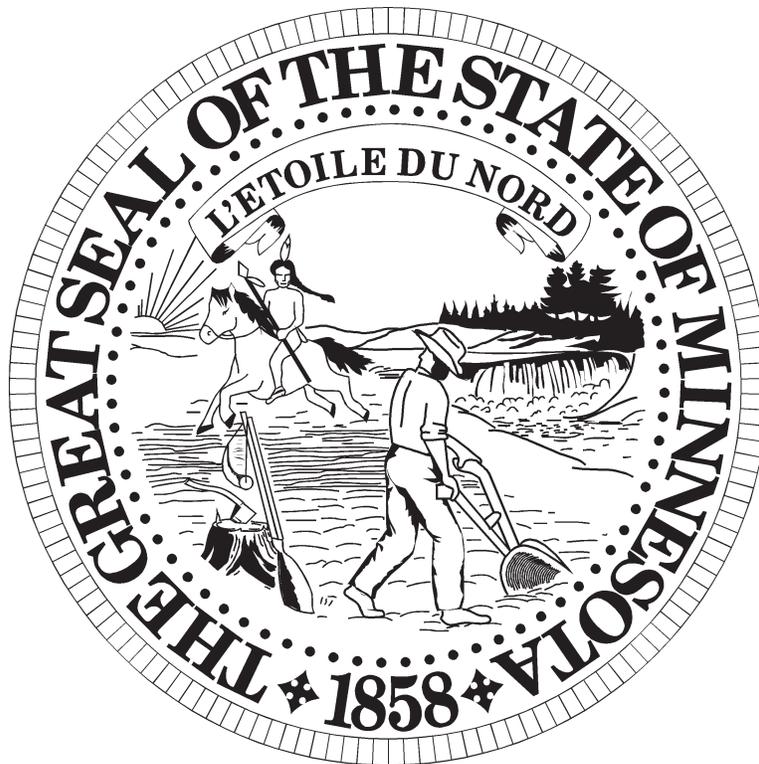


State of Minnesota

# State Register



**Proposed, Adopted, & Expedited Rules; Executive Orders; Appointments;  
Commissioners' Orders; Revenue Notices; Official Notices;  
State Grants & Loans; State Contracts; Non-State Public Bids, Contracts & Grants**  
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# State Register

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The *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. The *State Register* contains:

- Proposed Rules
- Adopted Rules
- Exempt Rules
- Expedited Rules
- Withdrawn Rules
- Vetted Rules
- Executive Orders of the Governor
- Appointments
- Proclamations
- 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. 37 Issue Number	PUBLISH DATE ( <b>BOLDFACE</b> shows altered publish date)	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	Deadline for Proposed, Adopted and Exempt RULES
# 5	Monday 30 July	Noon Tuesday 24 July	Noon Wednesday 18 July
# 6	Monday 6 August	Noon Tuesday 31 July	Noon Wednesday 25 July
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# Minnesota Rules: Amendments and Additions

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

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

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

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

The *State Register* features partial and cumulative listings of rules in this section on the following schedule: issues #1-13 inclusive; issues #14-25 inclusive (issue #26 cumulative for issues #1-26); issues #27-38 inclusive (issue #39, cumulative for issues #1-39); issues #40-52 inclusive, with final index (#1-52, or 53 in some years). 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, 660 Olive Street (one block east of I-35E and one block north of University Ave), St. Paul, MN 55155, phone: (612) 297-3000, or toll-free 1-800-657-3757. TTY relay service phone number: (800) 627-3529.

## Minnesota Rules appearing in Volume 37, #1-4 Monday 2 July - Monday 23 July 2012

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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*.

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

## Minnesota Board of Animal Health

### Proposed Permanent Rules Relating to Animal Health

#### 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 Adoption of New Rules Governing Animal Health, *Minnesota Rules* Chapter 1721, and Proposed Repeal of Existing Rules Governing Animal Health, *Minnesota Rules* Chapters 1700, 1705, 1710, 1715, 1719, and 1720.

**Introduction.** The MN Board of Animal Health intends to adopt rules without a public hearing following the procedures in the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. If, however, 25 or more persons submit a written request for a hearing on the rules by 4:30p.m. on August 23, 2012, the Minnesota Board of Animal Health will hold a public hearing in the Stockinger Suite, at the St. Cloud Rivers Edge Convention Center, 10 Fourth Avenue South, St. Cloud, Minnesota 56301, starting at 10:30 a.m. on Thursday, September 20th, 2012. To find out whether the MN Board of Animal Health will adopt the rules without a hearing or if it will hold the hearing, you should contact the agency contact person after August 23, 2012 and before September 20, 2012.

**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: Dr. Beth S. Thompson at the MN Board of Animal Health, 625 Robert St. North St. Paul, MN 55155, **phone:** (651) 201-6844, **e-mail:** [Beth.Thompson@state.mn.us](mailto:Beth.Thompson@state.mn.us), **TTY** users may call the Minnesota Board of Animal Health at 1-800-627-3529.

**Subject of Rules and Statutory Authority.** The Board of Animal Health (Board) proposes to amend all of its rules in order to (1) eliminate obsolete or confusing language, (2) clarify and generalize the Board's authorities, (3) consolidate all of the rules into a new chapter that is organized and written in a way that is easier to read and understand, and (4) add new sections on topics that are not currently addressed.

The Board purposes to adopt a new Chapter 1721 that will contain General Provisions as well as more specific provisions relating to Livestock Concentration Points; Cattle and Bison; Pigs; Horses; Poultry; Deer and Elk; Sheep and Goats; Dogs, Cats and Ferrets; Anthrax; Rabies Prevention and Control; Feeding Garbage to Livestock; Biologics; and Carcass Disposal. The Board also purposes to repeal all of its current rules contained in *Minnesota Rules* Chapters 1700, 1705, 1710, 1715, 1719, and 1720 relating to Importation of Livestock and Poultry, Anthrax, Brucellosis in Cattle, Johne's Disease (Paratuberculosis), Rabies, Scabies, Brucellosis in Swine, Brucellosis in Goats, Tuberculosis in Goats, Aleutian Disease of Mink, Pseudorabies, Scrapie Control and Eradication, Diseases of Poultry, Public Exhibition (Cite 37 SR 97)

# Proposed Rules

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of Livestock and Poultry, Sale of Livestock at Auction Markets, Community and Other Sales, State-Federal Approved Markets for Swine, State-Federal Approved Markets for Cattle, Public Stockyards, Animal Carcasses, Cleaning and Disinfecting of Vehicles, Sale and Distribution of Biological Products and Antigens, Licensing Institutions to Procure Impounded Animals, Feeding of Garbage to Livestock and Poultry, Quarantine, Official Identification, Movement from Slaughter, Kennels and Dealers, Slaughter Cattle and Swine Identification.

Significant changes in the proposed rules include: (1) requiring identification of breeding cattle prior to importation, intrastate movement, exhibition and sale, (2) requiring a permit prior to importation of breeding cattle, (3) reducing restrictions on the use of John's Disease vaccine in cattle, (4) prohibiting importation of feral swine, (5) requiring live bird markets to be permitted, inspected, cleaned, disinfected and tested for avian influenza, (6) establishing requirements for intrastate movement of farmed deer and elk, (7) increasing chronic wasting disease surveillance requirements to five years for importation of deer and elk, and (8) establishing that the Board may require testing or vaccination of animals when necessary for purposes of disease prevention, control, and eradication.

The statutory authority to adopt the rules is *Minnesota Statute*, section 35.03. 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 August 23, 2012, 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 that you desire. You must also make any comments about the legality of the proposed rules during this comment period.

**Request for a Hearing.** In addition to submitting comments, you may also request that the Agency 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 Thursday, August 23, 2012. 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 Minnesota Board of Animal Health 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 Agency may modify the proposed rules, either as a result of public comment or as a result of the rule hearing process. It must support modifications by data and views submitted to the agency or presented at the hearing. 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 in the rulemaking process.

**Cancellation of Hearing.** The Agency will cancel the hearing scheduled for September 20, 2012, if the agency does not receive requests for a hearing from 25 or more persons. If you requested a public hearing, the agency will notify you before the scheduled hearing whether the hearing will be held. You may also call the agency contact person at (651) 201-6844 after August 23, 2012 to find out whether the hearing will be held. On the scheduled day, you may check for whether the hearing will be held by calling (651) 296-2942 during business hours or by going on-line at [www.bah.state.mn.us](http://www.bah.state.mn.us).

**Notice of Hearing.** If 25 or more persons submit valid written requests for a public hearing on the rules, the Minnesota Board of Animal Health will hold a hearing following the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The Minnesota Board of Animal Health will hold the hearing 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 Barbara Neilson is assigned to conduct the hearing. Judge Neilson can be reached at the Office

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# Proposed Rules

of Administrative Hearings, 600 North Robert Street, P.O. Box 64620, Saint Paul, Minnesota 55164-0620, **telephone:** (651) 361-7845, and **fax:** (651) 361-7936.

