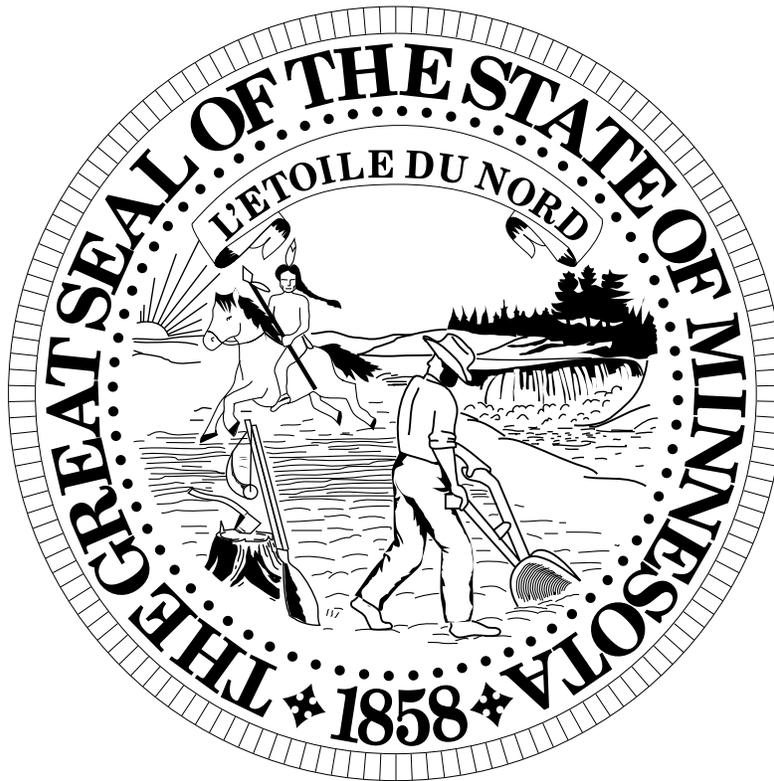


State of Minnesota

# State Register

Rules and Official Notices Edition



Published every Monday (Tuesday when Monday is a holiday) by the  
Department of Administration – Communications Media Division

**Tuesday 22 January 2002**  
**Volume 26, Number 31**  
**Pages 965-988**

# State Register

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

The *State Register* is the official publication of the State of Minnesota, published weekly to fulfill the legislative mandate set forth in *Minnesota Statutes* § 14.46. The *State Register* contains:

- proposed, adopted, exempt, expedited emergency and withdrawn rules
- executive orders of the governor
- appointments
- proclamations and commendations
- commissioners' orders
- revenue notices
- official notices
- state grants and loans
- contracts for professional, technical and consulting services
- non-state public bids, contracts and grants
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### Printing Schedule and Submission Deadlines

Vol. 26 Issue Number	PUBLISH DATE	Deadline for both Adopted and Proposed RULES	Deadline for: Emergency Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical-Consulting Contracts, Non-State Bids and Public Contracts
#31	<b>TUESDAY 22 JANUARY</b>	Noon Wednesday 9 January	Noon Tuesday 15 January
#32	Monday 28 January	Noon Wednesday 16 January	Noon Tuesday 22 January
#33	Monday 4 February	Noon Wednesday 23 January	Noon Tuesday 29 January
#34	Monday 11 February	Noon Wednesday 30 January	Noon Tuesday 5 February

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# Minnesota Rules: Amendments and Additions

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

The *State Register* is the official source, and only complete listing, for all state agency rulemaking in its various stages. State agencies are required to publish notice of their rulemaking action in the *State Register*. Published every Monday, the *State Register* makes it easy to follow and participate in the important rulemaking process. Approximately 80 state agencies have the authority to issue rules. Each agency is assigned specific **Minnesota Rule** chapter numbers. Every odd-numbered year the **Minnesota Rules** are published. The current 1999 set is a 13-volume bound collection of all adopted rules in effect at the time. 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 in the *State Register*, 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. For a more detailed description of the rulemaking process, see the most current edition of the *Minnesota Guidebook to State Agency Services*.

The *State Register* features partial and cumulative listings of rules in this section on the following schedule: issues #1-13 inclusive; issues #14-25 inclusive; issue #26 cumulative for issues #1-26; issues #27-38 inclusive; issue #39, cumulative for issues #1-39; issues #40-51 inclusive; and issues #1-52 (or 53 in some years), cumulative for issues #1-52 (or 53). An annual subject matter index for rules was separately printed usually in August, but starting with Volume 19 now appears in the final issue of each volume. For copies or subscriptions to the *State Register*, contact Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155 (612) 297-3000, or toll-free 1-800-657-3757.

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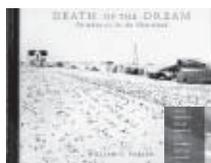
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# Proposed Rules

## 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 §§ 14.14-14.20, which state that if an agency decides to hold a public hearing, it must publish a notice of intent in the *State Register*.

## Minnesota Racing Commission

### Proposed Permanent Rules Relating to Horse Racing

#### DUAL NOTICE: Notice of Intent to Adopt Rules Without a Public Hearing Unless 25 or More Persons Request a Hearing, and Notice of Hearing If 25 or More Requests for Hearing Are Received

**Proposed Amendment to Rules Governing Televised Horse Racing Days, Lost Tickets, Minnesota Rules, 7871.0050; Emergency Procedures when Pools are Commingled at the Class A Facility or at an Alternative Facility, Minnesota Rules, 7872.0150; Pari-Mutuel Rules, Approval of Pari-Mutuel Pools, Minnesota Rules, 7873.0110, Twin Trifecta, Minnesota Rules, 7873.0186, Super-Tri Wagering and Pools, Minnesota Rules, 7873.0192, Distribution of Pools, Minnesota Rules, 7873.0195, Pick Seven, Minnesota Rules, 7873.0198, Pick Four, Minnesota Rules, 7873.0199, Lost Tickets, Minnesota Rules, 7873.0210; Class C Licenses, Duties and Responsibilities of Class C Licensees, Jockeys and apprentice jockeys, Minnesota Rules, 7877.0170; Horse Races, Entries and Subscriptions, Minnesota Rules, 7883.0100; Horse Medication, Definitions, Minnesota Rules, 7890.0100, Bleeders, Minnesota Rules, 7890.0140**

**Introduction.** The Racing Commission intends to adopt rules without a public hearing following the procedures set forth in the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28, and rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310. If, however, 25 or more persons submit a written request for a hearing on the rules by 4:30 p.m. on February 20, 2002, a public hearing will be held at the Canterbury Park Boardroom, 1100 Canterbury Road, Shakopee, MN 55379, starting at 1:00 p.m. on Monday, March 4, 2002. To find out whether the rules will be adopted without a hearing or if the hearing will be held, you should contact the agency contact person after February 20, 2002 and before March 4, 2002.

**Agency Contact Person.** Comments or questions on the rules and written requests for a public hearing on the rules must be submitted to the agency contact person. The agency contact person is: Richard G. Krueger at Minnesota Racing Commission, P.O. Box 630, Shakopee, MN 55372, **phone:** (952) 496-7950, **fax:** (952) 496-7954, and **email:** richard.krueger@state.mn.us. **TTY** users may call the Racing Commission at 1-800-627-3529.

**Subject of Rules, Summary, and Statutory Authority.** The proposed rules are about the association's ability to consider paying lost winning pari-mutuel tickets; affect the calculation and reporting of payoffs when pools are not commingled so as to pay host racetrack prices; delete twin trifecta, super-tri, and pick seven wagering as obsolete rules; add new language for the addition of pick four wagering; consider apprentice jockey weight allowance when substituting for a journeyman jockey; clarify when entries will be allowed to be taken from a person under suspension; uncouple horses in certain stakes races with purses exceeding \$25,000; gener-

**KEY: PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## Proposed Rules

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alize reference to Bute levels contained in statute, allow examination of bleeders by licensed private practice veterinarians, and remove the requirement of visual supervision of horses treated with furosemide. The statutory authority to adopt the rules is *Minnesota Statutes*, section 240.23; 240.08; 240.13, Subd. 3; and 240.24, Subd. 1. A copy of the proposed rules is published in the *State Register* and attached to this notice as mailed.

