. To select a content management system, implemented by the vendor.
3. To understand the cost of ongoing support for the new Minnesota West Community and Technical College website.

To receive a copy of the proposal, please email, rebecca.weber@mnwest.edu.

Proposals must be sealed with a notation on the outside of the envelope stating: Website Design, Implementation, and Support - DELIVER IMMEDIATELY.

Mail or delivered (faxes and email will not be accepted) sealed proposals must be delivered no later than November 15, 2021 at 2:00 pm CST to:

Minnesota West Community & Technical College
Attn: Rebecca Weber
1011 First Street West
Canby, MN 56220

PROPOSAL CLOSE DATE is November 15, 2021 at 2:00 pm CST

Minnesota State Colleges and Universities (Minnesota State)

Winona State University

Request for Proposals for Bookstore Retail Services

Notice is hereby given that Winona State University is seeking proposals for **Bookstore Retail Services**.

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

Sealed proposals must be received by Laura Mann, Purchasing Director, at Winona State University, PO Box 5838 or 175 West Mark Street, Business Office, Somsen Hall 106, Winona, MN 55987, by Monday, November 29, 2021 3:00 PM CT.

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

Department of Employment and Economic Development

Office of Broadband Development

Notice of Request for Proposals (RFP) for Broadband Data Collection and Mapping

NOTICE IS HEREBY GIVEN that the Office of Broadband Development at the Minnesota Department of Employment and Economic Development (DEED) is soliciting proposals from qualified vendors for broadband data collection and mapping services. The full Request for Proposals (RFP) is available at: <https://mn.gov/deed/about/contracts/open-rfp.jsp>

All requirements and information, as well as proposal delivery instructions are contained in the RFP. Inquiries regarding the RFP may be directed by email to Diane Wells, Office of Broadband Development at diane.wells@state.mn.us. Deadline for inquiries is Thursday, October 7, 2021 at 4:00 p.m. Other department personnel are NOT allowed to discuss the Request for Proposal with anyone, including responders, before the proposal submission deadline.

Proposals must be emailed to: Diane Wells, Office of Broadband Development, Minnesota Department of Employment and Economic Development at diane.wells@state.mn.us. Proposals must be received NO later than **4:00 PM, Wednesday, October 27, 2021**; late responses will not be considered. The Department of Employment and Economic Development reserves the right to reject any or all proposals, to waive any irregularities or informalities, and to cancel the solicitation if it is considered to be its own best interest. This Request for Proposals does not obligate DEED to award a contract.

Minnesota Historical Society (MNHS)

Request for Bids for Gallery Interpretative Exhibits Fabrication at Historic Fort Snelling

The Minnesota Historical Society is soliciting bids from qualified contractors to work collaboratively with MNHS to detail, fabricate and install gallery exhibits at Historic Fort Snelling (Site) as part of a larger Revitalization project.

This is a prevailing wage project.

The Request for Bids front-end documents are available by contacting Mary Green Toussaint, Contract Manager, Minnesota Historical Society, by e-mail only: mary.green-toussaint@mnhs.org

There will be a **MANDATORY** pre-bid meeting for all interested parties on **Thursday, November 4, 2021 at 1:00-2:30 P.M. Local Time** at Historic Fort Snelling 200 Tower Avenue, St Paul 55111

All bids must be received in .pdf format only by Mary Green Toussaint, Contract and Purchasing Manager, at mary.green-toussaint@mnhs.org no later than **2:00 P.M. Local Time Thursday November 18, 2021**. Due to the ongoing pandemic, there will be no public bid opening.

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

State Contracts

forms and contact information can be found on MnDOT's Consultant Services website. Applications may be submitted at any time for this Program.

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

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

Non-State Public Bids, Contracts & Grants

The State Register also serves as a central marketplace for contracts let out on bid by the public sector. The *State Register* meets state and federal guidelines for statewide circulation of public notices. Any tax-supported institution or government jurisdiction may advertise contracts and requests for proposals from the private sector. It is recommended that contracts and RFPs include the following: 1) name of contact person; 2) institution name, address, and telephone number; 3) brief description of commodity, project or tasks; 4) cost estimate; and 5) final submission date of completed contract proposal. Allow at least three weeks from publication date (four weeks from the date article is submitted for publication). Surveys show that subscribers are interested in hearing about contracts for estimates as low as \$1,000. Contact editor for further details.

Besides the following listing, readers are advised to check: <http://www.mmd.admin.state.mn.us/solicitations.htm> as well as the Office of Grants Management (OGM) at: <http://www.grants.state.mn.us/public/>.

City of Brooklyn Park Request for Proposals for Civil Legal Services

The City of Brooklyn Park is accepting proposals for contracted legal services from firms or individuals experienced in municipal law. Proposals will be received for a City Attorney for general municipal representation of civil matters. Proposals will be accepted until 5 p.m. on Friday, November 5, 2021. Any questions, and a request for a full copy of the RFP, can be submitted to: McKaia Ryberg, Strategic Management Coordinator, City of Brooklyn Park, 5200 85th Avenue North, Brooklyn Park, MN 55443, 763-493-8159, or via email at mckaia.ryberg@brooklynpark.org.

City of Brooklyn Park Request for Proposals for Criminal (Prosecution) Legal Services

The City of Brooklyn Park is accepting proposals for contracted legal services from firms or individuals experienced in criminal law. Proposals will be received for a City Attorney for municipal representation of criminal (prosecution) matters. Proposals will be accepted until 5 p.m. on Friday, November 5, 2021. Any questions, and a request for a full copy of the RFP, can be submitted to: McKaia Ryberg, Strategic Management Coordinator, City of Brooklyn Park, 5200 85th Avenue North, Brooklyn Park, MN 55443, 763-493-8159, or via email at mckaia.ryberg@brooklynpark.org.

Metropolitan Airports Commission (MAC) Notice of Call for Bids for 2021 Safety & Security Center - Phase 1 (ARFF)

Airport Location:	Minneapolis-St. Paul International Airport
Project Name:	2021 Safety & Security Center - Phase 1 (ARFF)
MAC Contract No.:	106-3-597
Bids Close At:	2:00 p.m. November 16, 2021
Bids Opening At:	3:00 p.m. November 16, 2021 via teleconference
Teleconference Dial In #:	+16124056798
Conference ID#:	681090675#

— Non-State Public Bids, Contracts & Grants

Notice to Contractors: Sealed Bid Proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040-28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated. The following major work items include but are not limited to demolition, site, general construction, mechanical and electrical work.

Note: You can sign up on our Web site (www.metroairports.org) to receive email notifications of new business opportunities or go directly to **MAC's E-News Subscription Service** and choose this and other topics about which you are interested.

Disadvantaged Business Enterprises (DBE): The goal of the MAC for the utilization of Disadvantaged Business Enterprises (DBE) on this project is 14%.

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.

Project Labor Agreement: This project is subject to the MAC's Project Labor Agreement requirements. A copy of the Project Labor Agreement and Contract Riders are included in the Appendix.

Availability of Bidding Documents: Bidding documents are on file for inspection at the Minnesota Builders Exchange; Dodge Data and Analytics; and NAMC-UM Plan Room. Bidders desiring Bidding Documents may secure a complete digital set at <http://www.questcdn.com>. Bidders may download the complete set of digital bidding documents for \$50.00 by entering eBidDoc™ #7818762 in the "Search Projects" page. Contact Quest Construction Data Network at 952-233-1632 or info@questcdn.com for assistance. Hard copy drawings and specifications will not be made available to Bidders.

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids for this project will be available on October 18, 2021, at MAC's web address of **MAC's Construction Bids Webpage** (construction bids).

Midwestern Higher Education Compact (MHEC) Request for Proposals for End User Computing & Peripherals, Device Lifecycle Management, and Associated Services – MHEC-RFP-10282021

DETAILS: The Midwestern Higher Education Compact (MHEC) is competitively soliciting proposals on behalf of MHEC's 12 Compact member states for innovative and cost-effective End User Computing & Peripherals, Device Lifecycle Management, and Associated Services. The Midwestern Higher Education Compact (MHEC) is an instrumentality of 12 Midwestern states (Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, and Wisconsin). The Compact was established in 1991 through a common statute enacted into law by each of the member states (Minnesota Statute – Section 135A.20). The purpose of the Compact is to promote higher education through interstate cooperation and resource sharing.

MHEC has determined that developing a region-wide acquisition strategy for higher education End User Computing & Peripherals, Device Lifecycle Management, and Associated Services through one or more providers will benefit both the higher education community and the provider(s). MHEC is seeking competitive solicitations with the intent to negotiate master agreement terms and conditions, licensing, and pricing. The resulting master agreement will allow an institution to focus most of its energy on finding the technology solution that best fits its needs instead of the contract itself. The result is a master agreement that facilitates a direct relationship between the technology provider(s) and institutions which contains discount pricing as well as terms and conditions that are better than most higher education institutions can negotiate individually.

For further information about the Compact's education technology contracts, visit <https://www.mhec.org/contracts/technology>

Non-State Public Bids, Contracts & Grants ==

PUBLISH DATE: A comprehensive Request for Proposal (RFP) for End User Computing & Peripherals, Device Lifecycle Management, and Associated Services MHEC-RFP-10282021 will be available on October 28, 2021, at MHEC's website <https://www.mhec.org/news>

COPY REQUEST: For a complete copy of the RFP, required submission materials or inquiries, visit website <https://www.mhec.org/news> and search RFP: End User Computing & Peripherals, Device Lifecycle Management, and Associated Services MHEC-RFP-10282021 or by email to:

Mr. Nathan Sorensen
Director of Government Contracts
Midwestern Higher Education Compact
105 Fifth Avenue South, Suite 450
Minneapolis, MN 55401
Phone: (612) 677-2767
E-mail: nathans@mhec.org

PROPOSAL DEADLINE: All responses to this RFP must be received no later than Tuesday, December 7, 2021, 10 A.M. CT.

This Request for Proposal (RFP) does not obligate the Midwestern Higher Education Compact (MHEC) or its member states to award a contract and reserves the right to cancel this RFP if it is considered to be in its best interest.



VACCINATED?

Maximize your protection
against COVID-19.

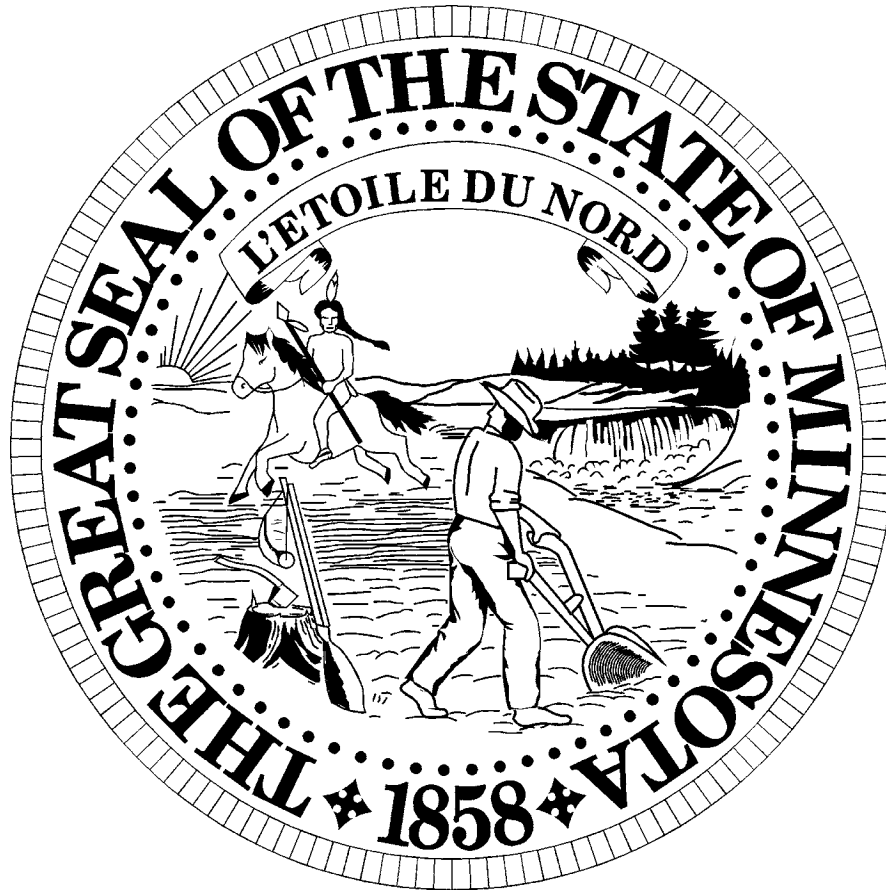
A stylized illustration of a yellow rocket with a blue nose cone and orange flames at the base, launching upwards. The background is a bright yellow sky with radiating lines. Below the rocket is a dark blue forest of evergreen trees. Scattered around the forest are several autumn leaves in shades of orange, red, and yellow.

A simple icon of a person's silhouette in blue, with a green arrow pointing upwards from the chest area, symbolizing growth or progress.

Booster shots are authorized for seniors and adults at high risk who received Pfizer at least six months ago.

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 1 November 2021
Volume 46, Number 18
Pages 577 - 606**

Minnesota State Register

Judicial Notice Shall Be Taken of Material Published in the Minnesota State Register

The Minnesota State Register is the official publication of the State of Minnesota's Executive Branch of government, published weekly to fulfill the legislative mandate set forth in Minnesota Statutes, Chapter 14, and Minnesota Rules, Chapter 1400. It contains:

- Proposed Rules
- Adopted Rules
- Exempt Rules
- Expedited Rules
- Withdrawn Rules
- Executive Orders of the Governor
- Appointments
- Proclamations
- Vetoed Rules
- Commissioners' Orders
- Revenue Notices
- Official Notices
- State Grants and Loans
- Contracts for Professional, Technical and Consulting Services
- Non-State Public Bids, Contracts and Grants

Printing Schedule and Submission Deadlines

Vol. 46 Issue Number	Publish Date	Deadline for: all Short Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical- Consulting Contracts, Non-State Bids and Public Contracts	Deadline for LONG, Complicated Rules (contact the editor to negotiate a deadline)
#19	Monday 8 November	Noon Tuesday 2 November	Noon Thursday 28 October
#20	Monday 15 November	Noon Tuesday 9 November	Noon Thursday 4 November
#21	Monday 22 November	Noon Tuesday 16 November	Noon Thursday 11 November
#22	Monday 29 November	Noon Tuesday 23 November	Noon Thursday 18 November

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

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

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

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

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

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

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

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

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

Minnesota Plumbing Board

Proposed Permanent Rules Adopting Updates to the Minnesota Plumbing Code; Notice of Intent to Adopt Rules without a Public Hearing; Revisor’s ID Number R-04713

Proposed Amendment to Rules Governing the Minnesota Plumbing Code, *Minnesota Rules*, chapter 4714.

Introduction. The Minnesota Plumbing Board intends to adopt rules without a public hearing following the procedures in the rules of the Office of Administrative Hearings (“OAH”), *Minnesota Rules*, parts 1400.2300 to 1400.2310, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. You may submit written comments on the proposed rules and may also submit a written request that a hearing be held on the rules until December 1, 2021.

Agency Contact Person. Submit any comments or questions on the rules or written requests for a public hearing to the agency contact person. The agency contact person is: Brittany Wysokinski at Minnesota Plumbing Board, c/o Minnesota Department of Labor and Industry, 443 Lafayette Road North, St. Paul, MN 55155, 651.284.5006 and dli.rules@state.mn.us. You may also submit written comments electronically via the *Office of Administrative Hearings Rulemaking eComments website*.

Subject of Rules and Statutory Authority. The proposed rules are about the Minnesota Plumbing Code, Minnesota Rules, chapter 4714. On March 22, 2021, the Plumbing Board published a Notice of Adoption of rule amendments,

Proposed Rules

R-04633, that updated the Minnesota Plumbing Code, including incorporating by reference the 2018 Uniform Plumbing Code (“UPC”), with amendments. The adoption of R-04633 amendments will become effective on December 17, 2021, due to the statutory 270-day period between publication of the Notice of Adoption and the effective date per Minn. Stat. section 326B.13, subd. 8. As a result of renumbering in the base model codes, some paragraphs in the base code regarding topics addressed by Minnesota amendments in the Plumbing Code were passively and inadvertently retained in the R-04633 amendments. The proposed rules address the passively and inadvertently retained items so that the rule is consistent with the language vetted and approved by the Board. The statutory authority to adopt the rules is *Minnesota Statutes*, sections 326B.43, subd. 1 and 326B.435, subd. 2. A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed. The rule is also available online on the **rulemaking docket website**.