**Hearing Procedure.** If the Minnesota Board of Animal Health holds a hearing, you and all interested or affected persons, including representatives of associations or other interested groups, will have an opportunity to participate. You may present your views either orally at the hearing or in writing at any time before the hearing record closes. 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. At the hearing the Administrative Law Judge may order that this five-day comment period is extended for a longer period but not more than 20 calendar days. Following the comment period, there is a five-working-day rebuttal period when 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 4:30p.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. You may direct questions about the procedure to the Administrative Law Judge.

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.

**Statement of Need and Reasonableness.** The statement of need and reasonableness 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 or obtain copies for the cost of reproduction by contacting the agency contact person. The SONAR can be found on the agency's website at [www.bah.state.mn.us](http://www.bah.state.mn.us).

**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) 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 Minnesota Board of Animal Health will submit the rules and supporting documents 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 either to receive notice of this, 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 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 that 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 that the agency adopts the rules and the rules are filed with the Secretary of State by requesting this at the hearing or by 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: 6 July 2012

William L. Hartman, VM, MS  
Executive Director and State Veterinarian

## GENERAL PROVISIONS

### 1721.0010 DEFINITIONS.

Subpart 1. **Scope.** For the purposes of this chapter, the terms in this part have the meanings given them.

Subp. 2. **Accredited veterinarian.** "Accredited veterinarian" means a veterinarian approved by the Animal and Plant Health Inspection Service, Veterinary Services, United States Department of Agriculture, or its successor, to perform functions required by cooperative state-federal disease control and eradication programs.

Subp. 3. **APHIS.** "APHIS" means the Animal and Plant Health Inspection Service, a division of the United States Department of Agriculture.

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Subp. 4. **Baby poultry.** “Baby poultry” means newly hatched poultry that have not been fed or watered.

Subp. 5. **Board.** “Board” means the Board of Animal Health or its authorized agents.

Subp. 6. **Breeding cattle.** “Breeding cattle” means all cattle except:

A. heifers of beef breed less than 18 months of age maintained for feeding purposes;

B. bulls under ten months of age maintained for feeding purposes; and

C. steers and spayed heifers.

Subp. 7. **Breeding swine.** “Breeding swine” means swine of any age that are maintained for the purpose of producing offspring, including all intact boars and sows.

Subp. 8. **Buying station.** “Buying station” means a stockyard or concentration point, other than a public stockyard, at which livestock are bought and sold or assembled for shipment to a packing plant or a public stockyard, or graded or weighed for the purpose of establishing a basis for sale or reshipment.

Subp. 9. **Cattle.** “Cattle” means both bison and cattle.

Subp. 10. **Certificate of veterinary inspection.** “Certificate of veterinary inspection” means a certificate issued by an accredited veterinarian on a form approved by the board for movement of animals.

Subp. 11. **Cervidae.** “Cervidae” means animals that are members of the family Cervidae and includes, but is not limited to, white-tailed deer, mule deer, red deer, elk, moose, caribou, reindeer, and muntjac.

Subp. 12. **Chicken.** A “chicken” is a bird of the order Galliformes genus Gallus raised in captivity.

Subp. 13. **Commingled animals.** “Commingled animals” means animals that have direct contact with each other or share equipment, pasture, or water.

Subp. 14. **Community sales.** “Community sales” means the public sale of livestock or poultry for purposes other than immediate slaughter, from any location in Minnesota where two or more persons who own livestock offer the livestock for public sale. “Community sales” includes regularly scheduled livestock auction markets, consignment sales of livestock, and street markets of livestock.

Subp. 15. **Compendium.** “Compendium” means the Compendium of Animal Rabies Prevention and Control 2011 and subsequent revisions and is incorporated by reference. The compendium is written and published by the National Association of State Public Health Veterinarians. The compendium is reviewed and revised frequently and serves as a basis for animal rabies prevention and control programs throughout the United States. A current version of the document is readily available through the Internet at <http://www.nasphv.org> or from the board upon request.

Subp. 16. **Currently vaccinated for rabies.** “Currently vaccinated for rabies” means an animal is:

A. vaccinated for rabies in accordance with these rules and the Compendium; and

B. not overdue for a rabies booster vaccination as recommended in Part III of the Compendium, and the proof of rabies vaccination is available.

Subp. 17. **Dealer.** “Dealer” means a person, including a packing company, engaged in the business of buying or selling livestock on a regular basis for the person’s own account or for the account of others. “Dealer” does not include a person or persons engaged in the business of farming when purchasing livestock for breeding or herd replacement purposes or feeding programs or when selling the livestock that person has owned and raised, fed out, or fattened for slaughter in that person’s specific farming program.

Subp. 18. **Deer.** “Deer” means all ruminant mammals forming the family Cervidae.

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Subp. 19. **Disease control zone.** “Disease control zone” means a geographic area where the movement of animals into, within, and out of the zone is restricted to prevent the spread of disease.

Subp. 20. **Exhibition.** “Exhibition” means bringing livestock or poultry owned by two or more persons to one location in Minnesota for judging or for display to the public, except when there is only one animal of each species exhibited.

Subp. 21. **Feeder swine.** “Feeder swine” means immature swine that are bought, sold, loaned, or leased for feeding rather than breeding purposes until sold to slaughter. Feeder swine does not include postparturient sows or intact boars.

Subp. 22. **Feral swine.** “Feral swine” means swine that live in the wild.

Subp. 23. **Game birds.** “Game birds” means any of a diverse group of birds that includes, but is not limited to, pheasants, partridge, quail, guinea fowl, and grouse raised in captivity.

Subp. 24. **Hatching eggs.** “Hatching eggs” means fertilized eggs produced for the purpose of incubating and hatching baby poultry.

Subp. 25. **Herd.** “Herd” means a group of animals maintained on common ground for any purpose, or two or more groups of animals under common ownership or supervision, geographically separated, but which have an interchange or movement of animals without regard to whether the animals are infected with or exposed to disease. If a herd owner receives animals from or moves animals to an entity in which the herd owner has a material ownership interest, the entity must be considered part of the herd owner’s herd for purposes of animal movement.

Subp. 26. **Horse.** “Horse” means an animal that is a member of the family Equidae including, but not limited to, horses, asses, mules, ponies, donkeys, burros, and zebras.

Subp. 27. **Isolation.** “Isolation” means maintenance of animals in a manner that will ensure that the animals have no physical contact with other domestic animals on the premises and all drainage of organic waste from the animal is handled to prevent it from having contact with any other animals.

Subp. 28. **Live bird market.** “Live bird market” means a slaughter establishment at which live poultry are gathered, kept, sold, and subsequently slaughtered on site.

Subp. 29. **Official back tag.** “Official back tag” means a back tag that has been approved by the USDA or the board for identifying livestock moving through slaughter channels.

Subp. 30. **Official ear tag.** “Official ear tag” means an ear tag that has been approved by the board for official identification in a particular species.

Subp. 31. **Official identification.** “Official identification” means identification of livestock in a manner approved by the board.

Subp. 32. **Official laboratory.** “Official laboratory” means a laboratory authorized by the board to test livestock.

Subp. 33. **Owner.** “Owner” means a person or entity that owns or is responsible for an animal.

Subp. 34. **Poultry.** “Poultry” means livestock that are turkeys, chickens, waterfowl, and game birds raised in captivity, excluding pigeons and doves.

Subp. 35. **Premises.** “Premises” means a distinct tract of land including buildings and other appurtenances located on the land.

Subp. 36. **Ratites.** “Ratites” means any of a diverse group of large flightless birds that have no keel on their sternum and includes, but is not limited to, ostriches, emus, rheas, and cassowaries, raised in captivity.

Subp. 37. **Reportable animal diseases.** “Reportable animal disease” means a disease included on the board’s list of reportable animal diseases.

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Subp. 38. **Slaughter animals.** “Slaughter animals” means animals in channels of trade moving to a recognized slaughtering establishment with no diversion to farm, ranch, or other location.

Subp. 39. **Slaughter-only classes.** “Slaughter-only classes” means livestock or poultry exhibition classes in which all animals from the class will be moved directly to slaughter from the exhibition premises and the entire class is kept isolated in a separate building from other livestock and poultry at the exhibition.

Subp. 40. **Slaughter-only handling facility.** “Slaughter-only handling facility” means a premises that has been permitted by the board in accordance with part 1721.0104 to receive and handle cattle that will be released only to a slaughtering establishment under federal inspection.

Subp. 41. **State-approved livestock market.** “State-approved livestock market” means a designated premises that has been approved and permitted by the board to conduct regularly scheduled livestock sales in Minnesota.

Subp. 42. **State-federal approved livestock market.** “State-federal approved livestock market” means a designated premises approved by the board and the USDA to conduct regularly scheduled livestock sales in accordance with *Code of Federal Regulations*, title 9, part 71.

Subp. 43. **Street market.** “Street market” means a place where livestock owned by two or more persons are offered for sale to the public without unloading the livestock from the transporting vehicles prior to completion of the sale.

Subp. 44. **Swine.** “Swine” means animals that are members of the genus and species *Sus scrofa*. The terms swine, pigs, and hogs may be used interchangeably and all refer to swine as defined.