**Comments.** You have until 4:30 p.m. on Wednesday, February 20, 2002, to submit written comment 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 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 desired. Any comments that you would like to make on 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 a hearing be held on the rules. Your request for a public hearing must be in writing and must be received by the agency contact person by 4:30 p.m. on Wednesday, February 20, 2002. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rules to which you object or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and cannot be counted by the agency when determining whether a public hearing must be held. 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, a public hearing will be held unless a sufficient number 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 Notice can be made available in an alternative format, such as large print, Braille, or cassette tape. 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 proposed rules may be modified, either as a result of public comment or as a result of the rule hearing process. Modifications must be supported by data and views submitted to the agency or presented at the hearing and the adopted rules may not be substantially different than these proposed rules. If the proposed rules affect you in any way, you are encouraged to participate in the rulemaking process.

**Cancellation of Hearing.** The hearing scheduled for March 4, 2002, will be canceled if the agency does not receive requests from 25 or more persons that a hearing be held on the rules. If you requested a public hearing, the agency will notify you before the scheduled hearing whether or not the hearing will be held. You may also call the agency contact person at (952) 496-7950 after February 20, 2002 to find out whether the hearing will be held.

**Notice of Hearing.** If 25 or more persons submit valid written requests for a public hearing on the rules, a hearing will be held following the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The hearing will be held on the date and at the time and place listed above. The hearing will continue until all interested persons have been heard. Administrative Law Judge Allan W. Klein is assigned to conduct the hearing. Judge Klein can be reached at the Office of Administrative Hearings, 100 Washington Square, Suite 1700, Minneapolis, Minnesota 55401-2138, **phone:** (612) 341-7609, and **fax:** (612) 349-2665.

**Hearing Procedure.** If a hearing is held, you and all interested or affected persons, including representatives of associations or other interested groups, will have an opportunity to participate. You may present your views either orally at the hearing or in writing at any time before the close of the hearing record. All evidence presented 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. This five-day comment period may be extended for a longer period not to exceed 20 calendar days if ordered by the Administrative Law Judge at the hearing. 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 additional evidence may be submitted during the five-day response period. All comments and responses submitted to the Administrative Law Judge must be received at the Office of Administrative Hearings no later than 4:30 p.m. on the due date. All comments or responses received will be available for review at the Office of Administrative Hearings. This rule hearing procedure is governed by *Minnesota Rules*, parts 1400.2000 to 1400.2240, and *Minnesota Statutes*, sections 14.131 to 14.20. Questions about procedure may be directed to the Administrative Law Judge.

The agency requests that any person submitting written views or data to the Administrative Law Judge prior to 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.

**Statement of Need and Reasonableness.** A statement of need and reasonableness is now available from the agency contact person. This statement contains a summary of the justification for the proposed rules, including a description of who will be

affected by the proposed rules and an estimate of the probable cost of the proposed rules. The statement may also be reviewed and copies obtained at the cost of reproduction from the agency.

**Lobbyist Registration.** *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. Questions regarding this requirement may be directed to the Campaign Finance and Public Disclosure Board at: Suite 190, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, **phone:** (651) 296-5148 or 1-800-657-3889.

**Adoption Procedure if No Hearing.** If no hearing is required, the agency may adopt the rules after the end of the comment period. The rules and supporting documents will then be submitted to the Office of Administrative Hearings for review for legality. You may ask to be notified of the date the rules are submitted to the office. If you want to be so notified, or want to receive a copy of the adopted rules, or want to register with the agency to receive notice of future rule proceedings, submit your request to the agency contact person listed above.

**Adoption Procedure After a Hearing.** If a hearing is held, 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 Administrative Law 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 on which the agency adopts the rules and files them with the Secretary of State, and can make this request at the hearing or in writing to the agency contact person stated above.

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

Dated: 8 January 2002

Richard G. Krueger  
Executive Director

#### **7871.0050 LOST TICKETS.**

~~No~~ The association shall consider claims for lost pari-mutuel tickets ~~shall be considered~~ but is not liable for lost pari-mutuel tickets.

#### **7871.0150 EMERGENCY PROCEDURES WHEN POOLS ARE COMMINGLED AT THE CLASS A FACILITY OR AT AN ALTERNATIVE FACILITY.**

Subpart 1. **Interruption of ~~the~~ audio/visual satellite signal from host racetrack.** In the event of an interruption of both the audio and video satellite signal from the host racetrack, the guest ~~track's mutuel manager must:~~

- ~~A. notify the tote wagering hub or host track of the loss of the signal; and~~
- ~~B. notify the presiding official or designated commission representative of the interruption.~~

~~The licensee~~ track may continue to accept wagering on the balance of the program and subsequent programs until the satellite downlink has been reestablished, if the wagering hub has an audio/visual feed from the host track and the on-track public is notified by public announcement. If the audio and video interruption will not be corrected before the end of the host track's racing program, betting must be stopped for the races that will not be televised but all advanced wagers must be honored. If the initial audio or visual signal is not established, the guest track must make an announcement to the public and stop betting until the signals are established. All advanced wagers made without an audio or video signal must be honored.

Subp. 1a. Disruption of communication between Class A facility and alternative facility. In the event that the communications between the Class A facility and the alternative facility fails, the Class B licensee must:

- A. notify the alternative facility operator, the designated racing commission representative, and the wagering patrons that an interruption in communication has occurred; and
- B. immediately begin to execute back-up procedures to reestablish communication between the Class A and alternative facility.

Subp. 2. **Wagering interface interruption when Class A facility is guest racetrack.**

~~A. In the event the guest totalizator system fails to transfer the data to the host system, the guest mutuel manager must notify either the host mutuel department or the host tote system representatives and the designated commission representative of the interruption. If necessary, the guest mutuel manager will make a request to the host track for additional time to attempt a retransmission of the data or a manual merge before going official.~~

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## Proposed Rules

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~~B. If the attempted retransfer of data fails, the tote or mutuel representatives shall notify the stewards or the designated commission representative that the transfer has failed and that the pools must be merged manually. If for any reason it becomes impossible to successfully merge, electronically or manually, the bets placed into the host track pool, the guest track shall make payouts in accordance with host track prices or refunds as described in subpart 4b.~~

Subp. 2a. Wagering interface interruption when Class A facility is host racetrack. If the host mutuel manager determines that a guest track has not transmitted its pools to the host track in a timely manner or if a manual merge jeopardizes the integrity of the host track's pools, delays the host track's program, or a manual merge is attempted and failed, the guest track must be excluded from the wagering pools.

A. In the event of a manual merge:

(1) The guest tote system operator must inform the host tote system operator of the total amount in the pool, the total dollars on winning wagers, and the total dollars on the losing wagers in the pool. The guest tote system operator shall send that information via a facsimile machine to the host tote system;

(2) The stewards at the host racetrack ~~and the presiding official at the guest racetrack~~ must be notified when the procedure has been completed in order to declare the race official;

(3) The licensee's tote system representative shall prepare a report indicating that the transfer of data could not be completed electronically and that the pools were merged manually. The report shall also include the following:

(a) a copy of the pool print report prior to the failure of the transfer of data;

(b) a copy of the final pool print report;

(c) a brief statement as to where the failure occurred, when the stewards were notified, and for what time period were prices delayed; and

(d) a worksheet from the host track signed by the host tote system representative, the host mutuel manager, and the state representative from the host's state racing commission showing total dollars bet in each pool and the final prices.

~~C. The guest track may continue to accept wagering on the balance of the program on a separate or manually merged commingled pool basis.~~

~~D. Any wager on subsequent programs prior to reestablishment of computer interface may be either canceled, or the pools calculated on a separate basis (no commingling), or manually merged on a commingled pool basis.~~

Subp. 3. [See repealer.]