Comments. You have until 4:30 p.m. on Wednesday, December 1, 2021, to submit written comments in support of or in opposition to the proposed rules or any part or subpart of the rules. Your comment must be in writing and received by the agency contact person or submitted to OAH by the due date. Comment is encouraged. Your comments should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed. You are encouraged to propose any change that you desire. Any comments that you have about the legality of the proposed rules must also be made during this comment period.

Request for a Hearing. In addition to submitting comments, you may also request that the Board hold a hearing on the rules. You must make your request for a public hearing in writing, which the agency contact person must receive by 4:30 p.m. on December 1, 2021. You must include your name and address in your written request. In addition, you must identify the portion of the proposed rules that you object to or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and the agency cannot count it when determining whether it must hold a public hearing. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

Withdrawal of Requests. If 25 or more persons submit a valid written request for a hearing, the Board will hold a public hearing unless a sufficient number of persons withdraw their requests in writing. If enough requests for hearing are withdrawn to reduce the number below 25, the agency must give written notice of this to all persons who requested a hearing, explain the actions the agency took to effect 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/Accommodation. Upon request, this information can be made available in an alternative format, such as large print, braille, or audio. To make such a request or if you need an accommodation to make this hearing accessible, please contact the agency 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 agency, and the adopted rules may not be substantially different than these proposed rules, unless the agency 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 (“SONAR”) summarizes the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. It is now available from the agency contact person. You may review it or obtain copies for the cost of reproduction by contacting the agency contact person. A copy of the SONAR is available online on the **rulemaking docket website**.

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

Adoption and Review of Rules. If no hearing is required, the agency may adopt the rules after the end of the comment period. The Board will submit the rules and supporting documents to the OAH for a legal review. You may ask to be notified of the date the rules are submitted to OAH. If you want to receive notice of this, to receive a copy of

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the adopted rules, or to register with the agency to receive notice of future rule proceedings, submit your request to the agency contact person listed above.

Date: October 27, 2021

Richard Jacobs, MN Plumbing Board Chair

4714.0609 INSTALLATION, TESTING, UNIONS, AND LOCATION.

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

Subp. 4. **Section 609.** UPC section 609 is amended by adding the following subsection 609.11 is amended to read as follows:

~~609.12~~ 609.11 Water Meters. Water meters shall be located in an approved location inside a building as close as possible to the point of entrance of the potable water supply pipe, installed at least 12 inches above the finished floor, and readily accessible. All water meter installations shall be rigidly supported with a permanent support in order to prevent the meter from vibrating when the water is passing through it.

Exceptions: Where installation inside a building is not possible, the water meter may be installed in an enclosed structure not subject to flooding, high groundwater, or surface drainage runoff, provided the meter is protected from freezing. Provisions shall be made to install the meters above grade when possible. When installed below grade, the top of the structure shall be located at least 12 inches above the finished grade, be secured, and be accessible. This structure shall not be connected to any storm or sanitary sewer system.

4714.0712 TESTING.

[For text of subpart 1, see Minnesota Rules]

Subp. 2. **Section 712.** UPC section 712 is amended by adding subsections to read as follows:

712.4 Negative Test. Concrete manholes and sewer lines shall be tested by negative pressure in accordance with ASTM Standards C1214-19 and C1244-17 or the Hydrostatic Test Method in section ~~1107.2.3(B)~~ 1107.2(B).

712.5 Finished Plumbing. After the plumbing fixtures have been set and their traps filled with water, their connections shall be tested and proven gastight and watertight by plugging the stack openings on the roof and the building drain where it leaves the building, and air introduced into the system equal to the pressure of a 1 inch water column. Such pressure shall remain constant for 15 minutes or the duration of the inspection without the introduction of additional air.

712.6 Test Plugs or Caps. Test plugs or caps for roof terminals shall extend above or outside the end of the vent pipe to provide a visible indication for removal after the test has been completed.

4714.1107 TESTING.

Subpart 1. **Section 1107.1.** UPC section 1107.1 is amended to read as follows:

1107.1 Testing Required. Building storm drainage systems that are new and parts of existing systems that have been altered, extended, or repaired shall be tested in accordance with section 712 to disclose leaks and defects, except as provided in section ~~1107.2.3~~ 1107.2. Any section of the building storm sewer that passes through contaminated soils or contaminated water must be air tested in accordance with section 712.3.

Subp. 2. ~~Subsection 1107.2.3~~ **Section 1107.2.** UPC subsection ~~1107.2.3~~ is section 1107.2 and its subsections are amended to read as follows:

~~1107.2.3~~ 1107.2 Exceptions.

(A) Testing is not required for:

(1) outside leaders;

(2) perforated or open drain tile; or

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(3) portions of storm drainage system and sewers that are located more than ten feet from buildings, more than ten feet from buried water lines, and more than 50 feet from water wells, and that do not pass through soil or water identified as being contaminated.

(B) Building storm sewers shall be tested in accordance with section 712 or the Hydrostatic Test Method from the City Engineers Association of Minnesota. The Hydrostatic Test Method, provisions E2 and E3, as specified in Standard Utilities Specifications for Watermain and Service Line Installation and Sanitary Sewer and Storm Sewer Installation, written and published by the City Engineers Association of Minnesota, 2018 edition, is incorporated by reference, is not subject to frequent change, and is available in the office of the commissioner of labor and industry.

4714.1601 GENERAL.

[For text of subpart 1, see State Register, volume 45, page 1007]

Subp. 2. **Sections 1601.2 and 1601.3.** UPC sections 1601.2 and 1601.3 are deleted in their entirety.

Subp. 3. **Table 1601.5.** UPC Table 1601.5 is amended to read as follows:

TABLE 1601.5	
Minimum Alternate Water Source Testing, Inspection, and Maintenance Frequency	
Description	Minimum Frequency
<u>Inspect and clean filters and screens, and replace.</u>	<u>Every three months.</u>
<u>Inspect and verify that required disinfection, filters, and water quality treatment devices and systems are operational and maintaining minimum water quality requirements in Table 1602.9.6.</u>	<u>After initial installation and monthly thereafter.</u> <u>Exception: Every 12 months thereafter when electronically monitored.</u>
<u>Inspect and clear debris from rainwater gutters, downspouts, and roof washers.</u>	<u>At the beginning of seasonal usage and monthly during seasonal usage.</u>
<u>Inspect and clear debris from roof or other aboveground rainwater collection surfaces.</u>	<u>At the beginning of seasonal usage and monthly during seasonal usage.</u>
<u>Remove tree branches and vegetation overhanging roof or other aboveground rainwater collection surfaces.</u>	<u>As needed.</u>
<u>Inspect pumps and verify operation.</u>	<u>After initial installation and every 12 months thereafter.</u>
<u>Inspect valves and verify operation.</u>	<u>After initial installation and every 12 months thereafter.</u>
<u>Inspect pressure tanks and verify operation.</u>	<u>After initial installation and every 12 months thereafter.</u>
<u>Clear debris from and inspect storage tanks and locking devices and verify operation.</u>	<u>After initial installation and every 12 months thereafter.</u>
<u>Inspect caution labels and marking.</u>	<u>After initial installation and every 12 months thereafter.</u>
<u>Cross-connection inspection and test.*</u>	<u>After initial installation and thereafter in accordance with Section 1602.5.</u>

*The cross-connection inspection and test shall be performed in accordance with this chapter by a plumber licensed under Minnesota Statutes, section 326B.46, and certified to ASSE Standard 5120.

Subp. 4. **Section 1601.7.** UPC section 1601.7 is amended to read as follows:

1601.7 Minimum Water Quality Requirements. The minimum water quality for rainwater catchment systems shall comply with the applicable water quality requirements for the intended application as determined by the Authority Having Jurisdiction. Water quality for nonpotable rainwater catchment systems shall comply with section 1602.9.6.

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Subp. 2. 5. **Section 1601.11.** UPC section 1601.11 is amended to read as follows:

1601.11 Abandonment. All rainwater catchment systems that are no longer in use and fail to be maintained in accordance with section 1601.5 shall be considered abandoned. Abandoned rainwater catchment systems are subject to sections 1601.11.1 and 1601.11.2.

1601.11.1 General. Every abandoned rainwater catchment system or part thereof covered under the scope of this chapter, as amended in this code, shall be disconnected from any remaining systems and drained, plugged, and capped per the requirements of this code. Storm drainage systems of abandoned rainwater catchment systems must comply with chapter 11, Storm Drainage, as amended.

1601.11.2 Underground Tank. Every underground water storage tank that has been abandoned or otherwise discontinued from use in a rainwater catchment system covered under the scope of this chapter, as amended in this code, shall be completely drained and filled with earth, sand, gravel, or concrete or removed in a manner approved by the administrative authority.

4714.1602 NONPOTABLE RAINWATER CATCHMENT SYSTEMS.

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

Subp. 6a. **Subsection 1602.9.4.** UPC subsection 1602.9.4 is deleted in its entirety.

[For text of subparts 7 and 8, see Minnesota Rules]

4714.1701 REFERENCED STANDARDS.

Subpart 1. **Table 1701.1.** UPC Table 1701.1 is modified to add the following:

STANDARD NUMBER	STANDARD TITLE	APPLICATION	REFERENCED SECTIONS
ASSE 1084-2018	Water Heaters with Temperature Limiting Capacity	Appliances	407.3, 409.4, 410.3
ASSE 1085-2018	Water Heaters for Emergency Equipment	Appliances	416.2
ASTM Standards C1214-19	Concrete Pipe Sewerlines by Negative Air Pressure (Vacuum) Test Method		712.4
ASTM Standards C1244-17	Concrete Sewer Manholes by the Negative Air Pressure (Vacuum) Test Prior to Backfill		712.4
CSA B125.3-2018	Plumbing Fittings	Fittings	409.4, 410.3
Hydrostatic Test Method (City Engineers Association of Minnesota) - 2018	Standard Utilities Specifications for Watermain and Service Line Installation and Sanitary Sewer and Storm Sewer Installation	Storm Drainage	407.2.3(B) <u>1107.2(B)</u>

Subp. 2. **Table 1701.1.** UPC Table 1701.1 is modified by amending the following:

STANDARD NUMBER	STANDARD TITLE	APPLICATION	REFERENCED SECTIONS
<u>ASME A112.3.1-2007</u>	<u>Stainless Steel Drainage Systems for Sanitary DWV, Storm, and Vacuum Applications, Above- and Below-Ground</u>	<u>Piping</u>	<u>418.1, 423.1, Table 701.2, 705.7.2, 1102.1</u>
<u>ASME A112.6.3-2001</u>	<u>Floor and Trench Drains</u>	<u>Fixtures</u>	<u>418.1, 423.1</u>
ASME A112.6.9-2005	Siphonic Roof Drains	DWV Components	1106.2.3, 1106.2.8

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STANDARD NUMBER	STANDARD TITLE	APPLICATION	REFERENCED SECTIONS
ASME A112.18.1 - 2018 / CSA B125.1 - 2018	Plumbing Supply Fittings	Fittings	408.3, 417.1, 417.2, 417.3, 417.4, 417.6, 603.5.19
ASPE Standard 45	Siphonic Roof Drainage	Roof Drainage	1106.2.2 1106.2.5, 1106.2.9, 1106.3.1, 1106.3.2
ASSE 1023-2019	Electrically Heated or Cooled Water Dispensers	Appliances	417.6
<u>NSF 14-2016</u>	<u>Plastics Piping System Components and Related Materials</u>	<u>Miscellaneous</u>	<u>301.2.3, 604.1, 611.3</u>
<u>NSF 42-2015</u>	<u>Drinking Water Treatment Units - Aesthetic Effects</u>	<u>Appliances</u>	<u>611.1, 611.3</u>
<u>NSF 44-2015</u>	<u>Residential Cation Exchange Water Softeners</u>	<u>Appliances</u>	<u>611.1, 611.3</u>
<u>NSF 53-2015</u>	<u>Drinking Water Treatment Units - Health Effects</u>	<u>Appliances</u>	<u>611.1, 611.3</u>
<u>NSF 55-2016</u>	<u>Ultraviolet Microbiological Water Treatment Systems</u>	<u>Appliances</u>	<u>611.1, 611.3</u>
<u>NSF 58-2015</u>	<u>Reverse Osmosis Drinking Water Treatment Systems</u>	<u>Appliances</u>	<u>611.1, 611.2, 611.3</u>
<u>NSF 61-2016</u>	<u>Drinking Water System Components - Health Effects</u>	<u>Miscellaneous</u>	<u>415.1, 417.1, 604.1, 604.9, 606.1, 607.2, 608.2, 611.1.1</u>
<u>NSF 62-2015</u>	<u>Drinking Water Distillation Systems</u>	<u>Appliances</u>	<u>611.1, 611.3</u>

Unless amended above, all other entries in UPC Table 1701.1 are not amended.

[For text of subparts 3 and 4, see Minnesota Rules]

EFFECTIVE DATE. These amendments are effective December 17, 2021, or five working days after publication of the amendments' notice of adoption in the State Register, whichever is later.

Revenue Notices

The Department of Revenue began issuing Revenue Notices in July of 1991. Revenue Notices are statements of policy made by the department that provide interpretation, detail, or supplementary information concerning a particular statute, rule, or departmental practice. The authority to issue Revenue Notices is found in *Minnesota Statutes*, Section 270C.07.

KEY: Underlining indicates additions to existing language. ~~Strikeouts~~ indicate deletions from existing language.

Minnesota Department of Revenue

Revenue Notice #21-04: Sales and Use Tax – Charitable Organization Exemption – Clarification of Qualifications for Exempt Status

Introduction

This Revenue Notice clarifies the factors that must be satisfied for an organization to qualify for sales tax exempt status as a charitable organization under *Minnesota Statutes*, section 297A.70, subdivision 4.

In *Under the Rainbow Child Care Center, Inc. v. Goodhue*, 741 N.W.2d 880 (Minn. 2007) (hereafter, “*Under the Rainbow*”), the Minnesota Supreme Court clarified that the third and sixth factors that the Court discussed in *North Star Research Institute v. County of Hennepin*, 236 N.W.2d 754 (Minn. 1975), are required in order for an organization to qualify for sales tax exempt status as a charitable organization. Those factors are under *Minnesota Rules* 8130.6200, subpart 2, Items C and F, respectively.

Department Position

Consistent with *Under the Rainbow*, *Minnesota Rules* 8130.6200, subpart 2, Item C, requires that the organization do more than serve a benevolent purpose on a nonprofit basis. The organization must provide a substantial portion of its goods and services for free or at considerably reduced rates. And Item F requires that upon dissolution, dividends and assets, in form or in substance, cannot be made available to private interests. Thus, an organization must satisfy all the following factors to qualify for sales tax exempt status as a charitable organization under Minnesota law:

1. The organization is exempt under section 501(c)(3) of the Internal Revenue Code, as provided under *Minnesota Rules* 8130.6200, subpart 5.
2. The organization is “charitable” as described in the first two sentences of *Minnesota Rules* 8130.6200, subpart 2.
3. The organization provides a substantial portion of its goods and services for free or considerably reduced rates under *Minnesota Rules* 8130.6200, subpart 2, Item C.
4. Dividends, in form or substance, or assets must not be available to private interests upon dissolution of the organization under *Minnesota Rules* 8130.6200, subpart 2, Item F.
5. The organization satisfies at least one of the four factors provided under *Minnesota Rules* 8130.6200, subpart 2, Items A, B, D, and E.
6. The organization satisfies the organizational and operational tests provided under *Minnesota Rules* 8130.6200, subpart 5.

Publication Date: November 1, 2021

Lee Ho, Deputy Commissioner

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 Department of Health (MDH)

Public Notice of Reportable Data Items to Minnesota Cancer Reporting System

NOTICE IS HEREBY GIVEN to cancer registries, medical laboratories, hospitals, medical clinics, physicians, and dentists of the list of data items reported to Minnesota Cancer Reporting System (MCRS).

Minnesota Statute, chapter 144, section 144.672, subdivision 1 gives the Commissioner of Health authority to collect cancer incidence information, analyze the information, and conduct special studies designed to determine the potential public health significance of an increase in cancer incidence.