Subp. 45. **Turkeys.** “Turkeys” are domesticated birds of the order Galliformes genus *Meleagris* raised in captivity.

Subp. 46. **USDA.** “USDA” means the United States Department of Agriculture.

Subp. 47. **Waterfowl.** “Waterfowl” are birds of the order Anseriformes raised in captivity.

## **1721.0020 CONTROL OF ANIMAL DISEASES.**

Subpart 1. **Animal identification.** The board may require official identification of livestock for the purpose of disease control or recording the movement of animals.

Subp. 2. **Quarantine and isolation.** When so ordered by the board, livestock affected with, exposed to, or showing clinical signs of an infectious, contagious, or communicable disease must be quarantined and isolated from all other unexposed livestock until the board releases the quarantine. No person except the owner, attendants, or agent of the board shall enter any enclosures where quarantined and isolated livestock are being kept without prior approval of the board.

Subp. 3. **Vaccination.** The board may require vaccination of animals for purposes of disease prevention, control, and eradication. Vaccination of animals is to be performed at the owner’s expense unless state or federal funds are available for this purpose.

Subp. 4. **Cleaning and disinfection.** The board may require the cleaning and disinfecting of premises or vehicles in a manner approved by the board when necessary to control the dissemination and transmission of diseases.

Subp. 5. **Testing.** The board may require testing of animals to determine if the animals are infected with a disease agent if it is necessary to protect the health of the domestic animals of the state. The board may require tests to be performed by or under the direct supervision of an accredited veterinarian. All required tests must be completed by a date determined by the board. The owner is responsible for assembling, handling, and restraining the animals so they can be tested. Required tests must be performed at the owner’s expense unless state or federal funds are available for this purpose.

Subp. 6. **Disease control zones.** The board may designate disease control zones and determine their size and location. Within a disease control zone, the board may require owners of livestock to:

- A. report personal contact information and location of all livestock to the board;
- B. obtain a permit or movement certificate from the board prior to movement of livestock onto or off any premises;
- C. submit complete inventories of all livestock to the board as requested; and
- D. complete and follow the recommendations of a wildlife risk assessment conducted in a manner approved by the board.

Subp. 7. **Disease reporting.** A person who knows or reasonably suspects that an animal is infected with a disease listed on the board's reportable animal diseases list must report that knowledge or suspicion to the board.

Subp. 8. **Reporting test results.** A person or entity that performs a test to determine if an animal is infected with a disease agent listed on the board's reportable animal diseases list must report the test results to the board within ten days from the date the test results are known.

### **1721.0030 OFFICIAL EAR TAGS.**

Subpart 1. **Distribution and application.** Official ear tags may only be distributed and applied to animals in a manner approved by the board.

Subp. 2. **Additional ear tags.** If an animal is already identified with an official ear tag:

- A. an additional official ear tag of the same type may not be applied without prior permission from the board; and
- B. an additional official ear tag of a different type may be applied if all official ear tag numbers are recorded on all official records required by the board.

Subp. 3. **Removal of official ear tags.** A person may not tamper with or remove official ear tags from an animal without the board's permission.

Subp. 4. **Records.** Persons who apply official ear tags to livestock must maintain records on each animal identified, including:

- A. the characters on or contained within the ear tag;
- B. characters on or contained within other official ear tags on the animal;
- C. species, sex, age, and type of animal;
- D. date of application; and
- E. name and address of the premises where the animal was identified.

### **1721.0034 OFFICIAL BACK TAGS.**

Subpart 1. **Distribution and application.** Official back tags may only be distributed and applied to animals in a manner approved by the board.

Subp. 2. **Removal of official back tags.** A person may not tamper with or remove official back tags from an animal without the board's permission except in accordance with part 1721.0090, subpart 9.

Subp. 3. **Records.** A person who applies official back tags must maintain records as required by the board.

### **1721.0040 CERTIFICATES OF VETERINARY INSPECTION.**

A certificate of veterinary inspection must state that the animals described are not showing clinical signs of infectious, contagious, or communicable disease and that they meet movement requirements. A certificate of veterinary inspection must be submitted to the board within 14 days after the issue date and must contain:

- A. the number of animals in the shipment;

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B. the species, breed, age, and sex of each animal;

C. official identification for each animal if required;

D. the address and contact information for the premises of origin and the premises of destination;

E. the results of any tests that are required by the board;

F. the purpose for moving the animals;

G. permit number if required; and

H. any additional information required by the board.

## **1721.0050 IMPORTATION OF LIVESTOCK.**

Subpart 1. **General restriction.** Animals showing clinical signs of an infectious, contagious, or communicable disease or that are quarantined for any disease or that are from a disease control zone may not be imported into the state without a permit from the board.

Subp. 2. **Certification of veterinary inspection.** Unless specifically exempted in this chapter or by the board, all birds and mammals imported into Minnesota must be accompanied by a certificate of veterinary inspection issued by an accredited veterinarian.

## **1721.0060 INFORMATION ON LIVESTOCK LOCATIONS.**

The board may visit any farm in the state to identify premises where animals are kept and register the premises in the board's database. Registration information may include:

A. names, addresses, and telephone numbers of the owners or managers;

B. the geographical location of premises where animals are kept;

C. the number and type of animals kept on the premises; and

D. any other information determined by the board to be necessary for the law enforcement process or the protection of public or animal health or safety.

## **1721.0070 LIVESTOCK RECORDS.**

A person or entity required by the board to keep records on livestock must, upon request, make those records available to the board. Except where specified otherwise in this chapter, livestock records must be retained for at least five years.

## **LIVESTOCK CONCENTRATION POINTS**

### **1721.0080 DEFINITIONS.**

Subpart 1. **Scope.** For the purposes of parts 1721.0080 to 1721.0110, the terms in this part have the meanings given them.

Subp. 2. **Official veterinarian.** "Official veterinarian" means a licensed and accredited veterinarian authorized by the board to act as its representative at a community sale or exhibition.

Subp. 3. **Sales management.** "Sales management" means the persons organizing and conducting a community sale.

Subp. 4. **Sales premises.** "Sales premises" means the premises where a community sale is conducted including temporary or permanent sales rings, pens, and alleys for confining livestock prior to and after sale.

### **1721.0090 COMMUNITY SALES.**

Subpart 1. **Permits.**

A. A person may not operate or conduct a community sale of livestock in Minnesota unless the person has obtained an annual or single sale permit from the board.

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B. An annual permit may be issued to a sale manager who holds regularly scheduled livestock sales throughout the year at a specified location.

C. A permit may be issued for a single community sale upon receipt of a completed application which specifies the date and the location of the sale.

D. The board may refuse to grant or may revoke an annual or single sale permit when the applicant or permit holder has violated the laws or the rules of the board.

E. Prior to issuance of a permit, the sales premises may be inspected by a representative of the board to determine compliance with subparts 3 and 4.

F. For sales where the presence of an official veterinarian is required, an accredited veterinarian must be designated by the sale manager and authorized by the board to act as its representative prior to issuance of a permit.

**Subp. 2. Requirement for an official veterinarian.** An accredited veterinarian authorized by the board must be present at each community sale of livestock and perform the duties in subpart 6.

**Subp. 3. Requirements for sale premises.** Sale premises must meet the following standards:

A. sales rings, alleys, loading and veterinary chutes, livestock pens, and all other buildings and structures located on the sales premises must be well-constructed and maintained in good repair;

B. facilities for inspection of livestock must be well-lighted;

C. the premises must be maintained in a reasonably clean and sanitary condition at all times;

D. the water supply must be clean, adequate, and operate under pressure; and

E. feed and water containers must be metal, concrete, plastic, or constructed of other impervious material that can be readily cleaned and disinfected.