Subp. 4. [See repealer.]

Subp. 4a. [See repealer.]

Subp. 4b. Procedures for paying host track prices.

A. In the event that wagers are not accepted at the host track, the guest track shall pay the host track prices on affected single-race pools. The funds derived from the wagers shall be applied to the payment of the affected winning tickets. The guest and host tracks along with the totalizator companies shall resolve any resulting liabilities among themselves. Underpayments may be used to offset overpayments generated during a calendar year. Any resulting surplus at the close of wagering on December 31st of a calendar year must be added into a net wagering pool, chosen by the association and approved by the commission in accordance with part 7873.0110, subpart 3, on the first live racing day of the following meet. If there is a deficit at the close of wagering on December 31st of a calendar year, that deficit will be the starting point for which the following year's cumulative total begins. The mutuel department or tote representative or both must submit to the commission a complete report of payments made to winning ticket holders resulting in any surplus or liability. This report must also summarize the yearly total of accumulated surpluses and liabilities. This report must be submitted to the commission within 48 hours of the failure.

B. In the event that wagers are not accepted at the host tract, the guest track shall refund wagers on affected multiple-race pools.

Subp. 5. **Notification and reporting.** In the event of system disruption in connection with the pari-mutuels or audio/visual satellite signal covered in subparts 1 to ~~4a~~ 2a or in any situation not covered in subparts 1 to ~~4a~~ 2a, the pari-mutuel representative from the association will notify the stewards or designated commission representative of the interruption as soon as possible and render a written report to the commission within 48 hours.

**7873.0110 APPROVAL OF PARI-MUTUEL POOLS.**

[For text of subs 1 and 2, see M.R.]

Subp. 3. **Live racing days; director of pari-mutuel racing authority.** The director of pari-mutuel racing or the commission's director of pari-mutuels is delegated the authority to approve variation and changes in the pari-mutuel pools previously approved by the commission, placement of pools in the program, and simulcasts requested by the licensee that meet the criteria in subpart 2. The director of pari-mutuel racing or the commission's director of pari-mutuels is delegated the authority to approve changes in the placement of pari-mutuel pools in the program, the addition of approved pari-mutuel pools to the program, and changes in simulcasting requests by the licensee that meet the criteria in subpart 2. Before approving a change in the pick six, ~~pick seven, twin tri-fecta, and super tri-wagering pools~~ pool, the director of pari-mutuel racing or the commission's director of pari-mutuels must consult with the commission's executive committee.

[For text of subp 4, see M.R.]

**7873.0195 DISTRIBUTION OF ~~PICK SEVEN, PICK SIX, AND PICK THREE, AND PICK FOUR~~ POOLS.**

The commission may authorize the distribution or carry over of the ~~pick seven pool according to part 7873.0198, subpart 6, the pick six pool according to part 7873.0190, subpart 6 and, the pick three pool according to part 7873.0191, subpart 6, and the pick four pool according to part 7873.0199, subpart 6,~~ on each final day of racing of a breed and on the final day of mixed breed racing within a race meeting. In determining whether to distribute or carry over the ~~pick seven, pick six and/or, pick three pools, or pick four pools,~~ the commission must consider the type of breed racing, assignment of future racing days, and the best interest of racing.

In cases where a carry over would occur, the commission must designate what constitutes the next succeeding racing date to which the escrowed funds are to be carried over.

**7873.0199 PICK FOUR.**

Subpart 1. Scope. The pick four pari-mutuel pool is not a parlay and has no connection with or relation to any other pari-mutuel pool conducted by the association.

Subp. 2. Ticket is evidence of binding contract. A pick four ticket shall be evidence of a binding contract between the holder of the ticket and the racing association and the ticket shall constitute an acceptance of the pick four provisions and rules.

Subp. 3. Pick four may be given a distinctive name. A pick four may be given a distinctive name to be selected by the association conducting these races, subject to the approval of the commission.

Subp. 4. Pick four pool. The pick four pari-mutuel pool consists of amounts contributed for a selection for win only in each of four races designated by the association with the approval of the commission. Each person purchasing a pick four ticket shall designate the winning horse in each of the four races comprising the pick four.

Subp. 5. Coupled entries and fields. Those horses constituting an entry of coupled horses or those horses coupled to constitute the mutuel field in a race comprising the pick four, shall race as a single wagering interest for the purpose of the pick four pari-mutuel pool calculations and payouts to the public. However, if any part of either an entry or the field racing as a single wagering interest is a starter in a race, the entry of the field selection shall remain as the designated selection to win in that race for the pick four calculation, and the selection shall not be deemed a scratch.

Subp. 6. Calculation of pool. The pick four pari-mutuel pool shall be calculated as follows:

A. One hundred percent of the net amount in the pari-mutuel pool subject to distribution among winning ticket holders shall be distributed among the holders of pari-mutuel tickets which correctly designate the official winner in each of the four races comprising the pick four.

B. In the event no pari-mutuel ticket is sold combining the four winners of the pick four, 100 percent of the net amount in the pari-mutuel pool shall be distributed among the holders of pari-mutuel tickets which include the winners of three of the four races comprising the pick four.

C. In the event no pari-mutuel ticket is sold combining three winners of the pick four, 100 percent of the net amount in the pari-mutuel tickets which include the winner of any two races comprising the pick four.

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D. In the event no pari-mutuel ticket is sold combining two winners of the pick four, 100 percent of the net amount in the pari-mutuel pool shall be distributed among holders of pari-mutuel tickets which include the winner of any one race comprising the pick four.

E. In the event no pari-mutuel ticket is sold that would require distribution of the pick four pool to a winner under this part, 100 percent of the net amount in the pick four pari-mutuel pool shall be carried over and included in the pick four pari-mutuel pool for the next succeeding racing date as an additional net amount to be distributed.

F. If for any reason the final day of racing is canceled or the pick four pool has not been distributed, the pool shall be escrowed by the association, and the pool, as well as all accrued interest, shall be carried over and included in the pick four pari-mutuel pool for the next succeeding racing date as an additional net amount to be distributed.

Subp. 7. Cancellation of races comprising pick four. If for any reason one, two, or three of the races comprising the pick four is canceled, the net amount of the pari-mutuel pool shall be distributed as provided in subpart 6, items B, C, D, and E. If for any reason all of the races comprising the pick four are canceled, a full and complete refund must be made of the pari-mutuel tickets sold on the pick four on that day. One hundred percent of the remaining amount in the pick four pari-mutuel pool shall be carried over and included in the pick four pari-mutuel pool for the next succeeding racing date as an additional net amount to be distributed.

Subp. 8. Actual favorite substituted for scratched horse. In the event a pick four ticket designates a selection in any one or more of the races comprising the pick four and that selection is scratched, excused, or determined by the stewards to be a nonstarter in the race, the actual favorite, as evidenced by the amounts wagered in the win pool at the time of the start of the race, will be substituted for the nonstarting selection for all purposes, including pool calculations and payoffs.

The association may refund pick four tickets that include the scratched selection prior to the beginning of wagering for the first race comprising the pick four races.

Subp. 9. Dead heats. In the event of a dead heat for win between two or more horses in any pick four race, all the horses in the dead heat for win shall be considered as winning horses in the race for the purpose of calculating the pool.

Subp. 10. No pick four ticket to be exchanged or canceled. No pari-mutuel ticket for the pick four pool shall be sold, exchanged, or canceled after the time of the closing of wagering in the first of the four races comprising the pick four, except for refunds on pick four tickets as required by subpart 7, and no person shall disclose the number of tickets sold in the pick four pool or the number or amount of tickets selecting winners of pick four races until the stewards have determined the last race comprising the pick four to be official.

Subp. 11. Announcement of payoff prices. After the third of the four races comprising the pick four has been declared official, an association may, with the approval of the commission, post possible payoff prices to the public before the start of the fourth race of the pick four.