MCRS Required Data Items for 2022

R= required, R* = if available, RH = required to be reported for historic records within date range given, RH* = if available, RS = Required, Site Specific, RS* = if available, D = derived, DH = historically derived. Unless otherwise noted, staging and treatment data items are required on all cancers diagnosed in or after 1995.

NAACCR Record Layout Version 22 (in layout order)

MCRS	NAACCR Item #	NAACCR Item Name	Note
RH	442	Ambiguous Terminology DX	Dx 2007 - 2012
RH	430	Behavior (92-00) ICD-O-2	Dx 1992 - 2000
R	523	Behavior Code ICD-O-3	Dx 2001 & later
R*	501	Casefinding Source	
RH	443	Date Conclusive DX	Dx 2007 - 2012
RH	448	Date Conclusive DX Flag	Dx 2007 - 2012
R	390	Date of Diagnosis	
R	391	Date of Diagnosis Flag	
RH	445	Date of Mult Tumors	Dx 2007 - 2012
RH	439	Date of Mult Tumors Flag	Dx 2007 - 2012
R	490	Diagnostic Confirmation	
RH	440	Grade	Dx 1988 - 2017
RH*	449	Grade Path System	Dx 2010 - 2013
RH*	441	Grade Path Value	Dx 2010 - 2013
R	522	Histologic Type ICD-O-3	Dx 2001 & later
RH	420	Histology (92-00) ICD-O-2	Dx 1992 - 2000
R	410	Laterality	
R	470	Morph Coding Sys--Current	
RH	444	Mult Tum Rpt as One Prim	Dx 2007 - 2012
RH	446	Multiplicity Counter	Dx 2007 - 2012

MCRS	NAACCR Item #	NAACCR Item Name	Note
R	400	Primary Site	
R	450	Site Coding Sys--Current	
R	500	Type of Reporting Source	
R	70	Addr at DX--City	
R	102	Addr at DX--Country	
R	100	Addr at DX--Postal Code	
R	80	Addr at DX--State	
R	1832	Addr Current--Country	
R	230	Age at Diagnosis	
R*	254	Birthplace--Country	
R*	252	Birthplace--State	
R	90	County at DX Reported	
R	240	Date of Birth	
R	241	Date of Birth Flag	
R*	1944	Place of Death--Country	
R	1942	Place of Death--State	
R	160	Race 1	
R	161	Race 2	
R	162	Race 3	
R	163	Race 4	
R	164	Race 5	
R	220	Sex	
R	190	Spanish/Hispanic Origin	
R*	320	Text--Usual Industry	
R*	310	Text--Usual Occupation	
R*	344	Tobacco Use Smoking Status	New
D	2156	AJCC API Version Current	Dx 2021 & later
D	2157	AJCC API Version Original	Dx 2021 & later
D	2158	AJCC Cancer Surveillance DLL Version Current	Dx 2021 & later
D	2159	AJCC Cancer Surveillance DLL Version Original	Dx 2021 & later
RH	1972	Behavior (73-91) ICD-O-1	Dx 1988 - 1991
R	2152	CoC Accredited Flag	Dx 2018 & later
RH	1973	Grade (73-91) ICD-O-1	Dx 1988 - 1991
RH	1971	Histology (73-91) ICD-O-1	Dx 1988 - 1991
R	2116	ICD-O-3 Conversion Flag	
D	2117	Schema ID Version Current	Dx 2021 & later
D	2118	Schema ID Version Original	Dx 2021 & later
RH	1960	Site (73-91) ICD-O-1	Dx 1988 - 1991
R	2170	Vendor Name	
R	1810	Addr Current--City	
R	1830	Addr Current--Postal Code	

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MCRS	NAACCR Item #	NAACCR Item Name	Note
R	1820	Addr Current--State	
R	1840	County--Current	
R	1750	Date of Last Contact	
R	1751	Date of Last Contact Flag	
R	1860	Recurrence Date--1st	
R	1880	Recurrence Type--1st	
R	1760	Vital Status	
R	2415	NPI--Inst Referred From	
R	2425	NPI--Inst Referred To	
R	570	Abstracted By	
R	550	Accession Number--Hosp	
R	610	Class of Case	
R	580	Date of 1st Contact	
R	581	Date of 1st Contact Flag	
R	545	NPI--Reporting Facility	
R*	630	Primary Payer at DX	
R	540	Reporting Facility	
R	720	RX Hosp--BRM	
R	700	RX Hosp--Chemo	
R	710	RX Hosp--Hormone	
R	730	RX Hosp--Other	
RH	690	RX Hosp--Radiation	Dx 1998 - 2002
RH	676	RX Hosp--Reg LN Removed	Dx 1998 - 2002
RH	747	RX Hosp--Scope Reg 98-02	Dx 1998 - 2002
R	672	RX Hosp--Scope Reg LN Sur	
RH	748	RX Hosp--Surg Oth 98-02	Dx 1998 - 2002
R	674	RX Hosp--Surg Oth Reg/Dis	
R	670	RX Hosp--Surg Prim Site	
RH	746	RX Hosp--Surg Site 98-02	Dx 1998 - 2002
R	560	Sequence Number--Hospital	
R*	2475	NPI--Physician--Follow-Up	
R*	2465	NPI--Physician--Managing	
R	2485	NPI--Physician--Primary Surg	
R	2470	Physician--Follow-Up	
R	2460	Physician--Managing	
R	2330	Addr at DX--No & Street	
R	2335	Addr at DX--Supplementl	
R	2350	Addr Current--No & Street	
R*	2355	Addr Current--Supplementl	
R	2300	Medical Record Number	
R*	2315	Medicare Beneficiary Identifier	

MCRS	NAACCR Item #	NAACCR Item Name	Note
R	2280	Name--Alias	
R	2232	Name--Birth Surname	
R	2240	Name--First	
R	2230	Name--Last	
R	2250	Name--Middle	
R	2320	Social Security Number	
R*	2360	Telephone	
R	50	NAACCR Record Version	
R*	21	Patient System ID-Hosp	
R	10	Record Type	
R*	3946	NCDB--COVID19--Tx Impact	Dx 2020 & later
R*	3944	NCDB--SARSCoV2--Pos	Dx 2020 & later
R*	3945	NCDB--SARSCoV2--Pos Date	Dx 2020 & later
R*	3943	NCDB--SARSCoV2--Test	Dx 2020 & later
RS	3803	Adenoid Cystic Basaloid Pattern	Dx 2018 & later
RS	3804	Adenopathy	Dx 2018 & later
RS	3805	AFP Post-Orchiectomy Lab Value	Dx 2018 & later
RS	3806	AFP Post-Orchiectomy Range	Dx 2018 & later
RS	3807	AFP Pre-Orchiectomy Lab Value	Dx 2018 & later
RS	3808	AFP Pre-Orchiectomy Range	Dx 2018 & later
RS	3809	AFP Pretreatment Interpretation	Dx 2018 & later
RS	3810	AFP Pretreatment Lab Value	Dx 2018 & later
D	995	AJCC ID	Dx 2018 & later
R	1003	AJCC TNM Clin M	Dx 2016 & later
R	1002	AJCC TNM Clin N	Dx 2016 & later
R	1034	AJCC TNM Clin N Suffix	Dx 2016 & later
R	1004	AJCC TNM Clin Stage Group	Dx 2016 & later
R	1001	AJCC TNM Clin T	Dx 2016 & later
R	1031	AJCC TNM Clin T Suffix	Dx 2016 & later
R	1013	AJCC TNM Path M	Dx 2016 & later
R	1012	AJCC TNM Path N	Dx 2016 & later
R	1035	AJCC TNM Path N Suffix	Dx 2016 & later
R	1014	AJCC TNM Path Stage Group	Dx 2016 & later
R	1011	AJCC TNM Path T	Dx 2016 & later
R	1032	AJCC TNM Path T Suffix	Dx 2016 & later
R	1066	AJCC TNM Post Therapy Clin (yc) M	Dx 2021 & later
R	1064	AJCC TNM Post Therapy Clin (yc) N	Dx 2021 & later
R	1065	AJCC TNM Post Therapy Clin (yc) N Suffix	Dx 2021 & later
R	1062	AJCC TNM Post Therapy Clin (yc) T	Dx 2021 & later
R	1063	AJCC TNM Post Therapy Clin (yc) T Suffix	Dx 2021 & later
R	1023	AJCC TNM Post Therapy Path (yp) M	Dx 2018 & later

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MCRS	NAACCR Item #	NAACCR Item Name	Note
R	1022	AJCC TNM Post Therapy Path (yp) N	Dx 2018 & later
R	1036	AJCC TNM Post Therapy Path (yp) N Suffix	Dx 2018 & later
R	1024	AJCC TNM Post Therapy Path (yp) Stage Group	Dx 2018 & later
R	1021	AJCC TNM Post Therapy Path (yp) T	Dx 2018 & later
R	1033	AJCC TNM Post Therapy Path (yp) T Suffix	Dx 2018 & later
RS	3938	ALK Rearrangement	Dx 2021 & later
RS	3811	Anemia	Dx 2018 & later
RS	3812	B symptoms	Dx 2018 & later
RS	3813	Bilirubin Pretreatment Total Lab Value	Dx 2018 & later
RS	3814	Bilirubin Pretreatment Unit of Measure	Dx 2018 & later
RS	3815	Bone Invasion	Dx 2018 & later
RS	3940	BRAF Mutational Analysis	Dx 2021 & later
RS	3816	Brain Molecular Markers	Dx 2018 & later
RS	3817	Breslow Tumor Thickness	Dx 2018 & later
RS	3942	CA 19-9 PreTX Lab Value	Dx 2021 & later
RS	3818	CA-125 Pretreatment Interpretation	Dx 2018 & later
RS	3819	CEA Pretreatment Interpretation	Dx 2018 & later
RS	3820	CEA Pretreatment Lab Value	Dx 2018 & later
RS	3802	Chromosome 19q: Loss of Heterozygosity (LOH)	Dx 2018 & later
RS	3801	Chromosome 1p: Loss of Heterozygosity (LOH)	Dx 2018 & later
RS	3821	Chromosome 3 Status	Dx 2018 & later
RS	3822	Chromosome 8q Status	Dx 2018 & later
RS	3823	Circumferential Resection Margin (CRM)	Dx 2018 & later
RS	3824	Creatinine Pretreatment Lab Value	Dx 2018 & later
RS	3825	Creatinine Pretreatment Unit of Measure	Dx 2018 & later
RH*	2810	CS Extension	Dx 2004 - 2015
RH*	2830	CS Lymph Nodes	Dx 2004 - 2015
RH*	2840	CS Lymph Nodes Eval	Dx 2004 - 2015
RH*	2850	CS Mets at DX	Dx 2004 - 2015
RH	2851	CS Mets at Dx-Bone	Dx 2010 - 2015
RH	2852	CS Mets at Dx-Brain	Dx 2010 - 2015
RH	2853	CS Mets at Dx-Liver	Dx 2010 - 2015
RH	2854	CS Mets at Dx-Lung	Dx 2010 - 2015
RH*	2860	CS Mets Eval	Dx 2004 - 2015
RH*	2880	CS Site-Specific Factor 1	Dx 2004 - 2017
RH*	2890	CS Site-Specific Factor 2	Dx 2004 - 2017
RH*	2900	CS Site-Specific Factor 3	Dx 2004 - 2017
RH*	2910	CS Site-Specific Factor 4	Dx 2004 - 2017
RH*	2920	CS Site-Specific Factor 5	Dx 2004 - 2017
RH*	2930	CS Site-Specific Factor 6	Dx 2004 - 2017
RH*	2861	CS Site-Specific Factor 7	Dx 2010 - 2017

MCRS	NAACCR Item #	NAACCR Item Name	Note
RH*	2862	CS Site-Specific Factor 8	Dx 2010 - 2017
RH*	2863	CS Site-Specific Factor 9	Dx 2010 - 2017
RH*	2864	CS Site-Specific Factor10	Dx 2010 - 2017
RH*	2865	CS Site-Specific Factor11	Dx 2010 - 2017
RH*	2866	CS Site-Specific Factor12	Dx 2010 - 2017
RH*	2867	CS Site-Specific Factor13	Dx 2010 - 2017
RH*	2868	CS Site-Specific Factor14	Dx 2010 - 2017
RH*	2869	CS Site-Specific Factor15	Dx 2010 - 2017
RH*	2870	CS Site-Specific Factor16	Dx 2010 - 2017
RH*	2871	CS Site-Specific Factor17	Dx 2010 - 2017
RH	2872	CS Site-Specific Factor18	Dx 2010 - 2017
RH	2873	CS Site-Specific Factor19	Dx 2010 - 2017
RH	2874	CS Site-Specific Factor20	Dx 2010 - 2017
RH	2875	CS Site-Specific Factor21	Dx 2010 - 2017
RH	2876	CS Site-Specific Factor22	Dx 2010 - 2017
RH	2877	CS Site-Specific Factor23	Dx 2010 - 2017
RH	2878	CS Site-Specific Factor24	Dx 2010 - 2017
RH*	2879	CS Site-Specific Factor25	Dx 2010 - 2017
RH*	2800	CS Tumor Size	Dx 2004 - 2015
RH*	2820	CS Tumor Size/Ext Eval	Dx 2004 - 2015
RH*	2936	CS Version Derived	Dx 2004 - 2015
R*	2937	CS Version Input Current	Dx 2004 - 2017
R*	2935	CS Version Input Original	Dx 2004 - 2017
RS	832	Date of Sentinel Lymph Node Biopsy	Dx 2018 & later
R	682	Date Regional Lymph Node Dissection	Dx 2018 & later
DH	2980	Derived AJCC-6 M	Dx 2004 - 2015
DH	2990	Derived AJCC-6 M Descript	Dx 2004 - 2015
DH	2960	Derived AJCC-6 N	Dx 2004 - 2015
DH	2970	Derived AJCC-6 N Descript	Dx 2004 - 2015
DH	3000	Derived AJCC-6 Stage Grp	Dx 2004 - 2015
DH	2940	Derived AJCC-6 T	Dx 2004 - 2015
DH	2950	Derived AJCC-6 T Descript	Dx 2004 - 2015
RH*	3420	Derived AJCC-7 M	Dx 2004 - 2015
RH*	3422	Derived AJCC-7 M Descript	Dx 2004 - 2015
RH*	3410	Derived AJCC-7 N	Dx 2004 - 2015
RH*	3412	Derived AJCC-7 N Descript	Dx 2004 - 2015
RH*	3430	Derived AJCC-7 Stage Grp	Dx 2004 - 2015
RH*	3400	Derived AJCC-7 T	Dx 2004 - 2015
RH*	3402	Derived AJCC-7 T Descript	Dx 2004 - 2015
RH*	3020	Derived SS2000	Dx 2004 - 2015
RH*	3050	Derived SS2000--Flag	Dx 2004 - 2015

Official Notices

MCRS	NAACCR Item #	NAACCR Item Name	Note
RS	3939	EGFR Mutational Analysis	Dx 2021 & later
RH	780	EOD--Tumor Size	Dx 1995 - 2002
RS	3829	Esophagus and EGJ Tumor Epicenter	Dx 2018 & later
RS	3826	Estrogen Receptor Percent Positive or Range	Dx 2018 & later
RS	3827	Estrogen Receptor Summary	Dx 2018 & later
RS	3828	Estrogen Receptor Total Allred Score	Dx 2018 & later
RS	3830	Extranodal Extension Clin (non-Head and Neck)	Dx 2018 & later
RS	3831	Extranodal Extension Head and Neck Clinical	Dx 2018 & later
RS	3832	Extranodal Extension Head and Neck Pathological	Dx 2018 & later
RS	3833	Extranodal Extension Path (non-Head and Neck)	Dx 2018 & later
RS	3834	Extravascular Matrix Patterns	Dx 2018 & later
RS	3835	Fibrosis Score	Dx 2018 & later
RS	3836	FIGO Stage	Dx 2018 & later
RS	3837	Gestational Trophoblastic Prognostic Scoring Index	Dx 2018 & later
RS	3838	Gleason Patterns Clinical	Dx 2018 & later
RS	3839	Gleason Patterns Pathological	Dx 2018 & later
RS	3840	Gleason Score Clinical	Dx 2018 & later
RS	3841	Gleason Score Pathological	Dx 2018 & later
RS*	3842	Gleason Tertiary Pattern	Dx 2018 & later
R	3843	Grade Clinical	Dx 2018 & later
R	3844	Grade Pathological	Dx 2018 & later
R*	1068	Grade Post Therapy Clin (yc)	Dx 2021 & later
R*	3845	Grade Post Therapy Path (yp)	Dx 2018 & later
RS	3846	hCG Post-Orchiectomy Lab Value	Dx 2018 & later
RS	3847	hCG Post-Orchiectomy Range	Dx 2018 & later
RS	3848	hCG Pre-Orchiectomy Lab Value	Dx 2018 & later
RS	3849	hCG Pre-Orchiectomy Range	Dx 2018 & later
RS	3855	HER2 Overall Summary	Dx 2018 & later
RS	3856	Heritable Trait	Dx 2018 & later
RS	3857	High Risk Cytogenetics	Dx 2018 & later
RS	3858	High Risk Histologic Features	Dx 2018 & later
RS	3859	HIV Status	Dx 2018 - 2020
RS	3860	International Normalized Ratio Prothrombin Time	Dx 2018 & later
RS	3864	Invasion Beyond Capsule	Dx 2018 & later
RS	3861	Ipsilateral Adrenal Gland Involvement	Dx 2018 & later
RS	3862	JAK2	Dx 2018 & later
RS	3863	Ki-67	Dx 2018 & later
RS	3865	KIT Gene Immunohistochemistry	Dx 2018 & later
RS	3866	KRAS	Dx 2018 & later
RS	3932	LDH Lab Value	Dx 2018 & later
RS	3869	LDH Level	Dx 2018 & later