**Subp. 4. Additional requirements for state-approved and state-federal approved livestock markets.** In addition to the requirements specified in subpart 3, state-approved and state-federal approved livestock markets must meet the following requirements:

A. sales rings, alleys, testing chutes, and pens must be paved with cement or other impervious materials; and

B. facilities must be provided for testing and examining livestock.

**Subp. 5. Responsibilities of sale managers.** At each community sale, the sale manager shall:

A. retain the services of an official veterinarian;

B. not permit the sale of livestock until they have been inspected and found free from clinical signs of infectious, contagious, or communicable disease by the official veterinarian;

C. refuse to accept livestock for sale when so ordered by the official veterinarian;

D. submit certificates of veterinary inspection from all animals originating from outside of Minnesota for which a certificate of veterinary inspection is required to the official veterinarian for their approval before the animals are sold;

E. ensure that affidavits of slaughter are completed and signed as outlined in subpart 8;

F. ensure that livestock sold to persons in other states leave the sale with a certificate of veterinary inspection;

G. refuse to accept animals originating in other states for consignment unless they meet all Minnesota import requirements;

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H. ensure that all livestock at the sale are identified as required by the board before being offered for sale;

I. ensure that all livestock at the sale are tested as required by the board before being offered for sale; and

J. maintain records as described in subpart 10.

**Subp. 6. Responsibilities of the official veterinarian.** As a representative of the board, the official veterinarian shall perform the following duties for each community sale:

A. prohibit the sale of any animal that, in the veterinarian's opinion, is affected with or shows clinical signs of infectious, contagious, or communicable disease;

B. examine the certificate of veterinary inspection for each animal for which a certificate of veterinary inspection is required and prohibit the sale of the animal if the certificate of veterinary inspection does not meet the requirements of the board;

C. ensure that all livestock offered for sale are tested as required by the board;

D. ensure that any animal originating from outside the state meets all of Minnesota's import requirements and prohibit the sale of animals which do not meet Minnesota's import requirements;

E. write certificates of veterinary inspection for animals moving interstate when required;

F. ensure that all livestock at the sale are identified as required before being offered for sale;

G. maintain tagging records as outlined in part 1721.0030, subpart 4;

H. if allowed by the sales management, remove official slaughter back tags when requested and ensure animals are identified as required and eligible for nonslaughter sale in accordance with subpart 9, item B;

I. issue USDA veterinary services form 1-27, Permit for Movement of Restricted Animals, when required by the board; and

J. report immediately to the board any violation of board rules.

**Subp. 7. Exemption for intrastate poultry-only sales.** Subparts 2, 3, 5, and 6 do not apply to a community sale that meets all of the following conditions:

A. the only livestock handled at the community sale are poultry or ratites;

B. poultry, ratites, or hatching eggs that originate from flocks in other states are not allowed at the sale;

C. poultry, ratites, or hatching eggs are not allowed to leave the sale for destinations in other states; and

D. the sale manager must ensure that the requirements in part 1721.0310 are met.

**Subp. 8. Affidavits required for breeding cattle sold for slaughter.** A slaughter affidavit must be signed by the buyer of breeding cattle sold for slaughter. In the affidavit a buyer must designate the name of the slaughter establishment or slaughter-only handling facility to which the cattle will be moved and certify that the cattle will be moved directly from the community sale to the designated slaughter establishment or slaughter-only handling facility with no diversion to farm or ranch.

**Subp. 9. Removal of official slaughter back tags from slaughter cattle.** Removal of official back tags from slaughter cattle is prohibited unless the official veterinarian examines the cattle, completes a slaughter tag removal form, and ensures that:

A. each animal is identified by an official ear tag;

B. all official tag numbers for each animal are recorded on a form approved by the board;

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C. each animal meets all testing and movement requirements; and

D. sale records allow the animal to be traced back to the herd of origin.

## **Subp. 10. Records.**

A. The sales management shall maintain records as described in subitems (1) to (5):

(1) a record of each animal handled at the community sale which consists of:

(a) species, sex, and type of animal;

(b) the origin and destination of the livestock and name and address of both consignor and consignee;

(c) the official identification number of all livestock required to be identified correlated with the origin and destination of the livestock and name and address of both consignor and consignee; and

(d) date of transaction;

(2) tagging records for any animal to which official identification is applied at the community sale as outlined in part 1721.0030, subpart 4;

(3) copy of the veterinarian's identification and tagging records;

(4) affidavits of slaughter; and

(5) slaughter tag removal forms.

B. Except as noted in item C, records outlined in item A must be submitted to the board within five days of the completion of the sale.

C. The records outlined in item A may be maintained on site at the following entities:

(1) state-federal approved livestock markets;

(2) state-approved livestock markets; and

(3) annually permitted sales which have been approved by the board to maintain records on site.

## **1721.0100 PUBLIC EXHIBITION.**

Subpart 1. Permits. No person or entity shall conduct a public exhibition of livestock in the state unless the person or entity has obtained a permit from the board, except for:

A. horse shows which are programmed to be completed within a period of 12 hours and at which horses are not stabled overnight;

B. rodeos; or

C. horse races which are held at a racetrack licensed by the Minnesota Racing Commission if a commission veterinarian performs the duties in subpart 4.

Subp. 2. Requirement for an official veterinarian. An official veterinarian must be present at each public exhibition of livestock for which a permit is required and perform the duties in subpart 4.

Subp. 3. Responsibilities of exhibition managers. The exhibition manager shall:

A. retain the services of an official veterinarian;

B. comply with all reasonable orders of the board or the official veterinarian pertaining to the sanitation of the premises and the health status of all livestock exhibited;

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C. clean and disinfect all building and exhibit areas for the use of livestock prior to the opening date of the exhibition and during the exhibition if livestock are released and new livestock are brought to the exhibition premises;

D. maintain the livestock and exhibition areas in a sanitary condition;

E. ensure that any livestock showing symptoms of infectious, contagious, or communicable disease are removed from the premises or quarantined in a separate facility; and

F. maintain records as described in subpart 7.

**Subp. 4. Responsibilities of official veterinarian.** The official veterinarian shall:

A. approve the cleaning and disinfection of the exhibition premises prior to the exhibition and during the exhibition if livestock are released and new livestock are brought to the exhibition premises;

B. inspect all livestock on the day admitted to the exhibition;

C. refuse admission of livestock showing clinical signs of any infectious, contagious, or communicable disease, or of livestock not meeting the exhibition entrance requirements outlined in subpart 6;

D. maintain tagging records as outlined in part 1721.0030, subpart 4;

E. inspect all livestock at least once daily during the exhibition;

F. order the immediate removal to the quarantine facility or removal from the exhibition premises of any livestock with clinical signs of infectious, contagious, or communicable disease and order and supervise the cleaning and disinfection of the area from which the diseased livestock was removed;

G. conduct any necessary tests to determine the health status of the livestock on the exhibition grounds; and

H. within seven days of completion of the exhibition, submit to the board a report containing the following:

(1) a list of any animals that were quarantined or removed from the exhibition because of infectious, contagious, or communicable disease;

(2) any violations of this part; and

(3) other information relating to the exhibition as requested by the board.

**Subp. 5. Exemption for poultry-only exhibitions.** Subparts 2 and 3 do not apply to poultry-only exhibitions if all of the following conditions are met:

A. the only livestock handled at the public exhibition are poultry or ratites; and

B. the exhibition manager ensures that the entrance requirements outlined in subpart 6 for exhibition of poultry and ratites are met.

**Subp. 6. Exhibition entrance requirements.** No animal may enter or be at a public exhibition that is showing clinical signs of any infectious, contagious, or communicable disease. Prior to entering a public exhibition, animals must meet the requirements for exhibition, importation, and intrastate movement specified in this chapter.

**Subp. 7. Records.** The exhibition management shall maintain records which include the name and address of each exhibitor along with the species, class, and number of animals the person exhibited.

## **1721.0104 SLAUGHTER-ONLY HANDLING FACILITY.**

**Subpart 1. Permits.**

A. A person may not operate a slaughter-only handling facility in the state unless the person has first obtained an annual permit from the board.

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B. The board may only issue an annual permit to operate a slaughter-only handling facility to a person who is currently licensed by the Department of Agriculture as a livestock dealer and after an inspection of the premises is conducted by the board to determine compliance with this part.

C. The board may refuse to grant or may revoke a slaughter-only handling facility permit when the applicant or permit holder has failed to meet the requirements of this part.

**Subp. 2. Requirements for operation.**

A. The slaughter-only handling facility must be separate and apart from other livestock handling facilities.

B. All cattle leaving the facility must be moved directly to a slaughtering establishment under federal inspection.

C. Cattle may only be held at the facility for a maximum of five business days unless prior permission from the board is obtained in accordance with the requirements in subpart 5.

D. The premises must be maintained in a reasonably clean and sanitary condition at all times.

E. Regulatory officials shall be granted access to the premises for the purpose of inspecting the facility for compliance with laws and rules of the board.

**Subp. 3. Animal identification.** All cattle must be identified with an official back tag before being commingled at the site. Cattle held more than five business days must be officially eartagged in accordance with subpart 5.

**Subp. 4. Records.** A person operating a slaughter-only handling facility must maintain records in a manner approved by the board on all livestock handled. Required records on each animal include:

A. date of arrival at the facility and date of departure from the facility;

B. sex, breed, and age of animal;

C. name and address of the person or entity from whom the animal was acquired;

D. name of the slaughter establishment to which the animal was moved;

E. back tag records as required in part 1721.0140, subpart 4;

F. tagging records for any animal to which official identification is applied in accordance with subpart 5 and part 1721.0030, subpart 4; and

G. documentation of interstate movement for any animal imported into Minnesota and entering the facility.

**Subp. 5. Animals held for more than five business days.** Permission may be granted by the board to hold cattle for up to 60 days at a slaughter-only handling facility under the following conditions:

A. all cattle held for more than five days must be identified with an official ear tag and the official ear tag number must be recorded and correlated with the official back tag number; and

B. all cattle held for more than five business days must be kept separate from other cattle at the facility.

**1721.0110 SLAUGHTERING ESTABLISHMENTS.**

**Subpart 1. Removal of livestock.** Livestock shall not be removed from any slaughtering establishment to other points in the state except under extenuating circumstances and with prior permission of the board. This includes the yards immediately contiguous to and operated by the slaughtering establishment as holding, sorting, or weighing pens. Upon application by the owner of the livestock, the executive director of the board may issue a permit to allow removal of livestock from slaughtering establishments.