### **7873.0210 LOST TICKETS.**

~~No~~ The association shall consider claims for lost pari-mutuel tickets shall be considered but is not liable for lost pari-mutuel tickets.

### **7877.0170 DUTIES AND RESPONSIBILITIES OF CLASS C LICENSEES.**

[For text of subps 1 to 2a, see M.R.]

Subp. 3. **Jockeys and apprentice jockeys.** Jockeys and apprentice jockeys shall have the following responsibilities.

A. An apprentice jockey must ride with a five-pound weight allowance ~~except stakes races and handicap races~~ beginning with his or her first mount and for one full year thereafter, unless the jockey is riding in stakes races, handicap races, or substituting for a journeyman jockey who is unable to fulfill a riding engagement. If after one full year from the date of his or her fifth winning mount the apprentice jockey has failed to ride 40 winners, he or she shall continue to ride with a five-pound weight allowance for up to two years from the date of his or her fifth winning mount or until he or she has ridden a total of 40 winners, whichever comes first. If an apprentice jockey is unable to ride for a period of 14 consecutive days or more after the date of the jockey's fifth winning mount because of service in the United States armed forces, enrollment in an institution of secondary or post-secondary education, or because of physical disability, the commission may extend the time during which the apprentice weight allowance may be claimed for a period not to exceed the period the apprentice jockey was unable to ride.

[For text of items B to W, see M.R.]

[For text of subps 4 to 10, see M.R.]

**7883.0100 ENTRIES AND SUBSCRIPTIONS.**

[For text of subs 1 to 5, see M.R.]

Subp. 6. **Prohibited entries.** No person shall:

[For text of items A to C, see M.R.]

D. enter in a race a horse if it is wholly, or partly owned by, trained by, or under the management of an unlicensed person, a person whose license is under suspension, or a person who acts in concert with or under the control of a person whose license is under suspension. If any entry from an unlicensed person or a person whose license is under suspension or of an ineligible horse is received, the entry shall be void and any money paid for the entry shall be paid to the winner. An entry may be taken from a person whose license is under suspension in any racing jurisdiction if the term of the suspension has ended prior to the day of the race for which the entry was made and any other requirements associated with the suspension have been satisfied prior to the entry.

Subp. 7. **Coupled entries.** Except in stakes races and races which are conditioned for horses eligible for specified stakes, not more than two horses of the same licensed ownership or interest shall be entered and started in a race.

[For text of items A and B, see M.R.]

C. All horses owned wholly or in part by the same person, or his or her spouse, shall be coupled and run as an entry. The association may uncouple entries in races where the estimated purse is \$25,000 or more and is listed in the condition book as a stakes race.

[For text of item D, see M.R.]

[For text of subs 8 to 18, see M.R.]

**7890.0100 DEFINITIONS.**

[For text of subs 1 to 11, see M.R.]

Subp. 13. **Medication.** "Medication" is a substance, compound, or element, or combination thereof, which is or can be administered to a horse for the purpose of preventing, curing, or alleviating the effects of any disease, condition, ailment, or infirmity, or symptom thereof, or for altering in any way the behavior, attitude, temperament, or performance of a horse, including athletic performance. The term medication includes all analgesics, anesthetics, depressants, narcotics, stimulants, tranquilizers, and other classifications of medications. Nothing herein shall be deemed to include:

A. Bute, provided that the test sample does not contain more than ~~three~~ the micrograms of the substance or metabolites thereof per milliliter of blood plasma permitted in Minnesota Statutes, section 240.24, subdivision 3.

[For text of items B to D, see M.R.]

[For text of subs 14 to 21, see M.R.]

**7890.0140 BLEEDERS.**

Subpart 1. **Examination of bleeders.** A horse which is alleged to have bled in Minnesota must be physically examined by ~~the commission~~ a veterinarian currently licensed by the commission in order to confirm its inclusion on the bleeder list, veterinarian's list, or both. The examination must be performed within 1-1/2 hours following the finish of a race or exercise in which the horse has participated. ~~At the time of the physical examination the commission veterinarian may also require an endoscopic examination to confirm the source of hemorrhage. The endoscopic examination shall be conducted by a veterinarian employed by the horse's owner or his or her agent, and shall be conducted in the presence of and in consultation with the commission veterinarian. The commission veterinarian shall decide, based upon his or her experience and professional training, whether the amount of hemorrhage is sufficient to cause such horse to be certified as a bleeder and the examination report must be provided to the commission's veterinary office by 10:00 a.m. on the day following the examination.~~

[For text of subs 2 to 7a, see M.R.]

Subp. 10. **Responsibility of trainer.** The trainer is responsible for ensuring that the horse is available at the appropriate time for its treatment. At the time of treatment, the trainer must provide to the commission employee observing the treatment a statement signed by the trainer or assistant trainer that indicates the barn number and stall number where the horse will be detained following treatment and the names of all employees permitted by the trainer to be in contact with the horse during that time. The statements

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shall be on a form prescribed by the commission. After having been administered furosemide, the horse shall at all times be in the care, custody, and under the ~~visual~~ supervision of the trainer or a licensed person assigned by the trainer. The horse must remain in its own stall until it is taken to the paddock to be saddled or harnessed for a race. It shall not be handled by anyone other than the trainer, the owner, or the employees listed on the trainer's signed statement. If emergency veterinary attention becomes necessary, the trainer is responsible for immediately notifying the commission veterinarian of the nature of the need and of the identity of the responding veterinarian. The trainer shall be responsible for the guarding, condition, care, and handling of the horse at all times.

**REPEALER.** Minnesota Rules, parts 7871.0150, subparts 3, 4, and 4a; 7873.0186; 7873.0192; and 7873.0198, are repealed.

## Adopted Rules

A rule becomes effective after the requirements of *Minnesota Statutes* §§14.05-14.28 have been met and five working days after the rule is published in the *State Register*, unless a later date is required by statutes or specified in the rule.

If an adopted rule is identical to its proposed form as previously published, a notice of adoption and a citation to its previous *State Register* publication will be printed.

If an adopted rule differs from its proposed form, language which has been deleted will be printed with strikeouts and new language will be underlined. The rule's previous *State Register* publication will be cited.

### Expedited and Emergency Expedited Rules

Provisions for the Commissioner of Natural Resources to adopt emergency expedited Game and Fish Rules are specified in *Minnesota Statutes* §§ 84.027. The commissioner may adopt emergency expedited rules when conditions exist that do not allow the Commissioner to comply with the requirements for emergency rules. The Commissioner must submit the rule to the attorney general for review and must publish a notice of adoption that includes a copy of the rule and the emergency conditions. Emergency expedited rules are effective upon publication in the *State Register*, and may be effective up to seven days before publication under certain emergency conditions. Emergency expedited rules are effective for the period stated or up to 18 months.

## Department of Human Services

### Adopted Permanent Rules Relating to Hospital Medical Assistance Payment

The rules proposed and published at *State Register*, Volume 26, Number 11, pages 296-309, September 4, 2001 (26 SR 296), are adopted with the following modifications:

#### 9500.1100 DEFINITIONS.

[For text of subp 26, see M.R.]

Subp. 26a. **Inpatient hospital costs.** "Inpatient hospital costs" means a hospital's base year inpatient hospital service costs determined allowable under the cost finding methods of Medicare, but not to include the medical assistance surcharge, without regard to adjustments in payments imposed by Medicare.

[For text of ~~subps 26 to~~ subp 27, see M.R.]

#### 9500.1120 DETERMINATION OF HOSPITAL COST INDEX.

Subp. 2. **Determination of hospital cost index.** For the period from the midpoint of each hospital's base year to the midpoint of the rate year, or, when the base year is not rebased, from the midpoint of the prior rate year to the midpoint of the current rate year, the department shall determine the hospital cost index according to items A and B.

A. The commissioner shall obtain from Data Resources, Inc., the average annual historical and projected cost change estimates in a decimal format for the operating costs by applying the change in the Consumer Price Index - All Items (United States city average) (CPI-U) in the third quarter of the prior rate year.