MCRS	NAACCR Item #	NAACCR Item Name	Note
RS	3867	LDH Post-Orchiectomy Range	Dx 2018 & later
RS	3868	LDH Pre-Orchiectomy Range	Dx 2018 & later
RS	3870	LDH Upper Limits of Normal	Dx 2018 & later
RS	3871	LN Assessment Method Femoral-Inguinal	Dx 2018 & later
RS	3872	LN Assessment Method Para-Aortic	Dx 2018 & later
RS	3873	LN Assessment Method Pelvic	Dx 2018 & later
RS	3874	LN Distant Assessment Method	Dx 2018 & later
RS	3875	LN Distant: Mediastinal, Scalene	Dx 2018 & later
RS	3876	LN Head and Neck Levels I-III	Dx 2018 & later
RS	3877	LN Head and Neck Levels IV-V	Dx 2018 & later
RS	3878	LN Head and Neck Levels VI-VII	Dx 2018 & later
RS	3879	LN Head and Neck Other	Dx 2018 & later
RS	3880	LN Isolated Tumor Cells (ITC)	Dx 2018 & later
RS	3881	LN Laterality	Dx 2018 & later
RS	3882	LN Positive Axillary Level I-II	Dx 2018 & later
RS	3883	LN Size	Dx 2018 & later
RS	3959	LN Status Femoral-Inguinal	New
RS	3884	LN Status Femoral-Inguinal, Para-Aortic, Pelvic	Dx 2018 & later
RS	3958	LN Status Para-Aortic	New
RS	3957	LN Status Pelvic	New
RS	3885	Lymphocytosis	Dx 2018 & later
R	1182	Lymphovascular Invasion	Dx 2010 & later
R	3950	Macroscopic Evaluation of Mesorectum	New
RS	3886	Major Vein Involvement	Dx 2018 & later
RS	3887	Measured Basal Diameter	Dx 2018 & later
RS	3888	Measured Thickness	Dx 2018 & later
RS	3889	Methylation of O6-Methylguanine-Methyltransferase	Dx 2018 & later
R	1112	Mets at DX-Bone	Dx 2016 & later
R	1113	Mets at DX-Brain	Dx 2016 & later
R	1114	Mets at Dx-Distant LN	Dx 2016 & later
R	1115	Mets at DX-Liver	Dx 2016 & later
R	1116	Mets at DX-Lung	Dx 2016 & later
R	1117	Mets at DX-Other	Dx 2016 & later
RS*	3890	Microsatellite Instability (MSI)	Dx 2018 & later
RS	3891	Microvascular Density	Dx 2018 & later
RS	3892	Mitotic Count Uveal Melanoma	Dx 2018 & later
RS	3893	Mitotic Rate Melanoma	Dx 2018 & later
RS	3894	Multigene Signature Method	Dx 2018 & later
RS	3895	Multigene Signature Results	Dx 2018 & later
RS	3896	NCCN International Prognostic Index (IPI)	Dx 2018 & later
RS	3941	NRAS Mutational Analysis	Dx 2021 & later

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MCRS	NAACCR Item #	NAACCR Item Name	Note
RS	3897	Number of Cores Examined	Dx 2018 & later
RS	3898	Number of Cores Positive	Dx 2018 & later
RS	3899	Number of Examined Para-Aortic Nodes	Dx 2018 & later
RS	3900	Number of Examined Pelvic Nodes	Dx 2018 & later
RS	3901	Number of Positive Para-Aortic Nodes	Dx 2018 & later
RS	3902	Number of Positive Pelvic Nodes	Dx 2018 & later
RS	3903	Oncotype Dx Recurrence Score-DCIS	Dx 2018 & later
RS	3904	Oncotype Dx Recurrence Score-Invasive	Dx 2018 & later
RS	3905	Oncotype Dx Risk Level-DCIS	Dx 2018 & later
RS	3906	Oncotype Dx Risk Level-Invasive	Dx 2018 & later
RS	3907	Organomegaly	Dx 2018 & later
RS	3956	P16	New
RS	3908	Percent Necrosis Post Neoadjuvant	Dx 2018 & later
RS	3909	Perineural Invasion	Dx 2018 & later
RS	3910	Peripheral Blood Involvement	Dx 2018 & later
RS	3911	Peritoneal Cytology	Dx 2018 & later
RS	3913	Pleural Effusion	Dx 2018 & later
RS	3917	Primary Sclerosing Cholangitis	Dx 2018 & later
RS	3918	Profound Immune Suppression	Dx 2018 & later
RS	3914	Progesterone Receptor Percent Positive or Range	Dx 2018 & later
RS	3915	Progesterone Receptor Summary	Dx 2018 & later
RS	3916	Progesterone Receptor Total Allred Score	Dx 2018 & later
RS	3920	PSA (Prostatic Specific Antigen) Lab Value	Dx 2018 & later
R	830	Regional Nodes Examined	Dx 2004 & later
R	820	Regional Nodes Positive	Dx 2004 & later
RS	3921	Residual Tumor Volume Post Cyto reduction	Dx 2018 & later
RS	3922	Response to Neoadjuvant Therapy	Dx 2018 & later
RS	3923	S Category Clinical	Dx 2018 & later
RS	3924	S Category Pathological	Dx 2018 & later
RS	3925	Sarcomatoid Features	Dx 2018 & later
RS	3926	Schema Discriminator 1	Dx 2018 & later
RS	3927	Schema Discriminator 2	Dx 2018 & later
RS	3928	Schema Discriminator 3	Dx 2018 & later
D	3800	Schema ID	Dx 2018 & later
RH	760	SEER Summary Stage 1977	Dx 1995 - 2000
RH	759	SEER Summary Stage 2000	Dx 2001 - 2017
RS	834	Sentinel Lymph Nodes Examined	Dx 2018 & later
RS	835	Sentinel Lymph Nodes Positive	Dx 2018 & later
RS	3929	Separate Tumor Nodules	Dx 2018 & later
RS	3930	Serum Albumin Pretreatment Level	Dx 2018 & later
RS	3931	Serum Beta-2 Microglobulin Pretreatment Level	Dx 2018 & later

MCRS	NAACCR Item #	NAACCR Item Name	Note
R	764	Summary Stage 2018	Dx 2018 & later
RS	3933	Thrombocytopenia	Dx 2018 & later
RH	980	TNM Clin Descriptor	Dx 1995 - 2015
RH	960	TNM Clin M	Dx 1995 - 2015
RH	950	TNM Clin N	Dx 1995 - 2015
RH	970	TNM Clin Stage Group	Dx 1995 - 2015
RH	990	TNM Clin Staged By	Dx 1995 - 2015
RH	940	TNM Clin T	Dx 1995 - 2015
R	1060	TNM Edition Number	
RH	920	TNM Path Descriptor	Dx 1995 - 2015
RH	900	TNM Path M	Dx 1995 - 2015
RH	890	TNM Path N	Dx 1995 - 2015
RH	910	TNM Path Stage Group	Dx 1995 - 2015
RH	930	TNM Path Staged By	Dx 1995 - 2015
RH	880	TNM Path T	Dx 1995 - 2015
RS	3934	Tumor Deposits	Dx 2018 & later
RS	3935	Tumor Growth Pattern	Dx 2018 & later
RH	1150	Tumor Marker 1	Dx 1995 - 2002
RH	1160	Tumor Marker 2	Dx 1995 - 2002
RH	1170	Tumor Marker 3	Dx 1995 - 2002
R*	752	Tumor Size Clinical	Dx 2016 & later
R*	754	Tumor Size Pathologic	Dx 2016 & later
R	756	Tumor Size Summary	Dx 2016 & later
RS	3936	Ulceration	Dx 2018 & later
RS	3937	Visceral and Parietal Pleural Invasion	Dx 2018 & later
R	2550	Text--DX Proc--Lab Tests	
R	2560	Text--DX Proc--Op	
R	2570	Text--DX Proc--Path	
R	2520	Text--DX Proc--PE	
R	2540	Text--DX Proc--Scopes	
R	2530	Text--DX Proc--X-ray/Scan	
R	2590	Text--Histology Title	
R	2580	Text--Primary Site Title	
R	2600	Text--Staging	
R	2690	Text--Place of Diagnosis	
R*	2680	Text--Remarks	
R	2660	RX Text--BRM	
R	2640	RX Text--Chemo	
R	2650	RX Text--Hormone	
R	2670	RX Text--Other	
R	2620	RX Text--Radiation (Beam)	

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MCRS	NAACCR Item #	NAACCR Item Name	Note
R	2630	RX Text--Radiation Other	
R	2610	RX Text--Surgery	
R	1270	Date 1st Crs RX CoC	
R	1271	Date 1st Crs RX CoC Flag	
R	1506	Phase I Radiation Treatment Modality	Dx 2018 & later
RH	3200	Rad--Boost RX Modality	Dx 2003 - 2017
RH	1570	Rad--Regional RX Modality	Dx 2003 - 2017
R	1430	Reason for No Radiation	
R	1340	Reason for No Surgery	
R	1460	RX Coding System--Current	
R	1240	RX Date BRM	
R	1241	RX Date BRM Flag	
R	1220	RX Date Chemo	
R	1221	RX Date Chemo Flag	
R	1230	RX Date Hormone	
R	1231	RX Date Hormone Flag	
R	3170	RX Date Mst Defn Srg	
R	3171	RX Date Mst Defn Srg Flag	
R	1250	RX Date Other	
R	1251	RX Date Other Flag	
R	1210	RX Date Radiation	
R	1211	RX Date Radiation Flag	
R	1200	RX Date Surgery	
R	1201	RX Date Surgery Flag	
R	3230	RX Date Systemic	
RH	3231	RX Date Systemic Flag	Dx 2003 - 2020
R	1410	RX Summ--BRM	
R	1390	RX Summ--Chemo	
R	1400	RX Summ--Hormone	
R	1420	RX Summ--Other	
RH	1360	RX Summ--Radiation	Dx 2003 - 2017
RH	1296	RX Summ--Reg LN Examined	Dx 1998 - 2002
RH	1647	RX Summ--Scope Reg 98-02	Dx 1998 - 2002
R	1292	RX Summ--Scope Reg LN Sur	Dx 2003 & later
RH	1648	RX Summ--Surg Oth 98-02	Dx 1998 - 2002
R	1294	RX Summ--Surg Oth Reg/Dis	Dx 2003 & later
R	1290	RX Summ--Surg Prim Site	Dx 2003 & later
RH	1646	RX Summ--Surg Site 98-02	Dx 1998 - 2002
R	1380	RX Summ--Surg/Rad Seq	Dx 2003 & later
RH	1640	RX Summ--Surgery Type	Dx 1998 - 2002
R	1639	RX Summ--Systemic/Sur Seq	Dx 2003 & later

MCRS	NAACCR Item #	NAACCR Item Name	Note
R	3250	RX Summ--Transplnt/Endocr	Dx 2003 & later
R	1285	RX Summ--Treatment Status	Dx 2010 & later

Please note, NAACCR abstracts for diagnosis years 2021 and greater submitted to MCRS in 2022 must be in XML format. New data items are indicated by the Note of "New". There are no state requestor items. The four SARSCoV2 items, #3943-3946, are still required, if available, for diagnosis year 2022.

This notice is published pursuant to Minnesota Rules, chapter 4606, part 4606.3304, subpart 1a, which requires publication of a list of the required data items to be reported under chapter 4606, part 4606.3303, subpart 1.

Written comments, questions, and requests for more information on rules should be directed to: Minnesota Cancer Reporting System, Minnesota Department of Health, 85 East 7th Place, P.O. Box 64882, Saint Paul, Minnesota 55164-0882.

E-mail: health.mcrs@state.mn.us, Telephone: 651-201-5900, Fax 1-800-293-6013.

Minnesota Department of Health
Minnesota Cancer Reporting System
PO Box 64882
St. Paul, MN 55164-0822
651-201-5900
health.mcrs@state.mn.us
www.health.state.mn.us

October 2021

To obtain this information in a different format, call 651-201-5900. Printed on recycled paper.

Department of Labor and Industry

Notice of Certification of Highway and Heavy Prevailing Wage Rates

The Commissioner of Labor & Industry will certify prevailing wage rates for Highway and Heavy construction projects in all ten regions on Monday, November 1, 2021. These rates were identified by annual survey of highway and heavy construction projects in Minnesota collected by the Department.

Wage rate determinations are available online at:

<http://dli.mn.gov/business/employment-practices/prevailing-wage-information>

Questions regarding determinations may be directed to the following:

Division of Labor Standards & Apprenticeship
443 Lafayette Road N
St. Paul, MN 55155
Phone: 651-284-5091
Email: dli.prevwage@state.mn.us

Official Notices

Department of Transportation (MnDOT)

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

Notice of Public Comment Period for the Revised Public Participation Plan for the Statewide Multimodal Transportation Plan

NOTICE IS HEREBY GIVEN that the public is invited to review and provide comments through December 10 on the revised Public Participation Plan for the Statewide Multimodal Transportation Plan. The Statewide Multimodal Transportation Plan provides policy guidance for all modes of travel and for all transportation partners. The SMTP shares objectives, performance measures and strategies for transportation decisions over the next two decades. Following the Statewide Multimodal Transportation Plan, updates to MnDOT's plans for highways, rail, aviation, transit, freight and non-motorized transportation (walking, bicycling and rolling) answer what the Minnesota GO vision and the Statewide Multimodal Transportation Plan mean for each type of transportation.

Public engagement is key to ensuring the final plan reflects Minnesotans' transportation priorities. The revised Public Participation Plan outlines how MnDOT plans to connect with the public, stakeholders and partners to update the Statewide Multimodal Transportation Plan.

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

Written comments will be accepted through December 10 and should be addressed to:

Hally Turner
Project Director
Hally.Turner@state.mn.us
651-366-3901

For more information, contact Hally Turner at 651-366-3901 or *hally.turner@state.mn.us*, or visit <http://www.minnesotago.org>.

State Grants & Loans

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

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

Department of Employment and Economic Development (DEED)

Notice of Grant Opportunity

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

Department of Human Services

Behavioral Health Division

Notice of Request for Proposals to provide Opioid Epidemic Response Services

The Minnesota Department of Human Services (DHS or State) is requesting proposals to provide Opioid use prevention and education training on the treatment of opioid addiction, expansion, and enhancement of the continuum of care for opioid-related substance use disorders, and the development of measures to assess and protect the ability of those who legitimately need prescription pain medications to maintain their quality of life.

DHS is seeking proposals for the grant period January 1, 2022 through June 30, 2023.

For more information contact:

Tara Holt
Department of Human Services
Behavioral Health Division
Phone: (651) 431-2473
BHD_Opioid@state.mn.us

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

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

Proposals submitted in response to this Request for Proposals (RFP) must be received at the email address listed in the RFP no later than **4:00 p.m., Central Time, on December 1, 2021. Late proposals will not be considered.** Proposals received via other methods will not be considered.