**Subp. 2. Live bird markets.** A person must obtain a permit from the board prior to operating a live bird market in the state. The live

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bird market facility must be inspected at least once every 12 months by an agent of the board to demonstrate compliance with this part. The live bird market facility, crates, and equipment must be maintained in a reasonably sanitary condition. The operator of the live bird market must keep records of the type and origin of birds that enter the facility, the date the birds enter the facility, and the date that the birds are killed. All records must be maintained for at least two years and be available for inspection upon request by the board.

## **CATTLE AND BISON**

### **1721.0120 DEFINITION.**

For the purposes of parts 1721.0130 to 1721.0175, “rodeo cattle” means cattle used at public events for the display of cattle handling skills such as bull riding, calf roping, and cattle herding, but does not include cattle used one time for equestrian events where the purpose of the event is to judge horses on herding skills such as cutting and team penning.

### **1721.0130 IMPORTATION OF CATTLE.**

Subpart 1. **Requirement for official identification.** Breeding cattle, rodeo cattle, and all cattle for exhibition entering the state must be officially identified, except:

- A. cattle originating from a farm of origin in an adjacent state that are consigned to a state-federal approved livestock auction market;
- B. cattle moving directly to a slaughtering establishment under federal inspection; and
- C. cattle moving directly to a slaughter-only handling facility in a manner approved by the board.

Subp. 2. **Requirement for certificate of veterinary inspection.** Cattle imported into the state must be accompanied by a certificate of veterinary inspection issued by an accredited veterinarian, except as provided in items A to E:

- A. cattle originating from a farm of origin in an adjacent state, that are consigned to a state-federal approved livestock market;
- B. cattle shipped directly to slaughtering establishments operating under federal inspection;
- C. cattle moving directly to a slaughter-only handling facility in a manner approved by the board;
- D. cattle returning from pasture to the herd of origin in the state under permit as outlined in subpart 4; or
- E. cattle moved in accordance with a board-approved commuter herd agreement.

Subp. 3. **Contents of certificate of veterinary inspection.** If an animal is required to be officially identified, all official identification must be included on the certificate of veterinary inspection.

Subp. 4. **Cattle returned to Minnesota from pasture.** Cattle not under quarantine that are owned by state residents who are not livestock dealers may be returned to the premises of origin from pastures in adjacent states without tests or certificates of veterinary inspection if a permit is secured from the board prior to movement. Permits for return from pasture may be issued by the board if the pasture is owned, leased, or operated by the state resident, the pasture is contiguous to state land owned by the applicant, only the applicant’s cattle are in the pasture, and the pasture has been inspected by a representative of the board.

### Subp. 5. **Requirement for tuberculosis test.**

- A. Rodeo cattle entering the state must be negative to an official tuberculosis test within the previous six months.
- B. Cattle imported into the state for the purposes of breeding rodeo stock must be negative to an official tuberculosis test within the previous six months.
- C. Mexican-origin cattle must be negative to two official tuberculosis tests. The second test must be done by an accredited veterinarian and be performed within 60 days prior to importation.

Subp. 6. **Requirement for an import permit.** A permit must be obtained from the board prior to the importation of all breeding cattle, all cattle for exhibition, and all cattle requiring a tuberculosis test under subpart 5, with the following exceptions:

- A. cattle originating from a farm of origin in an adjacent state that are consigned to a state-federal approved livestock market; or

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B. cattle shipped directly to a slaughter establishment operating under federal inspection or to a slaughter-only handling facility.

## **1721.0140 INTRASTATE MOVEMENT.**

Subpart 1. **Requirement for official identification.** Breeding cattle, rodeo cattle, and all cattle for exhibition must be officially identified upon movement from the herd to another location, except for:

A. cattle that are consigned to a state or a state-federal approved livestock auction market;

B. cattle moving directly to a state or federally inspected slaughtering establishment; or

C. cattle moving directly to a slaughter-only handling facility.

Subp. 2. **Requirement to maintain records.** A person or entity that purchases, acquires, trades, deals in, sells, or disposes of cattle must maintain records on the acquisition and disposition of cattle as required by this part. Records must be retained for five years.

Subp. 3. **Contents of records.** Records required by subpart 2 must include:

A. date of the transaction;

B. number of animals included in each transaction;

C. species, breed, age, and class of animal;

D. name and address of the person or entity from whom the animals were acquired and sent to;

E. the official identification number of each animal required to be identified correlated with the name and address of the person or entity from whom the animals were acquired and to whom they were sent;

F. back tag numbers, if required; and

G. certificates of veterinary inspection, if required.

Subp. 4. **Cattle in slaughter channels.**

A. A livestock dealer, livestock market operator, slaughter-only handling facility operator, or slaughtering establishment operator must officially identify all breeding cattle moving directly to slaughter, unless the animals are already identified with an official back tag.

B. A person required to identify animals in accordance with these rules must maintain records that include the back tag number and date of application, the name, address, and county of residence of the person who owned or controlled the herd from which such animals originated, and whether the animal was of beef or dairy type.

## **1721.0150 EXHIBITIONS.**

All cattle at public exhibitions must be officially identified.

## **1721.0160 COMMUNITY SALES.**

Subpart 1. **Requirement for official identification.** Breeding cattle must be officially identified before being sold.

Subp. 2. **Requirement for affidavits of slaughter.** A buyer of breeding cattle for slaughter at a community sale must sign an affidavit of slaughter that designates the location where the animals will be slaughtered and certifies that the cattle will be moved directly from the community sale to a slaughter-only handling facility or to a designated slaughter establishment with no diversion to farm or ranch.

## **1721.0165 BOVINE TUBERCULOSIS.**

Subpart 1. **Tests.** Tuberculosis tests must be conducted by an accredited veterinarian who is certified by the board to conduct tuberculosis tests.

Subp. 2. **Reports.** Tuberculosis test results must be reported on forms approved by the board. Test results must be sent to the board within 14 days from the date test results are read.

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Subp. 3. **Animal identification.** Animals tested with an official tuberculosis test must have official identification.

## **1721.0170 BOVINE BRUCELLOSIS.**

Subpart 1. **Vaccination.** Brucella abortus vaccine must be administered by an accredited veterinarian. Vaccine must be administered by the method and dosage described by the manufacturer or the board. Brucella abortus vaccine may be administered to female dairy and beef cattle while they are from four to 12 months of age. Adult vaccination may be permitted upon application and permission from the board.

Subp. 2. **Reports.** Complete reports of vaccinations must be submitted to the board within 14 days of the vaccination on forms supplied by the board.

Subp. 3. **Animal identification.** Vaccinated cattle must be officially identified as directed by the board. Cattle must not be retattooed with the vaccination tattoo unless a veterinarian obtains a permit from the board. Permits may be issued if the cattle have the same identification as at the time of vaccination and the vaccination report is available.

## **1721.0175 JOHNE'S DISEASE.**

Subpart 1. **Vaccination.** Mycobacterium paratuberculosis bacterin must be administered by an accredited veterinarian. The bacterin may be used only in calves from one to 35 days of age unless new vaccines are developed that are determined by the board to be safe for use in older animals.

Subp. 2. **Animal identification.** Vaccinated calves must be officially identified. Vaccinated calves must be further identified by a tattoo in the left ear which includes a number representing the quarter of the year when the calf was vaccinated followed by the letter "J" followed by a number representing the year in which the calf was vaccinated.

Subp. 3. **Reports.** The veterinarian must report vaccination of calves to the board within 14 days after the vaccine is administered. Reports must include the manufacturer and serial number of the vaccine, the name of the herd owner, the address and geographical location of the herd, and the identification numbers of the vaccinated calves.

## **PIGS**

### **1721.0180 DEFINITIONS.**

Subpart 1. **Scope.** For the purposes of parts 1721.0180 to 1721.0220, the terms defined in this part have the meanings given them.

Subp. 2. **Swine production system.** "Swine production system" means a swine production enterprise that consists of multiple sites of production such as sow herds, nursery herds, and finishing herds between which swine move while remaining under the control of a single owner or a group of contractually connected owners. "Swine production system" does not include slaughter plants or livestock markets.

Subp. 3. **Swine production system health plan.** "Swine production system health plan" means a written agreement developed for a swine production system designed to maintain the health of the swine and detect signs of communicable disease. The plan must be approved by an official of the swine production system, the swine production system accredited veterinarians, an APHIS representative, and the board. The plan must be developed to meet the requirements for interstate movement of swine in *Code of Federal Regulations*, title 9, part 71.

### **1721.0190 IMPORTATION OF SWINE.**

Subpart 1. **Importation of feral swine prohibited.** The importation into the state of feral swine or swine that were feral during any part of their lifetime is prohibited. Importation into the state of feral swine carcasses is prohibited except for cut and wrapped meat, hides, teeth, and finished taxidermy mounts.