**EFFECTIVE DATE.** The amendments to *Minnesota Rules*, parts 9500.1090 to 9500.1110; 9500.1115, subparts 1 to 3 and 6; 9500.1116, subparts 1, item A, and 2, item A; 9500.1120; 9500.1121; 9500.1122, subparts 1 and 2; 9500.1123; 9500.1124, subparts 1, 2, and 7; and 9500.1127 to 9500.1140 are effective five working days after publication of the notice of adoption in the *State Register* according to *Minnesota Statutes*, section 14.27.

The amendments to *Minnesota Rules*, parts 9500.1115, subparts 4, 5, and 5a; 9500.1116, subparts 1, item B, and 2, item B; 9500.1122, subparts 3, 4, and 5; and 9500.1124, subpart 2, items A and B, are effective January 1, 2003.

## Department of Human Services

### Adopted Permanent Rules Relating to Medical Assistance Eligibility; Repealers

The rules proposed and published at *State Register*, Volume 26, Number 15, pages 484-486, October 1, 2001 (26 SR 484), are as proposed.

## Minnesota State Retirement System

### Adopted Permanent Rules Relating to Board of Directors Election Procedures

The rules proposed and published at *State Register*, Volume 26, Number 14, pages 428-430, September 24, 2001 (26 SR 428), are adopted as proposed.

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## Official Notices

Pursuant to Minnesota Statutes §§ 14.101, an agency must first solicit comments from the public on the subject matter of a possible rulemaking proposal under active consideration within the agency by publishing a notice in the *State Register* at least 60 days before publication of a notice to adopt or a notice of hearing, and within 60 days of the effective date of any new statutory grant of required rulemaking. The *State Register* also publishes other official notices of state agencies and non-state agencies, including notices of meetings and matters of public interest.

### Department of Administration

#### Office of Technology

#### Notice of the Technology Enterprise Board Meeting

**NOTICE IS HEREBY GIVEN** that the Minnesota Department of Administration and the Office of Technology are holding a Technology Enterprise Board meeting. It will be a facilitated meeting to clearly established the Board's roles and responsibilities.

The meeting date/ time and location are:

January 29, 2002  
9:00 a.m. to 4:00 p.m.  
Embassy Suites Hotel  
175 East 10th Street  
St. Paul, MN

### Department of Human Services

#### Community Supports for Minnesotans with Disabilities

#### Public Notice Regarding a Medical Assistance Targeted Case Management Rate

**NOTICE IS HEREBY GIVEN** to recipients, providers of services, and to the public of a new proposed rate under the Medical Assistance Program for targeted case management services provided to vulnerable adults and adults with mental retardation or related conditions. This notice is published pursuant to *Code of Federal Regulations*, title 42, part 447, section 205 (42 CFR §447.205), which requires public notice of significant proposed changes in methods and standards for setting payment rates for fee-for-service Medical Assistance services.

*Laws of Minnesota 2001*, First Special Session, chapter 9, article 2, sections 39 (*Minnesota Statutes*, §256B.0625, subd. 43) and 44 (*Minnesota Statutes*, §256B.0924) add targeted case management services to the Medical Assistance benefit set. In addition, for adults with mental retardation or related conditions, targeted case management services must meet the provisions of *Minnesota Statutes*, §256B.092.

Effective January 23, 2002, Medical Assistance will cover targeted case management services provided to vulnerable adults in need of adult protection as defined in *Minnesota Statutes*, §626.5572, subd. 21 and adults with mental retardation as defined in *Minnesota Statutes* §252A.02, subd. 2 or related conditions as defined in *Minnesota Statutes*, §252.27, subd. 1a, who are not receiving home and community-based waiver services. These persons must be 18 years of age or older, receiving Medical Assistance, have significant functional limitations, and be in need of service coordination to attain or maintain living in integrated community settings.

Targeted case management services will be coordinated on an individual client basis and will be designed to help individuals gain access to needed medical, social, educational, financial, housing and other services and supports necessary to meet their needs. These may include: developing an individual service plan; assisting clients in obtaining needed formal and informal supports; coordinating services to ensure continuity of care; monitoring and evaluating individual service plans; routine communication with clients, their families, legal representatives, caregivers, service providers, and others; completing and maintaining necessary records; travel; referrals to health care programs and programs providing other assistance; and identification of other possible home and community-based services.

On July 16, 2001 at 26 *State Register* 58, the Department published notice of these new Medical Assistance targeted case management services. The notice stated that providers would be paid a monthly rate. Specifically:

- The 2001 legislation requires that for calendar year 2002, the rate for county providers will be the same as the rate for adult mental health case management (Rule 79) in effect as of December 31, 2001. This rate is based on the amount of time spent on Rule 79 case management as documented through the Social Service Time Study, number of clients served, and total county expenses as documented by the Social Service Cost Pool in the Social Service Fund (Schedule 2556.1). The

rate methodology and rate formula for Rule 79 targeted case management are available by contacting Christopher Ricker (see below).

After 2002, the rate will be based on the monthly rate methodology established using time study data on activities of provider service staff and reports, calculated as one combined average rate together with Rule 79 targeted case management.

- The 2001 legislation requires that the rate for entities contracting with counties will be based on a monthly rate negotiated by host counties. If the service will be provided by a team of contracted entities, counties may negotiate a team rate with an entity that is a member of the team. The team will determine how to distribute the payment among its members.

The Department anticipates that from January 23, 2002 through June 30, 2002 (approximately the last six months of State Fiscal Year 2002) the total Medical Assistance costs will be \$6,385,439 (of which \$3,192,719 will be county costs) and that from July 1, 2002 through June 30, 2003 (State Fiscal Year 2003) the total Medical Assistance costs will be \$12,699,361 (of which \$6,349,680 will be county costs).

Pursuant to *Code of Federal Regulations*, title 42, part 447, section 205(c)(5) (42 CFR §447.205(c)(5)), the Department must provide an address where written comments may be sent and reviewed by the public. Comments and requests for rate information should be directed to:

Christopher Ricker  
Community Supports for Minnesotans with Disabilities  
Minnesota Department of Human Services  
444 Lafayette Road North  
St. Paul, Minnesota 55155-3872  
**Phone:** (651) 582-1787  
**Email:** [chris.ricker@state.mn.us](mailto:chris.ricker@state.mn.us)

## Minnesota Department of Public Safety

### Driver and Vehicle Services Division

#### REQUEST FOR COMMENT on Possible Rules Governing Proof of State Residency, *Minnesota Rules* part 7410.0410

**Subject of Rule.** The Minnesota Department of Public Safety, Driver and Vehicle Services Division (DVS) requests comment on a possible rule requiring presentation of documents to prove permanent United States resident status, lawful short term admission to the United States, or United States citizenship upon application for a Minnesota driver's license, permit, or state identification card.

Application for an initial or renewal of a Minnesota driving permit, driver's license or identification card would not be accepted if an individual's admission status is no longer valid or expires in 30 days or less. In the instance of lawful short term admission to the United States, the state-issued document will be valid only for the period for which admission to the United States is valid.

**Persons Affected.** The planned rule would affect persons who apply for a state-issued driver's license, permit or identification card. The rule may also be of interest to law enforcement and any person with an interest in public safety. DVS does not plan to form an advisory committee to comment on the possible rule.

**Statutory Authority.** *Minnesota Statutes*, sections 14.06, 171.015, 171.06, 171.061 and 299A.01 provide authority for the adoption of this rule.

**Public Comment.** Interested persons or groups may submit comments or information on this possible rule in writing or orally until further notice is published in the *State Register* that DVS intends to adopt or withdraw a proposed rule. DVS has prepared a draft of the possible rule that is available from the agency contact person and has been posted on the DVS web site. Written or oral comment, questions, requests to receive a draft of the rule and requests for more information on this possible rule should be addressed to: Jane Kaufenberg, Minnesota Department of Public Safety, Driver and Vehicle Services Division, Suite 175, 445 Minnesota Street 55101-5175. **Phone:** (651) 297-2983, **fax:** (651) 296-5697, and **email:** [Jane.Kaufenberg@state.mn.us](mailto:Jane.Kaufenberg@state.mn.us)

Comment submitted in response to this notice may not be included in the formal rulemaking record when a proceeding to adopt a rule is started.