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

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

Minnesota Department of Transportation (MnDOT)

Office of Civil Rights

Request for Proposals for Micro Grant

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

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

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

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

State Contracts

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

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

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

Minnesota State Colleges and Universities (Minnesota State) Non-Construction Related Bid and Contracting Opportunities

Minnesota State is now placing additional public notices for P/T contract opportunities, goods/commodities, and non-construction related services on its Vendor and Supplier Opportunities website (<http://minnstate.edu/vendors/index.html>). New public notices may be added to the website on a daily basis and be available for the time period as indicated within the public notice.

If you have any questions regarding this notice, or are having problems viewing the information on the Vendor and Supplier Opportunities website, please call the Minnesota State Procurement Unit at 651-201-1444, Monday-Friday, 9:00 am – 4:00 pm.

Minnesota State Colleges and Universities (Minnesota State) Minnesota West Community & Technical College Notice of Request for Proposal for Website Design, Implementation, and Support

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 to assist in the following:

1. To select a vendor for visual design and implementation of Minnesota West Community and Technical College's existing strategic plan (i.e. wireframes and technical expectations).
2. To select a content management system, implemented by the vendor.
3. To understand the cost of ongoing support for the new Minnesota West Community and Technical College website.

To receive a copy of the proposal, please email, rebecca.weber@mnwest.edu.

Proposals must be sealed with a notation on the outside of the envelope stating: Website Design, Implementation, and Support - DELIVER IMMEDIATELY.

Mail or delivered (faxes and email will not be accepted) sealed proposals must be delivered no later than November 15, 2021 at 2:00 pm CST to:

Minnesota West Community & Technical College
Attn: Rebecca Weber
1011 First Street West
Canby, MN 56220

PROPOSAL CLOSE DATE is November 15, 2021 at 2:00 pm CST

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

Notice is hereby given that Winona State University is seeking proposals for **Bookstore Retail Services**.

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

Sealed proposals must be received by Laura Mann, Purchasing Director, at Winona State University, PO Box 5838 or 175 West Mark Street, Business Office, Somsen Hall 106, Winona, MN 55987, by Monday, November 29, 2021 3:00 PM CT.

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

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

State Contracts

Lottery implement any appropriate promotional extension ideas.

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

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

Questions

Questions concerning this Solicitation should be directed to:

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

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

Response Delivery

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

Minnesota Department of Transportation (MnDOT)

Engineering Services Division

Notices Regarding Professional/Technical (P/T) Contracting

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

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

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

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

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

Non-State Public Bids, Contracts & Grants

The State Register also serves as a central marketplace for contracts let out on bid by the public sector. The *State Register* meets state and federal guidelines for statewide circulation of public notices. Any tax-supported institution or government jurisdiction may advertise contracts and requests for proposals from the private sector. It is recommended that contracts and RFPs include the following: 1) name of contact person; 2) institution name, address, and telephone number; 3) brief description of commodity, project or tasks; 4) cost estimate; and 5) final submission date of completed contract proposal. Allow at least three weeks from publication date (four weeks from the date article is submitted for publication). Surveys show that subscribers are interested in hearing about contracts for estimates as low as \$1,000. Contact editor for further details.

Besides the following listing, readers are advised to check: <http://www.mmd.admin.state.mn.us/solicitations.htm> as well as the Office of Grants Management (OGM) at: <http://www.grants.state.mn.us/public/>.

Midwestern Higher Education Compact (MHEC) Request for Proposals for End User Computing & Peripherals, Device Lifecycle Management, and Associated Services – MHEC-RFP-10282021

DETAILS: The Midwestern Higher Education Compact (MHEC) is competitively soliciting proposals on behalf of MHEC's 12 Compact member states for innovative and cost-effective End User Computing & Peripherals, Device Lifecycle Management, and Associated Services. The Midwestern Higher Education Compact (MHEC) is an instrumentality of 12 Midwestern states (Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, and Wisconsin). The Compact was established in 1991 through a common statute enacted into law by each of the member states (Minnesota Statute – Section 135A.20). The purpose of the Compact is to promote higher education through interstate cooperation and resource sharing.

MHEC has determined that developing a region-wide acquisition strategy for higher education End User Computing & Peripherals, Device Lifecycle Management, and Associated Services through one or more providers will benefit both the higher education community and the provider(s). MHEC is seeking competitive solicitations with the intent to negotiate master agreement terms and conditions, licensing, and pricing. The resulting master agreement will allow an institution to focus most of its energy on finding the technology solution that best fits its needs instead of the contract itself. The result is a master agreement that facilitates a direct relationship between the technology provider(s) and institutions which contains discount pricing as well as terms and conditions that are better than most higher education institutions can negotiate individually.

For further information about the Compact's education technology contracts, visit <https://www.mhec.org/contracts/technology>

PUBLISH DATE: A comprehensive Request for Proposal (RFP) for End User Computing & Peripherals, Device Lifecycle Management, and Associated Services MHEC-RFP-10282021 will be available on October 28, 2021, at MHEC's website <https://www.mhec.org/news>

COPY REQUEST: For a complete copy of the RFP, required submission materials or inquiries, visit website <https://www.mhec.org/news> and search RFP: End User Computing & Peripherals, Device Lifecycle Management, and Associated Services MHEC-RFP-10282021 or by email to:

Mr. Nathan Sorensen
Director of Government Contracts
Midwestern Higher Education Compact
105 Fifth Avenue South, Suite 450
Minneapolis, MN 55401
Phone: (612) 677-2767
E-mail: nathans@mhec.org

Non-State Public Bids, Contracts & Grants ==

PROPOSAL DEADLINE: All responses to this RFP must be received no later than Tuesday, December 7, 2021, 10 A.M. CT.

This Request for Proposal (RFP) does not obligate the Midwestern Higher Education Compact (MHEC) or its member states to award a contract and reserves the right to cancel this RFP if it is considered to be in its best interest.



\$100,000

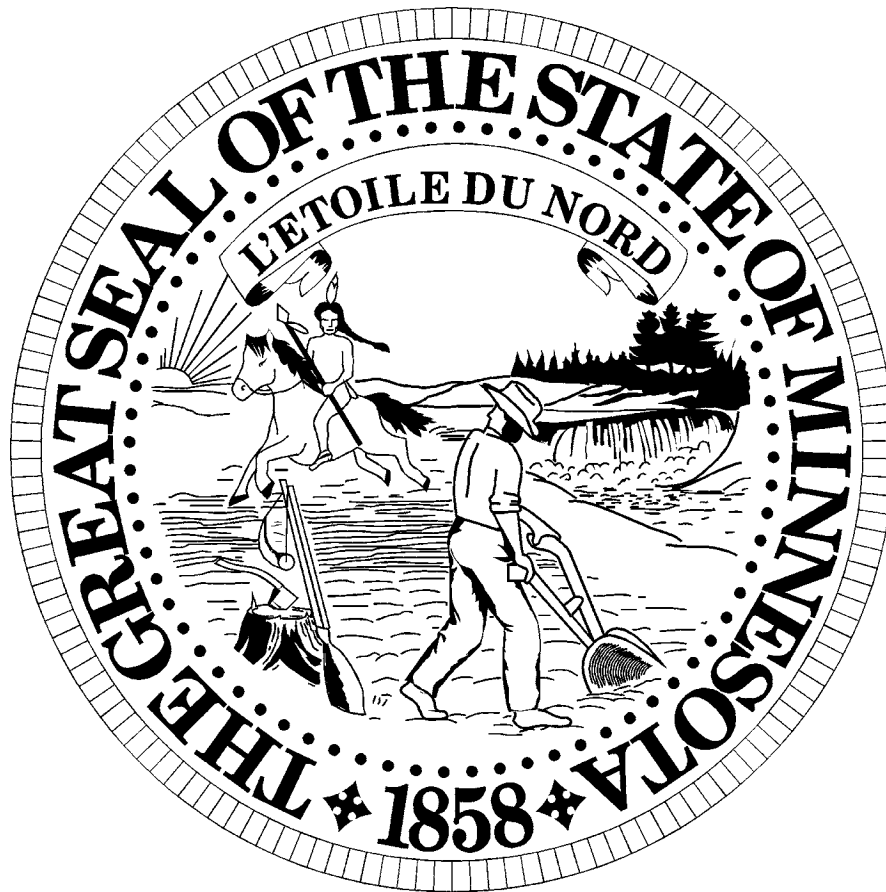
Enter for a chance to win a college scholarship!

Get vaccinated. Get a \$200 Visa gift card.

Kids Deserve a Shot! | Oct. 18 - Nov. 30, 2021 | mn.gov/covid19

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 8 November 2021
Volume 46, Number 19
Pages 607 - 634**

Minnesota State Register

Judicial Notice Shall Be Taken of Material Published in the Minnesota State Register

The Minnesota State Register is the official publication of the State of Minnesota's Executive Branch of government, published weekly to fulfill the legislative mandate set forth in Minnesota Statutes, Chapter 14, and Minnesota Rules, Chapter 1400. It contains:

- Proposed Rules
- Adopted Rules
- Exempt Rules
- Expedited Rules
- Withdrawn Rules
- Executive Orders of the Governor
- Appointments
- Proclamations
- Vetoed Rules
- Commissioners' Orders
- Revenue Notices
- Official Notices
- State Grants and Loans
- Contracts for Professional, Technical and Consulting Services
- Non-State Public Bids, Contracts and Grants

Printing Schedule and Submission Deadlines

Vol. 46 Issue Number	Publish Date	Deadline for: all Short Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical- Consulting Contracts, Non-State Bids and Public Contracts	Deadline for LONG, Complicated Rules (contact the editor to negotiate a deadline)
#20	Monday 15 November	Noon Tuesday 9 November	Noon Thursday 4 November
#21	Monday 22 November	Noon Tuesday 16 November	Noon Thursday 11 November
#22	Monday 29 November	Noon MONDAY 22 November	Noon Thursday 18 November
#23	Monday 6 December	Noon Tuesday 30 November	Noon Thursday 25 November

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

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

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

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

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Minnesota Legislative Information

Senate Public Information Office
(651) 296-0504

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

Minnesota State Court System

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

House Public Information Services
(651) 296-2146

State Office Building, Room 175
100 Rev. Dr. Martin Luther King Jr Blvd., St. Paul, MN 55155
<https://www.house.leg.state.mn.us/hinfo/hinfo.asp>

Federal Register

Office of the Federal Register (202) 512-1530; or (888) 293-6498
U.S. Government Printing Office – Fax: (202) 512-1262
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NOTICE: How to Follow State Agency Rulemaking in the State Register

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

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

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

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

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

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

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

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

Minnesota Department of Revenue

NOTICE OF PUBLIC HEARING DATE CHANGE for Proposed Rule Governing Sales and Use Tax Consolidated Returns and Recordkeeping; Repealing Minnesota Rules, part 8130.7500, Subparts 3, 6, and 8 and Replacing with Minnesota Rules, Part 8130.7501; Revisor’s ID: R-04537; OAH docket number 60-9032-37244

Dual Notice. On September 27, 2021, the Department of Revenue published in the State Register a Dual Notice announcing the agency planned to adopt rules without a public hearing unless 25 or more persons submitted written requests for a hearing (see the Monday, September 27, 2021, Volume 46 Number 13 edition of the State Register at 46 SR 316). The deadline for submitting public comments and requests for a hearing, which was corrected by an Errata Notice published in the State Register on October 4, 2021 (see the Monday, October 4, 2021, Volume 46 Number 14 edition of the State Register at 46 SR 347), expired on November 5, 2021. Because 25 or more requests for hearing were received by the deadline, the Department is now required to hold a hearing unless a sufficient number of hearing request withdrawals are received. See paragraph below titled “Cancellation of Hearing if Hearing Requests Are Withdrawn” for more detail.

Public Hearing Date Change. The Department intends to adopt rules after a virtual public hearing following procedures in the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2200 to 1400.2240, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.131 to 14.20. The Department is using this notice to announce that the virtual hearing, which was previously scheduled for November 19, 2021, will instead take

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place starting at 9:30 a.m. on Tuesday, January 4, 2022. All interested or affected persons will have an opportunity to participate by submitting either oral or written data, statements, or arguments. Statements may be submitted without appearing at the hearing.

Cancellation of Hearing if Hearing Requests Are Withdrawn. If enough hearing requests are withdrawn prior to the hearing to reduce the number below 25, the Department will cancel the hearing. If the Department cancels the hearing, it must give written notice of this to all persons who requested a hearing, explain the actions the agency took to carry out the withdrawal, and ask for written comments on this action. If you requested a public hearing, the Department will notify you if the hearing is cancelled.

Administrative Law Judge. Administrative Law Judge James E. LaFave will conduct the hearing. The judge can be reached at the Office of Administrative Hearings, 600 North Robert Street, P.O. Box 64620, Saint Paul, Minnesota 55164-0620, telephone (651) 361-7875, and fax (651) 539-0310. The rule hearing procedure is governed by *Minnesota Statutes*, sections 14.131 to 14.20, and by the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2000 to 1400.2240. You should direct questions about the rule hearing procedure to the administrative law judge.

Subject of Rules, Statutory Authority, and Agency Contact Person. The proposed rules are about sales and use tax consolidated returns and recordkeeping, and would replace *Minnesota Rules*, part 8130.7500, subparts 3, 6, and 8 with a new rule at *Minnesota Rules*, part 8130.7501. The statutory authority to adopt the rules is *Minnesota Statutes*, sections 296 and 297A.77, subdivision 5. The proposed rules appear in the Monday, September 27, 2021, Volume 46 Number 13 edition of the State Register at 46 SR 316. The agency contact person:

Jim Jordan
Appeals and Legal Services Division
Minnesota Department of Revenue
600 North Robert Street
Mail Station 2220
St. Paul, MN 55146
jim.jordan@state.mn.us

Statement of Need and Reasonableness. The statement of need and reasonableness 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. You may obtain a copy for the cost of reproduction by contacting the agency contact person. You may also access the statement on the Department's website (<https://www.revenue.state.mn.us/minnesota-administrative-rules>)

Public Comment. All interested or affected persons, including representatives of associations and other interested groups, will have an opportunity to participate. *The administrative law judge will accept your views* either orally at the hearing or in writing at any time before the close of the hearing record. Submit written comments *to the administrative law judge at the address above or via the Office of Administrative Hearings Rulemaking eComments website* (<https://minnesotaoah.granicusideas.com/discussions>). All evidence you present should relate to the proposed rules. You may also submit written material *to the administrative law judge* to be recorded in the hearing record for five working days after the public hearing ends. At the hearing the administrative law judge may order this five-day comment period extended for a longer period, but for no more than 20 calendar days. Following the comment period, there is a five-working-day rebuttal period during which the agency and any interested person may respond in writing to any new information submitted. No one may submit additional evidence during the five-day rebuttal period. The Office of Administrative Hearings must receive all comments and responses submitted to the administrative law judge no later than 4:30 p.m. on the due date. All comments or responses received are public and will be available for review at the Office of Administrative Hearings.

The agency requests that any person submitting written views or data to the administrative law judge before the hearing or during the comment or rebuttal period also submit a copy of the written views or data to the agency contact person at the address stated above.

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Alternative Format/Accommodation. Upon request, this information can be made available in an alternative format, such as large print, braille, or audio. To make such a request or if you need an accommodation to make this hearing accessible, please contact the agency contact person by Tuesday, December 21, 2021, using the contact information listed above.

Modifications. The agency may modify the proposed rules as a result of the rule hearing process. It must support modifications by data and views presented during the rule hearing process. The adopted rules may not be substantially different than these proposed rules, unless the agency follows the procedure under *Minnesota Rules*, part 1400.2110. If the proposed rules affect you in any way, the agency encourages you to participate.

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

Adoption Procedure if No Hearing. If no hearing is required, the agency may adopt the rules after the comment period and after the Department submits the rules and supporting documents to the Office of Administrative Hearings for a legal review. To receive notice of when the rules are submitted to the Office of Administrative Hearings for review, to receive a copy of the adopted rules, or to register with the agency to receive notice of future rule proceedings, submit your request to the agency contact person (see above).