Subp. 2. **Requirement for official identification and certificate of veterinary inspection.** Swine imported into the state must be officially identified and accompanied by a certificate of veterinary inspection issued by an accredited veterinarian except for:

A. swine which move under an approved swine production system health plan;

B. swine consigned to a state-federal approved livestock market which move directly from a farm of origin in an adjacent state; or

C. swine moving directly to slaughter at a slaughtering establishment under federal inspection.

## **1721.0200 INTRASTATE MOVEMENT REQUIREMENTS.**

Subpart 1. **Breeding swine and feeding swine.** Breeding swine and feeding swine that are moved from a premises to another location in the state must be officially identified except for:

- A. swine which move under an approved swine production system health plan;
- B. swine that are moved to another location within the same herd;
- C. swine in slaughter-only classes moved to a public exhibition;
- D. swine consigned to a state-federal approved livestock market that move directly from the farm of origin to the market;
- E. swine moving from the farm of origin to an approved slaughter-swine buying station; or
- F. swine moving directly to slaughter at a slaughtering establishment under federal inspection.

Subp. 2. **Slaughter sows, boars, and stags.** An agent transporting sows, boars, and stags from a livestock producer to a livestock dealer, livestock market, stockyards, commission company, concentration point, or slaughter establishment must supply the receiving agent or agency with the name and address of the producer. Sows, boars, and stags received by a livestock dealer, livestock market, stockyard, commission company, buying station, swine concentration point, or slaughtering establishment must be identified with an official back tag, tattoo, or other identification device authorized by the board so they can be traced back to the herd of origin. Records of the identification numbers and date of application in correlation to the name and address of the producer must be maintained and submitted to the board upon request.

## **1721.0210 EXHIBITIONS.**

Except for swine in slaughter-only classes, breeding and feeding swine at public exhibitions must be officially identified.

## **1721.0220 COMMUNITY SALES.**

Swine must be officially identified prior to arrival at a community sale premises except:

- A. swine that move directly from the farm of origin to a state-federal approved livestock market, which may be officially identified by the sale veterinarian after arrival and prior to sale; and
- B. swine that move directly from a farm of origin to an approved slaughter-swine buying station, which may be officially identified at the time of arrival.

## **HORSES**

### **1721.0230 DEFINITIONS.**

Subpart 1. **Scope.** For the purposes of parts 1721.0230 to 1721.0260, the terms defined in this part have the meanings given them.

Subp. 2. **Coggins test.** "Coggins test" is the common name for the agar gel immunodiffusion test for diagnosis of EIA.

Subp. 3. **EIA.** "EIA" means equine infectious anemia, a virus disease of horses.

Subp. 4. **EIA-exposed horse.** "EIA-exposed horse" means a horse that has been exposed to EIA virus:

- A. by being within 200 yards of an EIA-infected horse for at least ten consecutive days during the vector season within the previous 12 months; or
- B. by receiving blood or blood products from an EIA-infected horse through the use of contaminated needles, syringes, surgical instruments, riding tack, or grooming equipment.

Subp. 5. **EIA-infected horse.** "EIA-infected horse" means a horse determined to be infected with EIA virus by a representative of the board.

Subp. 6. **EIA vector season.** "EIA vector season" means the time of year when large biting insects, such as horse flies and deer flies of the family Tabanidae are present.

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Subp. 7. **Official EIA test.** “Official EIA test” means the Coggins test or other test for EIA approved by the USDA conducted at a USDA-approved laboratory.

Subp. 8. **Trail ride.** “Trail ride” means an equine event where horses owned by two or more people are brought together for recreational riding on roads or trails.

## **1721.0240 IMPORTATION OF HORSES.**

Subpart 1. **Certificate of veterinary inspection.** Horses imported into Minnesota must be accompanied by a certificate of veterinary inspection issued by an accredited veterinarian that includes official identification and the date of the last negative EIA test, except:

- A. horses brought into the state for participation in trail rides or exhibitions;
- B. horses consigned directly to slaughtering establishments under federal inspection; or
- C. horses entering a veterinary facility for treatment, surgery, or diagnostic procedures.

Subp. 2. **EIA tests.** Horses imported into Minnesota must be negative to an official test for EIA conducted within 12 months prior to the date of importation, except:

- A. horses consigned directly to slaughtering establishments under federal inspection; or
- B. suckling foals accompanying a negative dam.

Subp. 3. **Horses imported with pending EIA test results.** If a blood sample has been drawn but there is insufficient time to obtain the laboratory results of the EIA test prior to the importation, a permit for the importation of horses without final laboratory results may be obtained from the board if the veterinarian requesting the permit agrees to promptly submit the laboratory results to the board.

Subp. 4. **Horses imported without the required test for EIA.** Horses imported without the required negative test for EIA must be quarantined, isolated, and tested for EIA within ten days following notification from the board. Tests must be conducted at the owner’s expense.

## **1721.0250 EXHIBITION OF HORSES.**

Horses, except suckling foals accompanying a negative dam, must be negative to an official EIA test conducted within 12 months prior to the opening date of an exhibition.

## **1721.0260 EQUINE INFECTIOUS ANEMIA (EIA).**

Subpart 1. **EIA test procedures.** Blood samples for EIA tests must be drawn by an accredited veterinarian.

Subp. 2. **EIA quarantine procedures.** The board shall immediately quarantine all horses infected with or exposed to EIA in accordance with this subpart.

A. Infected horses must be placed in isolation within ten days following the date of quarantine and must be permanently maintained in a screened enclosure or in such a way that they are always kept at least 200 yards away from horses not known to be infected with EIA.

B. Exposed horses must:

(1) be tested for EIA within ten days following the date of quarantine; and

(2) be tested for EIA between 45 and 60 days following the date of last known exposure. Tests must be conducted at the owner’s expense unless state funds are available for this purpose.

C. Quarantines on exposed horses may be released when all exposed horses on a premises are tested and found negative for EIA at least 45 days following the last known exposure.

D. Movement of quarantined horses is prohibited without written permission from the board.

E. Quarantined horses moved to a new location must be maintained so that they are always kept at least 200 yards away from horses not known to be infected with EIA.

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F. Quarantined horses moved to a slaughter establishment must meet the transportation requirements as specified in Code of Federal Regulations, title 9, part 75.

## POULTRY

### 1721.0270 DEFINITIONS.

Subpart 1. **Scope.** For the purposes of parts 1721.0270 to 1721.0360, the terms defined in this part have the meanings given them.

Subp. 2. **Approved salvage program.** “Approved salvage program” means a disease control program that allows the use of a positive breeder flock meeting the following criteria:

A. the program impedes shed of the disease agent to other poultry;

B. the program meets any applicable plan requirements; and

C. the program is approved by the board.

Subp. 3. **Authorized poultry testing agent.** “Authorized poultry testing agent” means a person not employed by the board but designated and authorized by the board to perform certain assigned activities under parts 1721.0270 to 1721.0360.

Subp. 4. **Breeding flock.** “Breeding flock” means a flock that produces progeny to be used for egg or meat production or for establishing, continuing, or improving genetic lines of poultry.

Subp. 5. **Breeding flock facility.** “Breeding flock facility” means a facility on one premises where a breeding flock is assembled and maintained to produce hatching eggs.

Subp. 6. **Chick.** “Chick” means a newly hatched chicken that has not been fed or watered.

Subp. 7. **Flock.** “Flock” means poultry maintained and segregated for at least 21 days as one group of birds on one premises.

Subp. 8. **Hatchery.** “Hatchery” means buildings and equipment on one premises operated or maintained for the purpose of hatching, selling, or distributing baby poultry or hatching eggs.

Subp. 9. **Official state agency.** “Official state agency” means the state agency responsible for administration of all components of the plan. In Minnesota, the board is the state agency authorized, responsible, and recognized by APHIS for the implementation of plan programs.

Subp. 10. **Plan.** “Plan” means the “National Poultry Improvement Plan and Auxiliary Provisions,” Code of Federal Regulations, title 9, parts 56, 145, 146, and 147.

Subp. 11. **Poultry dealer.** “Poultry dealer” means a person or entity engaged in the business of buying and then selling or distributing live poultry, hatching eggs, or ratites on a regular basis for the person’s own account or the account of others. Poultry dealer does not include a person or entity buying or selling poultry or ratites for slaughter or a person or entity buying or selling poultry, hatching eggs, or ratites as part of the normal operation of a specific poultry production system.

Subp. 12. **Poult.** “Poult” means a newly hatched turkey that has not been fed or watered.

Subp. 13. **Pullorum.** “Pullorum” means a disease of poultry caused by *Salmonella pullorum*.

Subp. 14. **Typhoid.** “Typhoid” means a disease of poultry caused by *Salmonella gallinarum*.

### 1721.0280 IMPORTATION OF HATCHING EGGS, POULTRY, AND RATITES.

Subpart 1. **Slaughter exemption.** Poultry and ratites imported into the state that move directly to a state or federally licensed slaughter establishment are exempt from the requirements in this part.