Date: 7 January 2002

Charles R. Weaver, Commissioner  
Minnesota Department of Public Safety

## 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.

### Department of Human Services

#### Deaf and Hard of Hearing Services Division

#### Request for Proposal for a Grant Contract to Provide Psychosocial Assessment Services and Follow-Up for Deaf, Deafblind and Hard of Hearing Children

The Minnesota Department of Human Services, through its Deaf and Hard of Hearing Services Division (DHHSD) is soliciting proposals from qualified individuals and organizations interested in providing regionally-based, specialized statewide psychological and social assessments, family assessments and school and family consultation and training to benefit children who are deaf, deafblind, or hard of hearing living in greater Minnesota (outside the seven-county metro area). Legislation requires these services be provided in cooperation with the Minnesota Resource Center for deaf and hard of hearing children; the Minnesota Department of Children, Families and Learning; the St. Paul Ramsey Health and Wellness Program Serving Deaf and Hard of Hearing People and Minnesota community mental health centers.

The Department anticipates awarding a grant contract for a total amount not to exceed \$150,000 for fiscal year 2003 (July 1, 2002 through June 30, 2003), pending approval of the Legislature. While the intention is to select one vendor to provide these services, the Department reserves the right to award multiple contracts if doing so is in its best interest. The grant contract will be effective July 1, 2002 and will continue for 12 months with an option to be renewed for up to a total of five years based on satisfactory performance of the provider and the needs of the state.

The full text of the Request For Proposal is available upon request. Inquiries should be directed to:

Deb L. A. Olson, Program Planner  
Deaf and Hard of Hearing Services Division  
444 Lafayette Road North  
St. Paul, MN 55155-3814  
**Phone:** (651) 296-5214  
**TTY:** (651) 297-1506  
**Fax:** (651) 297-7155  
**Email:** [deb.olson@state.mn.us](mailto:deb.olson@state.mn.us)

Completed proposals must be received **by 2:00 p.m., on Friday, March 8, 2002. No late proposals will be accepted.**

Note that other department personnel are **NOT** allowed to discuss the Request For Proposal with anyone, including responders, before the proposal submission deadline.

## State Contracts

### Informal Solicitations

Effective December 1, 2001, informal solicitations for all contracting opportunities for professional/technical (consultant) contracts with values estimated to be over \$5,000 and under \$50,000 must be posted on the Department of Administration's, Materials Management Division's web page ([www.mmd.admin.state.mn.us](http://www.mmd.admin.state.mn.us)).

### Formal Requests for Proposals

Department of Administration procedures require that formal notice of any professional/technical (consultant service) contract which has an estimated value over \$50,000 must be printed in the *State Register*. Certain quasi-state agencies and Minnesota State Colleges and Universities institutions are by law exempt from these requirements.

## Department of Administration

### Notice of Request for Proposals for Influenza Vaccine

Department of Administration, on behalf of the Minnesota Multistate Contracting Alliance for Pharmacy (MMCAP) is accepting request for Proposals (RFP) for influenza vaccine for the 2002-2003 influenza season.

**To request a copy of the RFP contact Sherry Brown at (651) 297-2683.** Responses are due February 12, 2002. **No late proposals will be considered.**

The State of Minnesota, through its Department of Administration serves as the lead state agency for MMCAP and in this role establishes and maintains all MMCAP contracts. MMCAP is a voluntary group purchasing organization which contracts for pharmaceuticals. MMCAP is currently made up of 39 participating states and approximately 1,725 participating facilities purchasing over \$600 million per year. Participation in MMCAP is limited to facilities with statutory authority to purchase commodities from member states' contracts; including but not limited to agencies and political subdivisions, such as, correctional facilities, regional psychiatric treatment facilities, student health services, public health services, veterans' nursing homes, public hospitals, and community health clinic pharmacies.

## Department of Administration

### Coming Soon: Request for Proposals for Support and Operations Services Master Contract

**NOTICE IS HEREBY GIVEN** that the Minnesota Department of Administration, Office of Technology intends to publish a Request for Proposals for Support and Operations Services Master Contracts in the very near future.

The Office will also be publishing the RFP on its website at [www.ot.state.mn.us](http://www.ot.state.mn.us) and sending it to vendors on the distribution and direct mail list. All relative information about the program may be found at [www.ot.http://state.mn.us/mastercontract/mcinfo.html](http://www.ot.http://state.mn.us/mastercontract/mcinfo.html)

All information necessary to respond to the request will be included in the instructions for responding to the RFP. Any questions about the Support and Operations Services Master Contracts process must be submitted via **email** to: [Steve.Gustafson@state.mn.us](mailto:Steve.Gustafson@state.mn.us)

It is anticipated that proposals will be due on or about February 22, 2002.

## Minnesota Board on Aging

### Request for Proposals for Online Long-term Care Database and Companion Client Tracking Database

The Minnesota Board on Aging/Department of Human Services (MBA/DHS) requires the services of a responder to implement, host, and support an Internet-based long-term care database using a central web site with a companion desktop based client-tracking system that will synchronize with the online database. Therefore, the MBA/DHS is requesting responders to submit proposals regarding their system solutions, features, functions, hosting, technical support, and pricing for the project.

The goal of the Long-Term Care Database Project is to coordinate and implement a centralized database that contains information about long-term resources provided by public and private entities throughout the state, is user-friendly, and is accessible to the public via the Internet.

## State Contracts

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Send requests for a copy of the complete request for proposals to Mr. Rajean Moone via **email** at: [rajean.moone@state.mn.us](mailto:rajean.moone@state.mn.us) or via mail at 444 Lafayette Road, St. Paul Minnesota, 55155-3843. The RFP is also available online at <http://www.dhs.state.mn.us/agingint/Policy/rfp.htm>. Final responses to the request for proposal are due to the Minnesota Department of Human Services, on **February 8, 2002 at 3:00 p.m., Central Standard Time. Late proposals will not be considered.**

### Anoka-Hennepin Technical College

### Dakota County Technical College

#### Request for Proposals for an Integrated College Textbook Management System

An Integrated College Textbook Management System Request for Proposals is being sought by the Anoka-Hennepin Technical College and the Dakota County Technical College.

For a copy of the **FULL** Request for Proposal contact:

M. Hanson, Purchasing Agent  
1355 West Highway 10  
Anoka, Minnesota 55303  
**Phone:** (763) 576-4723  
**Fax:** (763) 576-4781

**BID DUE DATE:** February 14, 2002 at 2:00 p.m.

Contact the Purchasing Office to obtain the RFP document, which outlines the process, terms and conditions for evaluating and contracting for the integrated textbook management system. the objective of the AHTC/DCTC textbook management system is to provide services to faculty, staff and students for coordinating the management of textbook purchasing and related financial data necessary to provide textbooks, and related items in a most efficient, state-of-art manner. The RFP also includes: on line resources to purchase wholesale (new and used) textbooks and provide onsite personnel for book buy program, customization of software to best fit need, and the ability to produce financial reports. Integrated system would include all software, hardware and support elements including point-of-sale and book buyback.

## Minnesota Department of Corrections

### Grants and Subsidies Unit

#### Notice of Availability of Funds

The Minnesota Department of Corrections, Community and Juvenile Services Division, Grants and Subsidies Unit, announces the availability of funds for the following contracts:

**Day Reporting Service Centers:** A total of \$250,000 per year is available to fund multiple contracts to operate Day Reporting Service Centers for offenders on supervised release status from Minnesota adult correctional facilities. Non-profit 501(c) (3) organizations and private, for-profit organizations are eligible to apply for these funds.