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

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

November 1, 2021

Robert A. Doty, Commissioner
Department of Revenue

Executive Orders

The governor has the authority to issue written statements or orders, called Executive Orders, as well as Emergency Executive Orders. The governor's authority is specified in the Constitution of the State of Minnesota, Article V, and in *Minnesota Statutes* § 4.035. Emergency Executive Orders, for protection from an imminent threat to health and safety, become effective immediately, are filed with the secretary of state, and published in the *State Register* as soon as possible after they are issued. Other Executive Orders become effective 15 days after publication in the *State Register* and filing with the secretary of state. Unless otherwise specified, an executive order expires 90 days after the date the governor who issued the order vacates office.

Office of the Governor

Emergency Executive Order 21-33: Providing for Emergency Relief from Regulations to Motor Carriers and Drivers Transporting Livestock Feed in Minnesota

I, Tim Walz, Governor of the State of Minnesota, by the authority vested in me by the Constitution and applicable statutes, issue the following Executive Order:

Drought conditions have persisted in Minnesota since July 2021. Over 35 percent of the state remains in severe or extreme drought. The farming and agricultural communities in Minnesota continue to be profoundly impacted by the ongoing drought conditions.

In its October 25, 2021 Minnesota Crop Progress and Condition report, the United States Department of Agriculture (“USDA”) noted that pasture condition had declined, with 16 percent rated very poor, 24 percent rated poor, 39 percent rated fair, 18 percent rated good, and only 3 percent rated excellent. Without reliable access to quality hay or forage, farmers and livestock producers have had to adjust their feeding operations to include other commodities such as corn silage, distiller grain, and beet pulp. Farmers also report that the hay and forage reserved for winter use has already been consumed, and replenishing supplies is critical to maintaining healthy livestock.

Since July I have issued executive orders relaxing certain hours and service restrictions for drivers and vehicles transporting critical supplies such as livestock, hay, forage, water supplies, and supplemental feed commodities. Most recently, I issued Executive Order 21-32 on October 4, 2021, extending this relief until today.

State officials and I have visited affected areas over the past few months, and we continue to hear requests from farmers and livestock producers for immediate help to support the safe and efficient movement of commodities used for or in livestock feed. Due to the drought and the fluctuating availability of commodities used for or in livestock feed, farmers and livestock producers still need to travel across the state to find available feed. The challenges created by the drought have been compounded by increased fuel prices and the shortage of available drivers and trucks. Farmers and livestock producers report that much-needed rain at the end of August and beginning of September enabled late season harvesting of hay, providing some relief for their operations. As a result, there is no longer a need to exempt transportation of livestock and water supplies from hours of service requirements. As such, I am issuing this Executive Order to provide relief from certain hours of service requirements for drivers and carriers that are transporting commodities used in or for livestock feed.

Minnesota Statutes 2021, section 221.0314, subdivision 9, adopts federal safety regulations, including hours of service requirements for drivers. Minnesota Statutes 2021, section 221.0269, provides: “The governor may declare an emergency and grant relief from any of the regulations incorporated in section 221.0314 to carriers and drivers operating motor vehicles in Minnesota to provide emergency relief during the emergency.”

Strict enforcement of certain hours of service regulations would prevent or hinder the efficient transportation of hay, forage, and supplemental feed commodities, all of which are critical to maintaining healthy livestock. The continued movement of these commodities is vital to the economic security and viability of many farming and livestock operations in Minnesota.

For these reasons, I order as follows:

Executive Orders

1. Pursuant to Minnesota Statutes 2021, section 221.0269, subdivision 1, a state of emergency exists in Minnesota that requires relief from regulations incorporated in Minnesota Statutes 2021, section 221.0314, subdivision 9, pertaining to hours of service for motor carriers and drivers of commercial motor vehicles providing direct assistance to emergency relief efforts by transporting, hay, forage, and supplemental feed commodities including but not limited to corn silage, distiller grain, and beet pulp.
2. Motor carriers and drivers providing direct assistance to emergency relief efforts by transporting, hay, forage, and supplemental feed commodities including but not limited to corn silage, distiller grain, and beet pulp are exempted from paragraphs (b) and (c) under the Code of Federal Regulations, title 49, part 395.3, and which are incorporated in Minnesota Statutes 2021, section 221.0314, subdivision 9, pertaining to hours of service.
3. Nothing in this Executive Order may be construed to relieve motor carriers and drivers providing direct assistance to emergency relief efforts by transporting hay, forage, and supplemental feed commodities including but not limited to corn silage, distiller grain, and beet pulp from the requirements under paragraph (a) of the Code of Federal Regulations, title 49, part 395.3, and incorporated in Minnesota Statutes 2021, section 221.0314, subdivision 9, which states, in part, that a driver may drive only 11 hours during a period of 14 consecutive hours after coming on duty following 10 consecutive hours off duty.
4. This Executive Order does not relieve motor carriers and drivers providing direct assistance to emergency relief efforts from regulations pertaining to driver qualifications; driving of commercial motor vehicles; commercial driver's licenses; drug and alcohol testing for drivers; or equipment, parts, and accessories necessary for the safe operation of vehicles.
5. A motor carrier operating under the terms of this Executive Order must not require or allow a fatigued or ill driver to operate a commercial motor vehicle. A driver who informs a carrier that he or she needs immediate rest must be given at least 10 consecutive hours off duty before the driver is required to return to service.
6. Upon the expiration of this Executive Order, or when a driver or motor carrier has been relieved of all duty and responsibility to provide direct assistance to the emergency relief efforts, a driver that has had at least 34 consecutive hours off-duty must be permitted to start his or her on-duty status and 60/70 clock at zero.
7. For purposes of this Executive Order, and as defined in Minnesota Statutes 2021, section 221.0269, subdivision 3, paragraph (c), direct assistance to an emergency relief effort terminates when a driver or commercial motor vehicle is used to transport cargo not destined for the emergency relief effort, or when the carrier dispatches that driver or vehicle to another location to begin operations in commerce. Additionally, for purposes of this Executive Order, direct assistance does not include transportation of mixed loads that include freight that is not being transported in support of emergency relief efforts.

This Executive Order is effective immediately under Minnesota Statutes 2021, section 4.035, subdivision 2, and remains in effect for 30 days.

A determination that any provision of this Executive Order is invalid will not affect the enforceability of any other provision of this Executive Order. Rather, the invalid provision will be modified to the extent necessary so that it is enforceable.

Signed on November 3, 2021.

Tim Walz
Governor

Filed According to Law:

Steve Simon
Secretary of State

Appointments

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

Office of the Governor

Notice of Appointment for the Minnesota Pollution Control Agency Commissioner

NOTICE OF APPOINTMENT

Katrina Kessler

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

Commissioner

Minnesota Pollution Control Agency

Effective: November 1, 2021

Expires: January 2, 2023

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

Signed and sealed October 29, 2021.



A handwritten signature in black ink, reading "Tim Walz".

Tim Walz
Governor

A handwritten signature in black ink, reading "Steve Simon".

Steve Simon
Secretary of State

Replacing: Peter Tester

Filed October 29, 2021
Office of the Minnesota
Secretary of State
Steve Simon

Official Notices

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

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

Minnesota Board of Accountancy

REQUEST FOR COMMENTS for Possible Amendments to Rules Governing Education Requirements for Licensure; Retired Status; Continuing Education Requirements; Peer Review Oversight Committee; Misleading and Fictitious Firm Names; Retention of Audit and Other Professional Services Documentation; and Housekeeping Updates. *Minnesota Rules*, Chapter 1105

Revisor's ID Number : R-04725

Subject of Rules. The Minnesota Board of Accountancy requests comments on its possible amendment to rules governing fees, education, peer review and housekeeping and possible repeal of rules governing returning certificates. The Board is considering rule amendments to:

- align education requirements with changes to the requirements recommended in the Uniform Accountancy Act, which reflects education tested on the national CPA examination;
- modify the requirements for the composition of the peer review oversight committee;
- clarify and consolidate language regarding what constitutes a misleading or fictitious firm name;
- expand document retention requirements to include minimum requirements for other professional services besides audit;
- clarify requirements for continuing education, including at the time of status change
- add language regarding retired status throughout the chapter
- align the Board's peer review requirements with the national Peer Review Standards; and
- make housekeeping modifications including updating the dates of documents incorporated by reference; definitions related to education and continuing education examination; removing obsolete language and references.

Persons Affected. The amendment to and repeal of the rules would likely affect applicants, licensees and firm permit holders.

Statutory Authority. *Minnesota Statutes*, section 326A.02, subdivision 5 authorizes the Board to adopt rules "governing its administration and enforcement of this chapter and the conduct of licensees and persons registered under section 326A.06, paragraph (b)..."

Public Comment. Interested persons or groups may submit comments or information on these possible rules in writing or orally 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. The Board does not plan to appoint an advisory committee to comment on the possible rules.

Rules Drafts. The Board does not anticipate that a draft of the rule amendments will be available before the publication of the proposed rules.

Agency Contact Person. Written or oral 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: Kay Weiss at the Board

Official Notices

of Accountancy, 85 East Seventh Place, Suite 125, St. Paul, MN 55101, phone: 651-757-1523, FAX: 651-282-2644, or email: kay.weiss@state.mn.us. TTY users may call the Board at 800-627-3529.

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

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

Dated: October 20, 2021

Doreen Johnson, Executive Director

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

The Minnesota State Agricultural Society board of managers will meet at 9 a.m. Wednesday, November 10 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 2022 Minnesota State Fair runs Aug. 25 - Labor Day, Sept. 5.

Minnesota Department of Health (MDH) Request for Comments Biennial Review of Rulemaking Procedures and Rules Pursuant to Minnesota Statutes, Sections 62J.61, Subd. 5

Oral and written comments invited; deadline. The Minnesota Department of Health (MDH) is accepting oral and written comments as described below regarding: the effectiveness and continuing need for the rulemaking procedures set out in Minnesota Statutes, section 62J.61, subdivision 2; and the quality and effectiveness of rules adopted using these procedures. The rulemaking procedures in *section 62J.61* (<https://www.revisor.mn.gov/statutes/cite/62J.61>) are used for proposing and adopting rules for the standard, electronic exchange of health care administrative transactions pursuant to *section 62J.536* (<https://www.revisor.mn.gov/statutes/cite/62J.536>).

Oral and written comments will be accepted until 4:00 p.m., Thursday, December 16, 2021.

Meeting for receiving oral comments. The Department will conduct a virtual meeting 2:00 p.m. - 4:00 p.m. on Thursday, December 16, 2021, to receive oral comments about the rulemaking procedures in section 62J.61. Information to access the virtual meeting will be posted on the Minnesota Department of Health "*Health Care Administrative Simplification*" website at <https://www.health.state.mn.us/facilities/ehealth/asa/index.html>.

Written comments. You have until 4:00 p.m. on December 16, 2021, to submit written comments about the effectiveness of and continued need for the rulemaking procedures set out in section 62J.61, subdivision 2, and about the quality and effectiveness of rules adopted using these procedures. You must submit all written comments via the *OAHRulemaking e-comments website* (<https://minnesotaoah.granicusideas.com/discussions>).

Agency contact person. Questions about this biennial review may be submitted to Susie Blake at the Minnesota Department of Health, via e-mail at susie.blake@state.mn.us, or fax at (651) 201-3830. Email is preferred. Ms. Blake can also be reached for questions or information regarding this announcement via phone at (651) 201-5508.

Background:

Rulemaking authority and procedure. Minnesota Statutes, section 62J.61, establishes a rulemaking procedure for adopting rules to implement the Minnesota Health Care Administrative Simplification Act, Minnesota Statutes, sections 62J.50 to 62J.61. The procedure provides that:

- the Commissioner of Health must publish proposed rules in the State Register;
- the Commissioner may publish a notice describing the rules and offering a free copy instead of publishing the text of the rules, if the rules would be so lengthy as to be unduly cumbersome to publish;
- interested parties have 30 days to comment; and
- after considering all comments, the Commissioner may adopt the rules by publishing a notice of adoption in the State Register.

Reason for rulemaking authority. Health care industry billing procedures and other business (administrative) transactions must be updated frequently because of rapid changes in business practices, as well as changes in national transactions standards and federal regulations. It is important that related state rules governing health care business transactions remain up-to-date and reflect the ongoing changes in the industry. The Legislature recognized that the normal rulemaking procedures in Minnesota Statutes, chapter 14, which take an average of 18 months, would not be timely enough to keep up with an often much more rapid pace of change. In comparison, the rulemaking permitted under section 62J.61 can be completed within three to six months, significantly reducing any possible lags between any needed changes in the rules and their development and implementation. Further, some rules are lengthy, and it would not be practical to publish them in their entirety in the State Register, especially when they are of interest to a relatively small group of end-users. It is much more timely, efficient, and cost effective to publish a notice of the availability of proposed or adopted rules, along with information regarding changes from previous versions, and to provide a free copy of the complete rules to anyone who requests one.

Recent use of the rulemaking process. The Department used the rulemaking process pursuant to Minnesota Statutes, section 62J.61 described above during 2020-2021 for adoption of version 16 (v16) of Minnesota Uniform Companion Guide (MUCG) rules pursuant to section 62J.536 for the implementation of the following electronic health care business (administrative) transactions:

- X12/005010X222A1 Health Care Claim: Professional (837); and
- X12/005010X223A2 Health Care Claim: Institutional (837).

Copies of all MUCG rules, including those above, are available for free viewing or downloading on the *Minnesota Uniform Companion Guides webpage* at <https://www.health.state.mn.us/facilities/ehealth/auc/guides/index.html>. The Department will be using the rulemaking procedure described above in 2022 to develop, update, and modify versions of MUCGs as needed to ensure that they remain as accurate, relevant, and useful as possible.

Biennial review of rulemaking procedures and rules. Minnesota Statutes, section 62J.61, subdivision 5, requires that the Commissioner of Health conduct a biennial review of the rulemaking procedures noted above and resulting rules by seeking “comments from affected parties about the effectiveness of and continued need for the rulemaking procedures . . . and about the quality and effectiveness of rules adopted using these procedures.” The Commissioner is also required to prepare a report summarizing the comments and to submit it to the Minnesota Health Data Institute and the *Minnesota Administrative Uniformity Committee* (<https://www.health.state.mn.us/facilities/ehealth/auc/index.html>).

Dated: November 8, 2021

Jan K. Malcolm Commissioner
P.O. Box 64975
St. Paul, MN 55164-0975

Official Notices

Minnesota Housing

Request for Information for Vendors to Provide Project Management and Planning for Federal Housing Development Resources

The State of Minnesota, through the Minnesota Housing Finance Agency, is requesting information from vendors and consultants experienced in providing project management and planning for federal housing development resources. The State of Minnesota invites all interested parties to submit a written response to this Request for Information (RFI).

The RFI is being sought to gain knowledge from vendors and consultants experienced in the field of affordable housing production, homeless assistance, and federal planning. The RFI also seeks to obtain a current estimate of the costs and timeframe of carrying out the project. This RFI should not be construed as intent, commitment, or promise to acquire services, supplies, or solutions offered. **No contract will result from any response to this RFI.**

Information submitted in response to this RFI will become property of the State of Minnesota.

The State of Minnesota will not pay for any information herein requested nor is it liable for any cost incurred by the vendor in preparing a response to the RFI.

RFI responses must be received on or before November 22, 2021 at 5:00 PM CENTRAL TIME at the following address:

Agency Contact: Jessica Deegan, Director of Federal Affairs
Address: 400 Wabasha Street N, Suite 400, St. Paul, MN 55102
E-Mail Address: Jessica.deegan@state.mn.us

Please submit your response via email.

Questions may be directed to the contact listed above via email.

We appreciate your response to this request.

PURPOSE AND OBJECTIVES

This Request for Information (RFI) is intended to be an information gathering tool, not a formal solicitation of a specific requirement (such as with an RFP “Request for Proposals”). Minnesota Housing Finance Agency (Minnesota Housing) is seeking to gain knowledge and information from vendors and consultants experienced in providing consulting services to plan for and deploy the new HOME Investment Partnerships resources received through the American Rescue Plan (HOME-ARP). This is an opportunity for interested parties to help the Agency better understand the scope of services to issue a complete RFP.

Minnesota Housing has been allocated \$31.1 million of HOME-ARP. The primary goal of the HOME-ARP allocation is to address the need for homelessness assistance and supportive services. Activities allowable under this program include: 1) development and support of affordable housing, 2) tenant-based rental assistance, 3) provision of supportive services, and 4) acquisition and development of non-congregate shelter.

Before these funds can be committed, an allocation plan must be developed. In this RFI, Minnesota Housing seeks to understand the marketplace of vendors and consultants that could provide assistance in developing an allocation plan and provide technical assistance in program design and implementation after plan is approved.