Subp. 2. **Import permit.** An import permit must be obtained from the board prior to importation of hatching eggs, poultry, or ratites

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into the state. The application for the permit must be endorsed by the official state agency of the state of origin and indicate that the requirements of this part have been met.

Subp. 3. **Certificates.** All hatching eggs, poultry, and ratites imported into the state must be accompanied by a certificate of veterinary inspection, Plan Form VS 9-3 Report of Sale of Eggs, Chicks, and Poults, or an equivalent form as approved by the board.

Subp. 4. **Pullorum-typhoid.** All hatching eggs, poultry, and ratites imported into Minnesota must:

A. originate from a hatchery or breeding flock that is classified pullorum-typhoid clean under the plan; or

B. be individually identified with a leg or wing band and be negative to a pullorum-typhoid test conducted within 30 days prior to importation.

Subp. 5. **Mycoplasma gallisepticum and Mycoplasma synoviae.** Chicken hatching eggs, chicks, and chickens from commercial egg-type or meat-type chicken hatcheries or breeding flocks and all turkey hatching eggs, poults, and turkeys imported into the state must:

A. originate from a hatchery or breeding flock that is classified Mycoplasma gallisepticum clean and Mycoplasma synoviae clean under the plan; or

B. be individually identified with a leg or wing band and be negative to a Mycoplasma gallisepticum and a Mycoplasma synoviae test within 30 days prior to importation.

Subp. 6. **Salmonella enteritidis.** Chicken hatching eggs, chicks, and chickens imported into Minnesota from commercial egg-type chicken hatcheries or breeding flocks must originate from a hatchery or breeding flock that is classified Salmonella enteritidis clean under the plan.

Subp. 7. **Sanitation monitored.** Turkey hatching eggs, poults, and turkeys imported into the state from commercial turkey hatcheries or breeding flocks must originate from a hatchery or breeding flock that meets the requirements of the sanitation monitored program of the plan.

Subp. 8. **Shipping containers.** Only new or cleaned and disinfected poultry boxes or containers may be used to ship baby poultry into the state.

## **1721.0290 POULTRY DEALERS.**

Subpart 1. **Requirement for permit.** A poultry dealer may not buy, sell, trade, or distribute hatching eggs, poultry, or ratites in the state unless the dealer has obtained a permit from the board. Permits must be renewed annually based on a date set by the board. Permits may be revoked or suspended for failure to comply with the requirements in this part. Prior to issuance of a permit, an application must be received and approved by the board and the poultry dealer's place of business must be inspected by an agent of the board to determine that:

A. all hatching eggs, poultry, or ratites acquired or distributed by the poultry dealer meet the requirements in this part and part 1721.0280 if the poultry, hatching eggs, or ratites originate from other states;

B. the poultry dealer's place of business is maintained in a reasonably clean and sanitary condition; and

C. records are retained as required in this part.

Subp. 2. **Certificates.** All hatching eggs, poultry, and ratites acquired by poultry dealers in the state must be accompanied by a certificate or test chart approved by the board to show compliance with the requirements in this part.

Subp. 3. **Pullorum-typhoid.** All hatching eggs, poultry, and ratites distributed in the state by poultry dealers must:

A. originate from a hatchery or breeding flock that is classified pullorum-typhoid clean under the plan; or

B. be individually identified with a leg or wing band and be negative to a pullorum-typhoid test conducted within 30 days prior to distribution.

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Subp. 4. **Mycoplasma gallisepticum and Mycoplasma synoviae.** Chicken hatching eggs, chicks, and chickens from commercial egg-type or meat-type chicken hatcheries or breeding flocks and all turkey hatching eggs, poults, and turkeys distributed in the state by poultry dealers must:

A. originate from a hatchery or breeding flock that is classified Mycoplasma gallisepticum clean and Mycoplasma synoviae clean under the plan; or

B. be individually identified with a leg or wing band and be negative to a Mycoplasma gallisepticum and a Mycoplasma synoviae test within 30 days prior to distribution.

Subp. 5. **Salmonella enteritidis.** Chicken hatching eggs, chicks, and chickens from commercial egg-type chicken hatcheries or breeding flocks distributed in the state by poultry dealers must originate from a hatchery or breeding flock that is classified Salmonella enteritidis clean under the plan.

Subp. 6. **Sanitation monitored.** Turkey hatching eggs, poults, and turkeys from commercial hatcheries or breeding flocks distributed in the state by poultry dealers must originate from a hatchery or breeding flock that meets the requirements of the sanitation monitored program of the plan.

Subp. 7. **Records.** Poultry dealers must maintain records for at least three years on all poultry, hatching eggs, and ratites acquired or distributed. For each group of poultry, hatching eggs, or ratites acquired or distributed, records must include the date, the number and type of poultry, hatching eggs, or ratites, and the origin and destination.

## **1721.0300 EXHIBITION OF POULTRY.**

Subpart 1. **Identification.** All chickens, turkeys, and game birds at exhibitions, except baby poultry, must be individually identified with a leg or wing band.

Subp. 2. **Certificates or test charts.** At exhibitions, all chickens, turkeys, game birds, and hatching eggs from these birds must be accompanied by a certificate or test chart approved by the board to show compliance with the requirements in this part.

Subp. 3. **Pullorum-typhoid.** At exhibitions, all chickens, turkeys, game birds, and hatching eggs from these birds must:

A. originate from a hatchery or breeding flock that is classified pullorum-typhoid clean under the plan; or

B. be negative to a pullorum-typhoid test within 90 days prior to the opening date of the exhibition.

Subp. 4. **Mycoplasma gallisepticum and Mycoplasma synoviae.** At exhibitions, all turkeys and turkey hatching eggs must:

A. originate from a hatchery or breeding flock that is classified Mycoplasma gallisepticum clean and Mycoplasma synoviae clean under the plan; or

B. be negative to a Mycoplasma gallisepticum and a Mycoplasma synoviae test within 90 days prior to the opening date of the exhibition.

## **1721.0310 COMMUNITY SALES.**

Subpart 1. **Identification.** All poultry and ratites at community sales, except baby poultry, must be individually identified with a leg or wing band.

Subp. 2. **Certificates or test charts.** At community sales, all hatching eggs, poultry, and ratites must be accompanied by a certificate or test chart approved by the board to show compliance with the requirements in this part.

Subp. 3. **Pullorum-typhoid.** At community sales, all hatching eggs, poultry, and ratites must:

A. originate from a hatchery or breeding flock that is classified pullorum-typhoid clean under the plan; or

B. be negative to a pullorum-typhoid test within 30 days prior to the sale.

Subp. 4. **Mycoplasma gallisepticum and Mycoplasma synoviae.** At community sales, all turkey hatching eggs, poults, and turkeys must:

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A. originate from a hatchery or breeding flock that is classified *Mycoplasma gallisepticum* clean and *Mycoplasma synoviae* clean under the plan; or

B. be negative to a *Mycoplasma gallisepticum* and a *Mycoplasma synoviae* test within 30 days prior to the sale.

## **1721.0320 HATCHERIES AND BREEDING FLOCKS.**

Subpart 1. **Requirement for permit.** A person or entity may not maintain or operate a hatchery or breeding flock facility unless the person or entity has obtained a permit from the board. Permits must be renewed annually based on a date set by the board. Permits may be revoked or suspended for failure to comply with the requirements in this part. Prior to issuance of a permit, an application must be filed with the board and the hatchery or breeding flock facility must be inspected by an agent of the board to determine that:

A. the hatchery or breeding flock facility meets all the requirements in this part;

B. the hatchery or breeding flock facility is maintained in a reasonably clean and sanitary condition; and

C. records are retained as required in this part.

Subp. 2. **Pullorum-typhoid.** All hatcheries and breeding flocks in the state must meet the requirements of the pullorum-typhoid clean program of the plan or an equivalent pullorum-typhoid classification program as determined by the board.

Subp. 3. ***Mycoplasma gallisepticum* and *Mycoplasma synoviae*.** All commercial egg-type chicken, commercial meat-type chicken, or turkey hatcheries or breeding flocks in the state must meet the requirements of the *Mycoplasma gallisepticum* and *Mycoplasma synoviae* clean programs of the plan.

Subp. 4. ***Salmonella enteritidis*.** All commercial egg-type chicken hatcheries or breeding flocks in the state must meet the requirements of the *Salmonella enteritidis* clean program of the plan.

Subp. 5. **Sanitation monitored program.** All commercial turkey hatcheries or breeding flocks in the state must meet the requirements of the sanitation monitored program of the plan.

Subp. 6. **Records.** Records of testing, inspections, and other documents as required by the plan must be maintained by each hatchery or breeding flock facility. Records must be maintained on all poultry, hatching eggs, and ratites that enter or leave a hatchery or breeding flock facility. For each group of poultry, hatching eggs, or ratites that enter or leave a hatchery or breeding flock facility, records must include the date, the number and type of poultry, hatching eggs, or ratites, and the origin and destination. Records required in this subpart must be maintained for at least three years.

## **1721.0330 TESTING AND SAMPLING.**

Subpart 1. **Sample collection.** All samples obtained from hatcheries and flocks in order to meet plan or board requirements must be collected by an authorized poultry testing agent.