**American Indian Releasees Program:** A total of \$380,000 per year is available to fund one or more contracts to provide pre-release and post-release services for American Indian offenders who are under the authority of the Commissioner of Corrections. Non-profit 501 (c) (3) organizations and American Indian tribal governments are eligible to apply for these funds.

**Electronic Monitoring Services:** A total of \$300,000 per year is available to fund contracts for one or more electronic monitoring services for offenders who are under the authority of the Commissioner of Corrections. Private, for-profit and non-profit 501 (c) (3) organizations are eligible to apply for these funds.

**Transportation Services:** A total of \$30,000 per year is available to fund up to two contracts for services to transport releasees from Minnesota adult correctional facilities to halfway houses. Private, for-profit and non-profit 501 (c) (3) organizations are eligible to apply for these funds.

All contracts will be for the twenty-four (24) month period from July 1, 2002, through June 30, 2004.

**The deadline for submission of completed proposals is March 15, 2002.** A pre-response workshop will be held on Wednesday, February 20, 2002, from 1:00-3:00 p.m. at the Department of Corrections Central Office.

To request a copy of a complete Request for Proposal, contact:

Lynda Davis  
Minnesota Department of Corrections  
Community/Juvenile Services  
Grants and Subsidies Unit  
1450 Energy Park Drive, Suite 200  
St. Paul, Minnesota 55108-5219  
**Phone:** (651) 643-2533,  
**TTY:** (651) 643-3589  
**Email:** [ldavis@co.doc.state.mn.us](mailto:ldavis@co.doc.state.mn.us)

These RFPs can be accessed on the DOC website at [www.doc.state.mn.us/whatsnew/request.htm](http://www.doc.state.mn.us/whatsnew/request.htm)

## Minnesota Historical Society

### Notice of Request for Bids for Printing/Binding/Mailing of *Minnesota History*

The Minnesota Historical Society seeks bids for printing, binding, and mailing of *Minnesota History*, the Society's quarterly journal. This bid is to cover eight issues of the journal, with the first issue being published in April 2002, and subsequent issues to be published every three months through the duration of the contract.

The Request for Bids is available by contacting Chris M. Bonnell, Contracting Officer, Minnesota Historical Society, 345 Kellogg Boulevard West, St. Paul, Minnesota 55102. **Phone:** (651) 297-5863, or **email:** [chris.bonnell@mnhs.org](mailto:chris.bonnell@mnhs.org)

Deadline for proposals is **2:00 p.m., Local Time on Friday, February 8, 2002. No late proposals will be considered.**

Dated: 22 January 2002

## Minnesota Historical Society

### Saint Anthony Falls Heritage Board

### Notice of Request for Proposal for a Marketing Strategist Consultant West Side Milling District/Historic Mills District, Minneapolis, MN

The Minnesota Historical Society seeks proposals to provide consulting services to establish identity and branding, and develop marketing strategies for Minneapolis' West Side Milling District/Historic Mills District. The goal of this project is to position the West Side Milling District/Historic Mills District as a major destination within the Twin Cities attractions market.

The Request for Proposals is available by contacting Chris M. Bonnell, Contracting Officer, Minnesota Historical Society, 345 Kellogg Boulevard West, St. Paul, Minnesota 55102. **Phone:** (651) 297-5863, or **email:** [chris.bonnell@mnhs.org](mailto:chris.bonnell@mnhs.org)

Deadline for proposals is **2:00 p.m., Local Time on Tuesday, February 12, 2002. No late proposals will be considered.**

Dated: 22 January 2002

## State Contracts

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### Department of Transportation

#### Notice of Availability of Contract for Advanced Traveler Information Systems Publicity Campaign

The Minnesota Department of Transportation is requesting proposals for the purpose of developing a publicity campaign that will co-brand, announce and promote the use of three traveler information services: 511, a Web site, and the Get Around Guide.

Work is proposed to start after February 5, 2002

A Request for Proposals will be available by mail from this office through Thursday, January 31, 2002. **A written request (by direct mail or fax) is required to receive the Request for Proposal.** After Thursday, January 31, 2002, the Request for Proposal must be picked up in person.

The Request for Proposal can be obtained from:

Susan Sheehan  
Mn/DOT, Office of Traffic Engineering and ITS  
395 John Ireland Boulevard, MS 320  
St. Paul, MN 55155  
**Fax:** (651) 215-0409

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than **3:00 p.m., CST on Monday, February 4, 2002. Late proposals will not be considered.** No time extensions will be granted.

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 Transportation

#### Program Support Group, Office of Consultant Services

#### Notice of Availability of Contract for Fee Appraiser T-Contract Program

**REQUEST FOR PROPOSALS. Note:** This document is available in alternative formats for persons with disabilities by calling Linda Moline, Senior Agreement Administrator at (651) 296-9741 or for persons who are hearing or speech impaired by calling the Minnesota Relay Service at 1-800-627-3529.

Responses to this Request for Proposals (RFP) will be public information under the Minnesota Data Practices Act, *Minnesota Statutes* Chapter 13.

The Minnesota Department of Transportation (Mn/DOT) requests proposals to establish a program for Land Value Appraisers. Tasks will include the appraisal of land values before and after proposed R/W acquisition, and expert witness services involving any eminent domain actions necessary.

Mn/DOT is planning a T-Contract Program for this work. This program will have multiple Contractors selected. Each Contractor will have a master contract, then project specific work orders will be written under the terms of the master contract. These work orders will be assigned on a rotational basis, in accordance with T-Contract policy. Contractors may also be directly selected from this program for any project less than \$50,000 based on expertise related to the project, geographic location, and fee requirements. Contractors may reject any assignments offered.

This is not a guarantee of an assignment since the use of these services will depend upon the availability of funding for the program at the time the work is required.

This program is estimated at \$23,000,000, which will be divided among all Contractors selected. It is anticipated for a 3 year period with Mn/DOT's option to extend up to an additional 2 years.

A Request for Proposals will be available by mail from this office through February 22, 2002. **A written request (by direct mail, email or fax) is required to receive the Request for Proposal.** After February 22, 2002, the Request for Proposal must be picked up in person.

The Request for Proposal can be obtained from:

Linda Moline, Senior Agreement Administrator  
Office of Consultant Services, Mail Stop 680  
Transportation Building  
395 John Ireland Boulevard  
St. Paul, MN 55155  
**Fax:** (651) 282-5127  
**Email:** [linda.moline@dot.state.mn.us](mailto:linda.moline@dot.state.mn.us)

Proposals submitted in response to the Request for Proposals in this public notice must be received at the address above **no later than 2:00 p.m., Central Standard Time**, as indicated on the Consultant Services Receptionist stamp on March 1, 2002. **Late proposals will not be considered.** No time extensions will be granted.

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 Transportation

### Program Support Group

### Project Delivery Streamlining Team

### Second Notice: Request for Qualifications for a Design-Build Contract on Minnesota State Trunk Highway 14/52 in Rochester, Minnesota

The Minnesota Department of Transportation ("Mn/DOT") is requesting statements of qualifications for the State Trunk Highway 14/52 Design-Build project, S.P. 5502-67, 5507-45, and 5508-78, ("Project") in Rochester, Minnesota.

Mn/DOT has completed a preliminary engineering design of roadway and bridge improvements for the Project. The Project is located in Olmsted County, city of Rochester, Minnesota, extending approximately 9 miles from Trunk Highway 63 (Broadway) to the northern edge of Rochester. Mn/DOT will use the best value design-build method of project delivery, as defined in *Minnesota Statutes* Section 161.3426, Subdivision 1(b). The current Project cost estimate is \$214 million.