PROJECT DESCRIPTION

Develop HOME-ARP Allocation Plan

- **Consultation** with agencies and stakeholders whose clientele include HOME-ARP qualifying populations to

identify unmet needs and gaps in housing or service delivery systems. At a minimum, this will include: COCs; homeless and domestic violence service providers; veterans' groups; public housing agencies; public agencies that address needs of qualifying populations; and, public or private organizations that address fair housing, civil rights, and the needs of persons with disabilities.

- **Public participation** to provide for and encourage citizen participation. At a minimum, this will include: providing residents with reasonable notice and opportunity to comment on the proposed plan for no less than 15 calendar days, follow Minnesota Housing's current citizen participation plan regarding plan amendments, hold at least one public hearing, and follow applicable fair housing and civil rights requirements and procedures for effective communications, accessibility, and reasonable accommodation for persons with disabilities and providing meaningful access to participation by Limited English Proficient (LEP) residents. Public participation strategies should also provide for culturally-specific outreach, as appropriate, to reach households overrepresented among people experiencing housing stability.
- **Conduct a needs assessment and gap analysis** to evaluate size and demographic composition of qualifying populations to assess unmet needs, and identify any gaps within current shelter and housing inventory and service delivery systems.
- **Recommend HOME-ARP activities** based on results of consultation, participation and needs assessment, and determine production goals by activity.

Program Implementation

Once plan is approved, develop project plan for implementing HOME-ARP activities. The specifics of program implementation may vary significantly depending on the activities and amount of resources devoted to each.

The project will adhere to HUD's recently issued guidance and materials to for HOME-ARP, which are found at <https://www.hudexchange.info/programs/home-arp/>

RFI RESPONSE INSTRUCTIONS

Minnesota Housing is asking all interested parties to submit a written response containing the following information:

By 11/22/2021 at 5:00 PM CENTRAL TIME:

- Detailed information on your interest in providing the services addressed above, including any subset. We expect that consultants may submit for all or part of the activities. In addition, describe any potential partnerships you would consider to coordinate. Limit your response to four pages.
- A brief description of past experience providing similar activities related to federal programs. Limit your response to two pages.
- Please provide an estimated price range to provide the services as stated herein. Break out these costs by activity above, if possible. Limit your response to one page.
- What do you estimate would be a reasonable time frame for implementing a solution? Limit your response to two pages.

Investment Advisory Council Official Meeting Notice

The Investment Advisory Council of the Minnesota State Board of Investment will meet on Monday, November 15, 2021 at 12:00 p.m. via Teleconference or Video Conference.

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

Official Notices

Department of Natural Resources (DNR)

Notice of Public Comment Period on DNR Review of Siting Rule for Nonferrous Mines

On November 9, 2021, the Minnesota Department of Natural Resources (DNR) will begin accepting public comments regarding parts of the nonferrous mine siting rule. Public comments will be accepted from November 9, 2021 through December 8, 2021. The DNR is seeking public comment on the following question:

With express consideration of how Minn. R. 6132.2000, subp. 2A and subp. 3A fit within the broader context of all applicable environmental protection in state and federal law regulating nonferrous mining, are the exclusion of mining in the Boundary Waters Canoe Area Wilderness (BWCAW) set forth in Minn. R. 6132.2000 subp. 2A, and the prohibition of surface disturbance in the Boundary Waters Canoe Area Wilderness Mineral Management Corridor as set forth in Minn. R. 6132.2000, subp. 3A adequate to protect the BWCAW from pollution, impairment, or destruction or should further restrictions on mining be extended to all or part of the Rainy River- Headwaters defined as HUC 09030001?

The DNR has established a dedicated webpage for DNR's review of the siting rule. This webpage contains information about the review process and a link to submit public comments online. Comments may also be submitted 2021 by U.S. mail to:

MN Department of Natural Resources
ATTN: Nonferrous Mine Siting Rule
500 Lafayette Road N, Box 45
St. Paul, MN 55155-4045

All comments, both online and via US Mail, must be submitted no later than December 8, 2021.

Background

On October 4, 2021 the DNR filed a Procedural Order in Ramsey County District Court outlining the process the department will use to review Minnesota's siting rule for nonferrous mines. The Procedural Order describes how the DNR will seek public comment and make a decision on whether the state's existing nonferrous mine siting rule (Minnesota Rule 6132.2000 Subparts 2A and 3A) is adequate to protect the Boundary Waters Canoe Area Wilderness (BWCAW) from pollution, impairment or destruction from potential mining within the Rainy River Headwaters watershed.

As described in the Procedural Order, the DNR is seeking substantive public comments to assist the department in its decision making. It is important that commenters provide substantive information on why the siting rule should or should not be changed. Comments that only focus on support for or opposition to mining, without providing further information for the DNR to consider, will not assist the DNR in its decision making about the adequacy of the existing nonferrous mine siting rule.

This comment period is associated with a court approved process, and the comment period is limited to 30 days.

Minnesota Pollution Control Agency

Environmental Analysis and Outcomes Division

Notice of Availability of the 2022 Draft Impaired Waters List and 2022 Revisions to Appendix A of the Statewide Mercury TMDL and Request for Comment

Public Comment Period Begins: 11/8/2021
Public Comment Period Ends: 1/7/2022, 4:30 PM

Background

Every two years, the Minnesota Pollution Control Agency (MPCA) is required by the US Environmental Protection Agency (EPA), through the Clean Water Act (CWA), to submit a list of impaired waters to EPA for their review and approval. This serves as joint notice of a 60-day formal written comment period for [1] the draft 2022 Impaired Waters

List and [2] Revisions to Appendix A of the statewide mercury TMDL.

Minnesota's 2022 Draft Impaired Waters List and 2022 Guidance Manual for Assessing the Quality of Minnesota Surface Waters [1], and revisions to Appendix A of the approved mercury TMDL [2] are located at the Impaired Waters List webpage at <https://www.pca.state.mn.us/water/minnesotas-impaired-waters-list>.

[1] The draft 2022 List of Impaired Waters and supporting documentation

In accordance with the requirements of Section 303(d) of the CWA, the MPCA is required to list waters that do not meet standards and update that list every even-numbered year. In addition to updating this list, the MPCA updates a Guidance Manual that describes state water quality standards, the data collection and quality requirements, and assessment methods used when developing the Impaired Waters List. Both documents are found on the MPCA's Impaired Waters List webpage and are open for public comment **November 8, 2021 – January 7, 2022**:

- 2022 Draft Impaired Waters List (wq-iw-73), and
- 2022 Guidance Manual for Assessing the Quality of Minnesota Surface Waters for Determination of Impairment 305(b) Report and 303(d) List (wq-iw1-04l).

While the entirety of both documents are open for comment, MPCA particularly requests comments on areas that have changed since the last public notice of the Impaired Waters List.

- Updates to the Impaired Waters List are (A) new 2022 impairments (indicated by “Year added to List”), and (B) Delistings and Changes and Corrections (each with their own section of the List).
- Significant updates to the Guidance Manual are highlighted in the preface of the document.
- The MPCA requests comments on potential changes to Section IX of the Guidance Manual regarding how and where the MPCA assesses the water quality standard to protect waters used for production of wild rice from the impacts of sulfate. These changes may not be incorporated until the 2024 version of the Guidance Manual, but early input would be helpful as the MPCA considers potentially expanding the universe of waters that are considered waters used for production of wild rice and the assessment data needs.

[2] The revisions to Appendix A of the approved statewide mercury TMDL

Every two years the MPCA updates Appendix A of the EPA-approved statewide mercury total maximum daily load (TMDL). Appendix A, included in its own section of the Impaired Waters List, contains the list of lakes and river segments covered by the TMDL. This year the MPCA is adding the following waters to Appendix A: Island Lake (Pine County), the Le Sueur River, and a segment of the Shell Rock River (Albert Lea Lk to Goose Cr).

Submit written comments

This notice is being published today for the purpose of providing opportunity for public comment on [1] Minnesota's 2022 Draft Impaired Waters List and 2022 Guidance Manual for Assessing the Quality of Minnesota Surface Waters, and [2] the revisions to Appendix A to the statewide mercury TMDL.

Written comments must:

- Indicate what the comment is regarding – either [1] or [2], and
- Be postmarked or received by the MPCA contact person listed below by **4:30 PM CST January 7, 2022**.

Attend a regionally- or specially-focused public meeting

The MPCA will hold five public meetings in December to discuss the content of the Impaired Waters List including the new impairments, delistings and changes proposed for 2022. All meetings will be virtual. Online meeting information can be found at <https://www.pca.state.mn.us/water/minnesotas-impaired-waters-list>, or email the agency contact to request additional information for any of the meetings.

Official Notices

Special meeting on statewide assessments

Thursday, December 9, 2:00 – 3:00 PM

Focused discussion of PFOS in fish tissue and sulfate in wild rice production waters

Northeast regional meeting

Friday, December 10, 11:00 AM – 12:00 PM

Includes Little Fork and St. Louis River watersheds

Southeast regional meeting

Wednesday, December 15, 1:00 PM – 2:00 PM

Includes Cedar River Basin, Root River, Le Sueur River, and Mississippi River – Lake Pepin watersheds

West regional meeting

Thursday, December 16, 2:00 PM – 3:00 PM

Includes Buffalo River, Upper Red River, and Chippewa River watersheds

Central regional meeting

Thursday, December 20, 2:00 PM – 3:00 PM

Includes Sauk River, Mississippi River – St. Cloud, and Lower St. Croix River watersheds

Agency contact person

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

Miranda Nichols
Minnesota Pollution Control Agency
Environmental Analysis and Outcomes Division – Water Assessment Section
520 Lafayette Rd N
St. Paul, MN 55155-4194
Phone: 651-757-2614
Toll free: 1-800-657-3864
E-mail: miranda.nichols@state.mn.us
TTY users may call the MPCA teletypewriter at (651) 282-5332 or 1-800-657-3864.

Dated: 10/29/2021

Office of the Secretary of State

Notice of Publication of the Fiscal Year 2021 Open Appointments Annual Compilation and Statistical Report

The Office of the Secretary of State has published the *Fiscal Year 2021 Open Appointments Annual Compilation and Statistical Report*.

The full publication is available on the OSS website at: *Minnesota Secretary Of State - Annual Report* (<https://www.sos.state.mn.us/boards-commissions/annual-report>)

Vacancies are published at least one time per month. All current vacancies can be found on the OSS website at: *Open Positions Search (state.mn.us)*. (<https://commissionsandappointments.sos.state.mn.us/Position/Index/1>)

You may join our e-mail list-serve by submitting your e-mail address to: open.appointments@state.mn.us

For further information please email Open Appointments at: open.appointments@state.mn.us or contact us at 651-297-5845.

Minnesota Department of Transportation (MnDOT) **Modal Planning and Program Management Division – Office of** **Transportation System Management** **Notice of Public Comment Period for the Revised Public Participation Plan for the** **Statewide Multimodal Transportation Plan**

NOTICE IS HEREBY GIVEN that the public is invited to review and provide comments through December 10 on the revised Public Participation Plan for the Statewide Multimodal Transportation Plan. The Statewide Multimodal Transportation Plan provides policy guidance for all modes of travel and for all transportation partners. The SMTP shares objectives, performance measures and strategies for transportation decisions over the next two decades. Following the Statewide Multimodal Transportation Plan, updates to MnDOT's plans for highways, rail, aviation, transit, freight and non-motorized transportation (walking, bicycling and rolling) answer what the Minnesota GO vision and the Statewide Multimodal Transportation Plan mean for each type of transportation.

Public engagement is key to ensuring the final plan reflects Minnesotans' transportation priorities. The revised Public Participation Plan outlines how MnDOT plans to connect with the public, stakeholders and partners to update the Statewide Multimodal Transportation Plan.

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

Written comments will be accepted through December 10 and should be addressed to:

Hally Turner
Project Director
Hally.Turner@state.mn.us
651-366-3901

For more information, contact Hally Turner at 651-366-3901 or hally.turner@state.mn.us, or visit <http://www.minnesotago.org>.

State Grants & Loans

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

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

Department of 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 Health (MDH)

Request for Proposals for Exceptions to the Nursing Home Moratorium

Purpose

The commissioner of health is accepting written proposals from nursing homes and certified boarding care homes requesting funding through the moratorium exception process, according to Minn. Stat. § 144A.073. The commissioner of health, in coordination with the commissioner of human services, may approve such requests under conditions listed in the Minnesota Statutes. These conditions refer to categories of exceptions which are defined as:

- (a) “Conversion” means the relocation of a nursing home bed from a nursing home to an attached hospital.
- (b) “Relocation” means the movement of licensed nursing home beds or certified boarding care beds as permitted by state statute to promote equitable access across the state or to move the beds to another site.
- (c) “Renovation” means extensive remodeling of an existing facility with a total cost exceeding ten percent of the appraised value of the facility or \$200,000, whichever is less. A renovation may include the replacement or upgrade of existing mechanical or electrical systems.
- (d) “Replacement” means the construction of a completely new facility.
- (e) “Addition” means the construction of new space to an existing facility.
- (f) “Upgrading” means a change in the level of licensure of a bed from a boarding care bed to a nursing home bed in a certified boarding care facility.
- (g) “Phased project” means a proposal that identifies construction occurring with more than one distinct completion date. To be considered a distinct completion, each phase must have construction that is ready for resident use, as determined by the commissioner, which is not dependent on similar commissioner approval for future phases of construction. The commissioner of human services shall only allow rate adjustments for construction projects in phases if the proposal from a facility identifies construction in phases and each phase can be approved for use independent of the other phases.
- (h) “Consolidation” means a project that meets the criteria for “consolidation of nursing facilities” as outlined in 144A.071, Subd. 4d.

Appropriation Available

Previously, the amount available for this Request for Proposals (RFP), posted on October 18, 2021, was \$4,033,304. There is additional funding available. The new appropriation amount available for this Request for Proposals (RFP), is approximately **\$4,326,983**.

Eligibility to Submit a Proposal

A proposal for an exception to the nursing home moratorium may be submitted by an organization or individual authorized by a facility’s governing board or management to prepare and submit a proposal to the commissioner of health.

Method for Estimating Proposal Cost

The method that the commissioner will use in evaluating proposals for approval or disapproval for estimating the cost of a proposal is detailed in the application materials.

Criteria for Review

Minn. Stat. § 144A.073, Subd. 4a, states the criteria the commissioner of health is to consider in reviewing moratorium exception proposals:

Subd. 4a. **Criteria for review.** In reviewing the application materials and submitted costs by an applicant to the moratorium process, the review panel shall consider the following criteria in recommending proposals:

- (1) the extent to which the proposed nursing home project is integrated with other health and long-term care services for older adults;
- (2) the extent to which the project provides for the complete replacement of an outdated physical plant;
- (3) the extent to which the project results in a reduction of nursing facility beds in an area that has a relatively high

State Grants & Loans

number of beds per thousand occupied by persons age 85 and over;

(4) the extent to which the project produces improvements in health; safety, including life safety code corrections; quality of life; and privacy of residents;

(5) the extent to which, under the current facility ownership and management, the provider has shown the ability to provide good quality of care based on health-related findings on certification surveys, quality indicator scores, and quality-of-life scores, including those from the Minnesota nursing home report card;

(6) the extent to which the project integrates the latest technology and design features in a way that improves the resident experience and improves the working environment for employees;

(7) the extent to which the sustainability of the nursing facility can be demonstrated based on the need for services in the area and the proposed financing of the project; and

(8) the extent to which the project provides or maintains access to nursing facility services needed in the community.

Procedure for Receiving Application Materials

The application materials, including instructions, format and necessary forms are available at the following website:
<https://www.health.state.mn.us/facilities/regulation/nursinghomes/moratoriumapp/index.html>

Or upon email request to: ***health.nhm@state.mn.us***

Review and Approval of Proposals

Proposals will be reviewed by a committee composed of organizations that represent consumers and providers of nursing home services; persons who provide engineering, building construction, or design services; and state agencies involved in long term care issues, housing and finance. Applicants will have the opportunity to present their proposal, by *virtual public meeting*, to the (Proposal Review Committee) prior to the Committee submitting comments and recommendations to the commissioner. Details on this *virtual meeting*, including date, time will be made available to the contact person listed in each moratorium exception proposal. The commissioner of health will approve or disapprove project proposals based on criteria established in law and rule. The commissioner will make the final decision no later than **June 22, 2022**.