Mn/DOT's design-build website is frequently updated with Project information: [www.dot.state.mn.us/designbuild](http://www.dot.state.mn.us/designbuild)

Proposers must request an RFQ in writing by mail, fax, or email. With each request, Proposers must also provide a contact name, mailing address, fax number, phone number, and email address (if available). There is no charge for the RFQ. Although the RFQ is posted on Mn/DOT's design-build website for information, all interested persons must request an official copy to be guaranteed notification of RFQ addenda and clarifications. **ALL REQUESTS FOR AN RFQ** must be sent to Paul Huston, Mn/DOT Design-Build Engineer, at one of the following addresses:

MS 670, 395 John Ireland Boulevard, St. Paul, MN 55155  
**Fax:** (651) 296-1805  
**Email:** [paul.huston@dot.state.mn.us](mailto:paul.huston@dot.state.mn.us)

Other than requests for an RFQ, **ALL QUESTIONS AND COMMENTS ABOUT THE PROJECT** must be submitted in writing to Jon Chiglo, Mn/DOT Project Manager, by mail, fax, or email:

2900 48th Street NW, Rochester, MN 55903  
**Fax:** (507) 285-7355  
**Email:** [jon.chiglo@dot.state.mn.us](mailto:jon.chiglo@dot.state.mn.us)

Mn/DOT will only accept written questions or comments.

All SOQs will be considered any time up to 4:30 p.m. Central Standard Time, Friday, February 15, 2002, and must be addressed to Paul Huston, Project Delivery Streamlining Team, MS 670, 6th Floor South, 395 John Ireland Boulevard, St. Paul, MN 55155. Any SOQ that fails to meet the February 15, 2002, deadline will be returned, unopened, to the sender.

Mn/DOT has established a Disadvantaged Business Enterprise (DBE) goal for this Project. Please refer to the RFQ for further details.

## Non-State 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 project and tasks; 4) cost estimate; and 5) final submission date of completed contract proposal. Allow at least three weeks from publication date (four weeks from date article is submitted for publication). Surveys show that subscribers are interested in hearing about contracts for estimates as low as \$1,000. Contact the editor for further details.

## Metropolitan Council

### Notice of Request for Proposals (RFP) for Employment Background Verifications

#### Metropolitan Council RFP / Contract Number 01P105

The Metropolitan Council is requesting pre-employment and internal transfer background verification services for its Metro Transit operation over the next three years. Metro Transit provides mass transit bus and light rail services for the metropolitan Minneapolis/St. Paul, Minnesota area.

The anticipated solicitation schedule is shown below.

**Issue Request for Proposals**  
**Receive Proposals**  
**Award of Contract**

**January 14, 2002**  
**1:00 p.m., on Thursday, February 7, 2002**  
**March 2002**

All firms interested in receiving an RFP package are invited to submit an email or written request to:

Amanda Petersen, Administrative Assistant, Contracts and Procurement Unit  
Metropolitan Council Environmental Services  
230 East Fifth Street  
Mears Park Centre  
St. Paul, MN 55101  
**Phone:** (651) 602-1585  
**Fax:** (651) 602-1138  
**Email:** [amanda.petersen@metc.state.mn.us](mailto:amanda.petersen@metc.state.mn.us)

(Note: RFPs are not available in electronic form.)

*Minnesota Statutes*, Sections 473.144 and 363.073, and *Minnesota Rules*, Parts 5000.3400 to 5000.3600 will be incorporated into any contract based upon the Proposal or any modifications to it. If a contract for the project is awarded in excess of \$100,000, the requirements of *Minnesota Rules* 5000.3530 will be applicable.

## University of Minnesota

### Notice of Bid Information Service (BIS) Available for All Potential Vendors

The University of Minnesota offers 24 hour/day, 7 day/week access to all Request for Bids/Proposals through its web based Bid Information Services (BIS). Subscriptions to BIS are \$75/year. Visit our web site at [bidinfo.umn.edu](http://bidinfo.umn.edu) or call the BIS Coordinator at (612) 625-5534.

Requests for Bids/Proposals are available to the public at no charge each business day from 8:00 a.m. to 4:30 p.m. in Purchasing Services lobby, Suite 560, 1300 S. 2nd Street, Mpls., MN 55454.

## Available at Minnesota Bookstore

Order form on back page

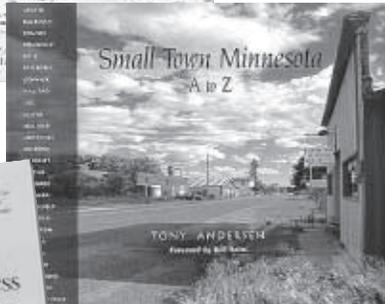
# Celebrating our Rural Heritage



### Death of the Dream: *Farmhouses in the Heartland*

*Death of the Dream* tells the story of America's rural past and a forgotten lifestyle-- the vanishing farmhouse of the Midwest and the rich lives that were lived in them. Trace the evolution of the classic farmhouse --from its humble origins through the high tech present-- and learn about the impact that changing economies have had on lives of midwestern farm families. 87 illustrations, including 72 tritone photo plates. Softcover, 128pp.

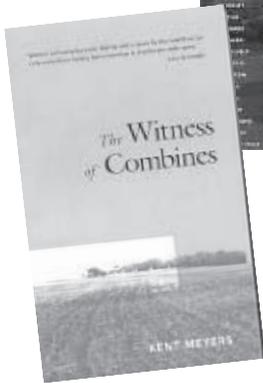
**Stock No. 19-19 \$24.95 + shipping & sales tax**



### Small Town Minnesota: *A to Z*

Author and photographer Tony Andersen toured Minnesota focusing on 26 communities - one for each letter in the alphabet - that are home to less than 1,000 residents. Follow along with Tony as he writes of the generosity and friendly curiosity of the people on the rural landscape and be reminded of the beauty a small town offers through 160 color photographs.

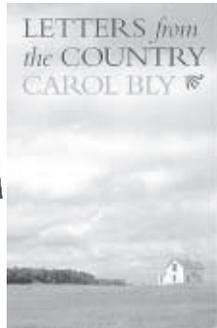
**Stock No. 19-2 \$24.95 + shipping & sales tax**



### The Witness of Combines

Author Kent Meyers speaks of human kindness, family forgiveness, neighborly helpfulness, insightfulness in fixing a huge and crucial piece of equipment and more. Follow him as he tells the story of growing up on the farm, from the joys of playing in the hayloft as a boy to the obstacles and the steady pattern of chores standard to all farm families. Softcover, 229pp.

**Stock No. 19-80 \$16.95 + shipping & sales tax**



### Letters from the Country

Award-winning author, Carol Bly, welcomes readers to life in the small town of Madison, MN through 30 essays about cultural and daily life in the countryside. Critics have said "No one in this country writes of rural life with more understanding, love, and anger... "Fierce and funny... she's the best thing to come out of rural Minnesota since Sinclair Lewis left Sauk Centre". Softcover, 184pp. **Stock No. 19-42 \$14.95 + shpg & sales tax**

## Visit our web site:

[www.minnesotasbookstore.com](http://www.minnesotasbookstore.com)

### Hunter's Field Guide

This popular *Outdoor Life* field guide offers practical advice on how to be a safe, successful and responsible hunter. Through easy-to-read illustrations and text, learn tips on: treating common injuries, reloading shot gun shells, the basics of bow hunting, how to hold and carry a muzzle-loader, recommended shot and target range for various game, and much more. Great tool for the beginner as well as the experienced hunter. Softcover, 194pp.

**Stock No. 19-31 \$5.99 + shpg. & sales tax**

### Hunter Education Training Course

Great tool for teaching the beginner the key to safe, successful hunting. This course includes the Hunter's Field Guide (described above), a Workbook and a Safety video. Excellent refresher for the experienced hunter, too! **Stock No. 19-111 ONLY \$14.99 + shpg. & sales tax**

### Animal Tracks of Minnesota & Wisconsin

Great drawings and quick reference captions provide a solid picture of more than 60 different mammals, birds and reptiles of our area. Truly pocket-sized, this field guide identifies animal tracks charting the size of fore prints and hind prints, stride and straddle patterns, and descriptive information about the creature's behavior. Softcover, 160pp.

**Stock No. 9-72 \$6.95 + shpg. & sales tax**

## Hunting and Wildlife Guides