Questions Concerning the RFP

Any questions relating to the RFP process must be submitted by prospective applicants in writing, via email to:
health.nhm@state.mn.us

No answers will be provided in response to phone calls. Each question must cite the particular RFP page to which it refers. Copies of all questions and their answers will be provided to all prospective applicants who have requested application materials. Only responses in writing by staff of the Minnesota Department of Health will be considered official. The closing date for the receipt of questions will be **January 17, 2022**.

State Contracts

Technical assistance in completing the application forms is available from LeadingAge of Minnesota at (651) 645-4545, Care Providers of Minnesota, at (952) 854-2844 or The Minnesota Department of Health (651) 201-4200.

Procedures for Submitting Proposals

No proposals submitted by facsimile machine will be accepted.

Completed proposals must be uploaded to the Minnesota Department of Health CloudDrive, no later than 4:30 p.m. on March 17, 2022. Must receive access to upload application. Email facility name, contact person that will be uploading the application materials, and their email address. Email to: *health.nhm@state.mn.us*

State Grants & Loans

Minnesota Department of Health (MDH)

Community Health Division

Notice of Request for Proposals for Quit Partner™ Ambassadors

NOTICE IS HEREBY GIVEN that the Minnesota Department of Health (MDH) is requesting proposals to increase awareness and knowledge of Quit Partner programs in communities that are disproportionately impacted by commercial tobacco which has led to higher commercial tobacco use. MDH receives state funding from *Minn. Stat. § 144.397* to administer Minnesota's statewide cessation services including the state quitline, *Quit Partner*. Quit Partner launched in April 2020 and provides Minnesota residents with free programs and tools to help them quit commercial tobacco.

To be eligible to apply, the organization must demonstrate the following:

- Serves adults who use commercial tobacco at rates higher than the statewide average, including from communities of color, American Indian communities, and/or LGBTQ+ communities.
- Previous experience with health promotion and engagement activities within the communities they serve.
- Expertise working directly within their communities.

The RFP can be viewed by visiting the Minnesota Department of Health's website at: *Request for Proposals for Quit Partner™ Ambassadors* (<https://www.health.state.mn.us/communities/tobacco/initiatives/cessation/grants.html>). Proposals submitted in response to this RFP must follow the instructions on the RFP webpage. Proposals must be submitted no later than 4:00 p.m. Central time on December 14, 2021. Late proposals will not be considered. Faxed or mailed proposals will not be considered.

MDH anticipates notifying all applicants via email of funding decisions by January 31, 2022. Work is anticipated to start in April 2022. The grant period will be two years, with the potential to extend the grant up to one additional year, contingent on satisfactory grantee performance and funding availability.

Department of Human Services

Behavioral Health Division

Addendum to Request for Proposals for providers to deliver Intensive Rehabilitative Mental Health Services (IRMHS/Youth ACT) in accordance with Minnesota Statutes, section 256B.0947

The Minnesota Department of Human Services through its Behavioral Health Division has published an Addendum to its Request for Proposal for providers to deliver Intensive Rehabilitative Mental Health Services (IRMHS/Youth ACT) in accordance with Minnesota Statutes, section 256B.0947, that was published in the October 4, 2021 State Register. In the Addendum, DHS is amending the Proposal Component rating score table on page 10 to match the required components section of the RFP (section 3.2).

The text of the RFP Addendum can be viewed by visiting the Minnesota Department of Human Services RFP web site: <https://mn.gov/dhs/partners-and-providers/grants-rfps/open-rfps/>

For more information please contact:

Nancy Just
Department of Human Services
Behavioral Health Division
Phone: (651) 247-6065
Nancy.Just@state.mn.us

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

State Grants & Loans

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

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

Minnesota Department of Transportation (MnDOT) Office of Civil Rights Request for Proposals for Micro Grant

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

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

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

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

State Contracts

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

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

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

Department of Administration Real Estate and Construction Services Request for Proposals (RFP) for Lease of Office and Storage Space

NOTICE IS HEREBY GIVEN that the State of Minnesota, Department of Administration, on behalf of the Minnesota Attorney General's Office, requests Proposals for the lease of approximately 90,000 to 120,000 usable square feet of office and storage space, consisting of approximately 90,000 to 110,000 usable square feet of office space and approximately 8,000 to 10,000 usable square feet of storage space, within fifteen (15) mile radius of the Minnesota State Capitol Building, St. Paul, Minnesota.

State Contracts

All information and requirements regarding preparation and submission of a Proposal may be obtained at <https://mn.gov/admin/business/vendor-info/real-estate/solicitations-announcements.jsp>

LATE BIDS WILL BE REJECTED. EMAIL BIDS WILL NOT BE ACCEPTED.

Minnesota State Colleges and Universities (Minnesota State) Non-Construction Related Bid and Contracting Opportunities

Minnesota State is now placing additional public notices for P/T contract opportunities, goods/commodities, and non-construction related services on its Vendor and Supplier Opportunities website (<http://minnstate.edu/vendors/index.html>). New public notices may be added to the website on a daily basis and be available for the time period as indicated within the public notice.

If you have any questions regarding this notice, or are having problems viewing the information on the Vendor and Supplier Opportunities website, please call the Minnesota State Procurement Unit at 651-201-1444, Monday-Friday, 9:00 am – 4:00 pm.

Minnesota State Colleges and Universities (Minnesota State) Minnesota State College Southeast Request for Proposal for Electronic Building Access Control System

Minnesota State College Southeast is requesting proposals (RFP) for an Electronic Building Access Control System. A copy of the Request for Proposal may be obtained by contacting the Director of Business and Finance, 1250 Homer Road, Winona, MN 55987, email: lpozanc@southeastmn.edu

Proposals must be submitted no later than Tuesday, November 30, 2021 at 3:00 P.M. DST. Late responses will not be considered. All proposals must be sealed and marked, "RFP for Electronic Building Access Control System". Proposals must be delivered to:

Minnesota State College Southeast
Attn: Director of Business and Finance
1250 Homer Road
Winona, MN 55987

Minnesota State College reserves the right to cancel this solicitation if it is considered to be in the best interest of the College. The RFP is not a guarantee of work and does not obligate Minnesota State College Southeast to award any contracts. Minnesota State College Southeast reserves the right to discontinue the use or cancel all or any part of this Request for Proposal if it is determined to be in its best interest. All expenses incurred in responding to this notice are solely the responsibility of the responder.

Minnesota Historical Society (MNHS) Request for Proposals for Inventorying Unrecorded Historic Period Indian Cemeteries in Minnesota

The Minnesota Historical Society (Society) and the Oversight Board of the Statewide Historical and Archaeological Survey (Board) seek a qualified consultant to conduct an intensive records search to compile a preliminary database of unrecorded historic period Indian cemeteries and burials in Minnesota. The purposes of the project are to summarize what is known about unrecorded historic period Indian cemeteries, to add new information about unrecorded historic period Indian cemeteries to an existing cemeteries database, and to develop a research design for a field survey to find currently uninventoried unrecorded Indian historic period cemeteries. The project cost may not exceed \$75,000.

The Request for Proposal is available by contacting Mary Green Toussaint, Contract Manager, Minnesota Historical Society, by e-mail only: mary.green-toussaint@mnhs.org

There will not be a public bid opening due to COVID restrictions. All bids must be received by Mary Green Toussaint, Contract Manager, by email only at mary.green-toussaint@mnhs.org no later than **2:00 p.m. Local Time Tuesday, November 30, 2021. Late proposals will not be considered.**

Minnesota Management and Budget Request for Proposal for Master Equipment Lease Purchase Financing Program

Request for Proposal to provide a Master Equipment Lease Purchase Financing Program for the State of Minnesota Internal Service Funds operated by the Commissioners of Administration and the Department of Information Technology Services (MN.IT). The Department of Management and Budget expects to finance the purchase of approximately \$26,300,000 of equipment during the first year of the contract and approximately \$30,000,000 of equipment during the second year of the contract. The Department of Management and Budget is seeking proposals from qualified firms to provide lease purchase financing pursuant to a Master Equipment Lease Purchase Agreement.

Deadline for submission of the Proposal is no later than **2:00 PM CT, Wednesday, November 24, 2021.**

For further information or to obtain a copy of the complete proposal materials, contact Jessica Cameron Mitchell of PFM Financial Advisors LLC, the State's municipal advisor for this transaction at cameronj@pfm.com.

Minnesota Department of Transportation (MnDOT) Engineering Services Division Notices Regarding Professional/Technical (P/T) Contracting

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

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

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

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

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

Non-State Public Bids, Contracts & Grants

The State Register also serves as a central marketplace for contracts let out on bid by the public sector. The *State Register* meets state and federal guidelines for statewide circulation of public notices. Any tax-supported institution or government jurisdiction may advertise contracts and requests for proposals from the private sector. It is recommended that contracts and RFPs include the following: 1) name of contact person; 2) institution name, address, and telephone number; 3) brief description of commodity, project or tasks; 4) cost estimate; and 5) final submission date of completed contract proposal. Allow at least three weeks from publication date (four weeks from the date article is submitted for publication). Surveys show that subscribers are interested in hearing about contracts for estimates as low as \$1,000. Contact editor for further details.

Besides the following listing, readers are advised to check: <http://www.mmd.admin.state.mn.us/solicitations.htm> as well as the Office of Grants Management (OGM) at: <http://www.grants.state.mn.us/public/>.

Midwestern Higher Education Compact (MHEC) Request for Proposals for End User Computing & Peripherals, Device Lifecycle Management, and Associated Services – MHEC-RFP-10282021

DETAILS: The Midwestern Higher Education Compact (MHEC) is competitively soliciting proposals on behalf of MHEC's 12 Compact member states for innovative and cost-effective End User Computing & Peripherals, Device Lifecycle Management, and Associated Services. The Midwestern Higher Education Compact (MHEC) is an instrumentality of 12 Midwestern states (Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, and Wisconsin). The Compact was established in 1991 through a common statute enacted into law by each of the member states (Minnesota Statute – Section 135A.20). The purpose of the Compact is to promote higher education through interstate cooperation and resource sharing.

MHEC has determined that developing a region-wide acquisition strategy for higher education End User Computing & Peripherals, Device Lifecycle Management, and Associated Services through one or more providers will benefit both the higher education community and the provider(s). MHEC is seeking competitive solicitations with the intent to negotiate master agreement terms and conditions, licensing, and pricing. The resulting master agreement will allow an institution to focus most of its energy on finding the technology solution that best fits its needs instead of the contract itself. The result is a master agreement that facilitates a direct relationship between the technology provider(s) and institutions which contains discount pricing as well as terms and conditions that are better than most higher education institutions can negotiate individually.

For further information about the Compact's education technology contracts, visit <https://www.mhec.org/contracts/technology>

PUBLISH DATE: A comprehensive Request for Proposal (RFP) for End User Computing & Peripherals, Device Lifecycle Management, and Associated Services MHEC-RFP-10282021 will be available on October 28, 2021, at MHEC's website <https://www.mhec.org/news>

COPY REQUEST: For a complete copy of the RFP, required submission materials or inquiries, visit website <https://www.mhec.org/news> and search RFP: End User Computing & Peripherals, Device Lifecycle Management, and Associated Services MHEC-RFP-10282021 or by email to:

Mr. Nathan Sorensen
Director of Government Contracts
Midwestern Higher Education Compact
105 Fifth Avenue South, Suite 450
Minneapolis, MN 55401
Phone: (612) 677-2767
E-mail: nathans@mhec.org

— Non-State Public Bids, Contracts & Grants

PROPOSAL DEADLINE: All responses to this RFP must be received no later than Tuesday, December 7, 2021, 10 A.M. CT.

This Request for Proposal (RFP) does not obligate the Midwestern Higher Education Compact (MHEC) or its member states to award a contract and reserves the right to cancel this RFP if it is considered to be in its best interest.

Lower Minnesota River Watershed District (LMRWD) Request for Proposals: 2021 and 2022 Audit Services

Pursuant to MSA 103B.227, Subdivision 5, the Lower Minnesota River Watershed District (LMRWD) hereby solicits proposals from qualified firms of public accounts for annual audit of its 2021 and 2022 financial statements. The audit is to be performed in accordance with the provisions contained in the request for proposal, which can be found on the LMRWD website at: https://lowermnriverwd.org/application/files/1616/3578/6680/Draft_RFP_for_2021_Audit_Services_09022021.pdf

All proposals must be submitted electronically in PDF format to:

Lower Minnesota River Watershed District
Attention: Linda Loomis, District Administrator
112 East Fifth Street, Suite 102
Chaska, MN 55318

Proposals shall be submitted on or before 4:00 PM, Tuesday, December 7, 2021. The LMRWD Board of Managers plans to select an auditor pursuant to this RFP at its December 15, 2021, meeting. Questions should be addressed to District Administrator, Linda Loomis by email before November 30, 2021.

The Board of Managers will review all proposals, and reserves the right to request additional information from any and all proposers, to conduct interviews of the proposers, specifically lead staff proposed to provide services, to reject any and all proposals, and to otherwise take such action as it deems in the best interest of Lower Minnesota River Watershed District.

For further information about the Lower Minnesota River Watershed District, contact Linda Loomis, Administrator at naiadconsulting@gmail.com or by telephone at (763) 545-4659, or visit: <http://lowermnriverwd.org/>

Lower Minnesota River Watershed District (LMRWD) Request for Proposals: Financial Accounting Services

Pursuant to MSA 103B.227, Subdivision 5, the Lower Minnesota River Watershed District (LMRWD) hereby solicits proposals from accountants to provide professional accounting services to the district. The audit is to be performed in accordance with the provisions contained in the request for proposal, which can be found on the LMRWD website at: https://lowermnriverwd.org/application/files/4716/3579/4789/Draft_RFP_for_2021_Accounting_Services_10272021.pdf

All proposals must be submitted electronically in PDF format to:

Lower Minnesota River Watershed District
Attention: Linda Loomis, District Administrator
112 East Fifth Street, Suite 102
Chaska, MN 55318

Proposals shall be submitted on or before 4:00 PM, Tuesday, December 7, 2021. The LMRWD Board of Managers plans to select an auditor pursuant to this RFP at its December 15, 2021, meeting. Questions should be addressed to District Administrator, Linda Loomis by email before November 30, 2021.

Non-State Public Bids, Contracts & Grants ==

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Metropolitan Airports Commission (MAC)

Notice of Call for Bids for 2022 Baggage Claim/Ticket Lobby Operational Improvements P1 and 2022 Terminal 1 APD Locker Room Expansion

Airport Location:	Minneapolis-St. Paul International Airport
Project Name:	2022 Baggage Claim/Ticket Lobby Operational Improvements P1 / 2022 Terminal 1 APD Locker Room Expansion
MAC Contract No:	106-2-865 / 106-2-977
Bids Close At:	2:00 p.m. on Tuesday, December 14, 2021
Bid Opening At:	3:00 p.m. on Tuesday, December 14, 2021 via teleconference
Teleconference Dial In #:	+16124056798
Conference ID #:	681090675#

Notice to contractors: Sealed bid proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040-28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated. This project provides for multi-level, interior renovations of office spaces including MEP, technology, audio-visual, lighting, security, and exhaust systems; structural enhancements and interior finishes.

Note: You can sign up on our Web site (www.metroairports.org) to receive email notifications of new business opportunities or go directly to **MAC's E-News Subscription Service** and choose this and other topics about which you are interested.

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

Project Labor Agreement: This project is subject to the MAC's Project Labor Agreement requirements. A copy of the Project Labor Agreement and Contract Riders are included in the Appendix.

Availability Of Bidding Documents: Bidding documents are on file for inspection at the office of Alliance; at the Minnesota Builders Exchange; Dodge Data and Analytics; and NAMC-UM Plan Room. Bidders desiring bidding documents may secure a complete digital set at <http://www.franzrepro.com>. Click on the "Plan Rooms" tab and select the "Franz Public Plan Room". Bidders may download the complete set of digital bidding documents for \$ 50.00 by entering 106-2-865-00 / 106-2-977-00 in the "search projects" box then click "refresh/search" button. Contact Franz at 763-503-3401 or support@franzrepro.com for assistance. Hard copy drawings and specifications are available for purchase at Bidders expense.

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids for this project will be available on September 27, 2021, at MAC's web address of **MAC's Solicitations Website** (construction bids).