Subp. 2. **Tests.** All tests conducted to meet plan or board requirements must be performed by an authorized poultry testing agent or at an official laboratory approved by the board.

Subp. 3. **Reports.** All test results must be recorded on an official test chart approved by the board. All original test charts must be submitted to the board within 14 days following completion of the test.

### **Subp. 4. Authorized poultry testing agents.**

A. To become an authorized poultry testing agent, a person must attend and complete a board-approved program training course and perform satisfactory work at a field school administered by the board. Temporary authorizations may be issued by the board to a person who has demonstrated a thorough understanding of the requirements in parts 1721.0270 to 1721.0360 and the ability to correctly perform program testing and sampling procedures.

B. Authorization is valid for four years unless revoked or suspended by the board for failure to comply with any of the requirements in parts 1721.0280 to 1721.0360.

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C. Reauthorization of poultry testing agents must be completed by reapplication and completion of a board-approved program training course update once every four years.

D. Any fees for service charged by authorized poultry testing agents must be paid by the flock owner or hatchery.

## **1721.0340 PULLORUM-TYPHOID.**

Subpart 1. **Positive tests results.** Poultry hatcheries or flocks that have a positive test result for Salmonella pullorum or Salmonella gallinarum must be quarantined and retested according to plan procedures or other equivalent procedures approved by the board.

Subp. 2. **Quarantine.** Poultry hatcheries or flocks determined by the board to be infected with Salmonella pullorum or Salmonella gallinarum must be quarantined and disposed of in a manner approved by the board.

## **1721.0344 MYCOPLASMA GALLISEPTICUM AND MYCOPLASMA SYNOVIAE.**

Subpart 1. **Positive tests results.** Commercial egg-type chicken, commercial meat-type chicken, or turkey breeding flocks that have a positive test result for Mycoplasma gallisepticum or Mycoplasma synoviae must be retested according to plan procedures or other equivalent procedures approved by the board.

Subp. 2. **Quarantine.** Commercial egg-type chicken, commercial meat-type chicken, or turkey hatcheries or breeding flocks determined by the board to be infected with Mycoplasma gallisepticum or Mycoplasma synoviae must be quarantined and participate in an approved salvage program or be disposed of in a manner approved by the board.

## **1721.0350 SALMONELLA ENTERITIDIS.**

Subpart 1. **Positive tests results.** Commercial egg-type chicken hatcheries or breeding flocks that have a positive test result for Salmonella enteritidis must be retested according to plan procedures or other equivalent procedures approved by the board.

Subp. 2. **Quarantine.** Commercial egg-type chicken hatcheries or breeding flocks determined by the board to be infected with Salmonella enteritidis must be quarantined and disposed of in a manner approved by the board.

## **1721.0360 AVIAN INFLUENZA.**

Subpart 1. **Testing at live bird markets.** Samples from poultry at each live bird market in the state must be tested for avian influenza once every 30 days. Samples must be collected from at least 30 randomly selected birds by a person designated by the board. The type of samples to be collected will be determined by the board. All tests must be conducted at an official laboratory approved by the board. Testing must be performed at the owner's expense unless state or federal funds are available for this purpose.

Subp. 2. **Cleaning and disinfecting at live bird markets.** All poultry must be slaughtered and removed from each live bird market in the state at least once every 30 days. Following depopulation of poultry from the facility, the facility must remain empty of poultry for a period of at least 24 hours during which time the entire facility must be cleaned and disinfected.

## **DEER AND ELK**

### **1721.0370 DEFINITIONS.**

Subpart 1. **Scope.** For the purposes of parts 1721.0370 to 1721.0420, the terms in this part have the meanings given them.

Subp. 2. **Animal.** "Animal" means an animal that is member of the family Cervidae.

Subp. 3. **Brucellosis certified free herd.** "Brucellosis certified free herd" means a farmed cervidae herd that has tested negative to at least two official brucellosis tests and is recognized by the board as brucellosis free.

Subp. 4. **CWD.** "CWD" means chronic wasting disease.

Subp. 5. **CWD certified herd.** "CWD certified herd" means a farmed cervidae herd that is enrolled in a CWD herd certification program approved by the board and has reached level 6 herd status.

Subp. 6. **CWD contaminated premises.** "CWD contaminated premises" means a premises on which a CWD positive animal has been identified. A CWD contaminated premises is further categorized depending on the degree of contamination as follows:

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A. A premises may be categorized as having minimal environmental contamination if there is no evidence that there has been transmission of CWD on the premises and there is no evidence of long-standing infection of the herd. The number of positive animals identified on a premises of this type must be three or fewer. This category may be used in cases where history and records indicate that the positive animal likely contracted the disease on another premises. Positive animals on a premises in this category must be preclinical at the time of CWD diagnosis or very early in the clinical course of the disease.

B. A premises may be categorized as having moderate to severe environmental contamination if there is evidence that transmission of CWD has occurred or where a positive animal dies of CWD or is euthanized late in the clinical course of the disease.

Subp. 7. **CWD endemic area.** “CWD endemic area” means a geographic area as determined by the board where CWD is present in wild cervidae populations.

Subp. 8. **CWD herd certification program.** “CWD herd certification program” means a herd CWD surveillance and control program administered by a state, federal, or provincial government agency. For a CWD herd certification program to be approved by the board, it must meet the requirements in part 1721.0420.

Subp. 9. **Farmed cervidae.** “Farmed cervidae” means cervidae that are raised for any purpose and are registered in a manner approved by the board. Farmed cervidae are livestock and are not wild animals for purposes of game farm, hunting, or wildlife laws.

Subp. 10. **Official CWD test.** “Official CWD test” means any test for the diagnosis of CWD approved by APHIS and conducted in a laboratory approved by APHIS in accordance with *Code of Federal Regulations*, title 9, part 55.8.

Subp. 11. **Tuberculosis accredited free herd.** “Tuberculosis accredited free herd” means a herd of farmed cervidae that has tested negative to at least two official tuberculosis tests and is recognized by the board as tuberculosis free.

Subp. 12. **Wild cervidae.** “Wild cervidae” means cervidae that live in the wild.

## 1721.0380 GENERAL REQUIREMENTS.

Subpart 1. **Possession of live cervidae in Minnesota.** A person may not possess live cervidae in the state unless the person is registered with the board and meets all the requirements for farmed cervidae in parts 1721.0370 to 1721.0420 and *Minnesota Statutes*, sections 17.452; 35.153; 35.155; 97A.401, subdivision 3; and 97A.505, subdivision 8.

Subp. 2. **Registration.** To be registered with the board, the owner of farmed cervidae must have the owner’s herd inspected by a representative of the board and demonstrate that the owner has fulfilled all the requirements for farmed cervidae in parts 1721.0370 to 1721.0420. The owner must also sign and submit to the board a registration agreement in which the owner agrees to maintain the owner’s herd in compliance with this part. The registered status of a farmed cervidae herd may be canceled at any time if the owner fails to comply with this part or fails to pay a civil penalty assessed by the board pursuant to *Minnesota Statutes*, section 35.95, for failure to comply with the requirements in this part.

Subp. 3. **Inspections.** The board may inspect farmed cervidae, farmed cervidae facilities, and farmed cervidae records. Each herd and all premises where the herd is located must be inspected by a representative of the board at least once every 12 months to document compliance with this part. For new farmed cervidae facilities where no farmed cervidae have ever been kept, a representative of the board may conduct a prestocking inspection to document compliance with this part and verify an initial null inventory for the herd.

Subp. 4. **Herd inventory.** For each farmed cervidae herd, a complete animal inventory must be conducted every 12 months. The accuracy of the inventory must be verified by the owner and an accredited veterinarian by signing and submitting the inventory to the board. The inventory must be filed on forms approved by the board and include the age, sex, type of animal, and all identification numbers for each animal in the herd. Upon request, the owner of a farmed cervidae herd must allow a representative from the board access to the premises and herd to conduct a physical animal by animal inventory to reconcile animal identification numbers with the records maintained by the owner and the board. The owner must present the entire herd for inspection under conditions where the board representative can safely read all identification on the animals. The owner is responsible for assembling, handling, and restraining the animals and for all costs incurred to present the animals for inspection.

Subp. 5. **Fencing.** Farmed cervidae must be confined in a manner designed to prevent escape. Perimeter fences for farmed cervidae must

be at least 96 inches in height and be constructed and maintained in a way that prevents the escape of farmed cervidae or entry into the premises by wild cervidae.

**Subp. 6. Running at large prohibited.** An owner may not allow farmed cervidae to run at large. The owner must make reasonable efforts to return escaped farmed cervidae to their enclosures as soon as possible. The owner must notify the commissioner of natural resources and the board of the escape of farmed cervidae if the farmed cervidae are not returned to their enclosures or euthanized by the owner within 24 hours of their escape.

**Subp. 7. Removal of wild cervidae.**

A. When a tract of land is initially enclosed with a perimeter fence for the purpose of establishing a new farmed cervidae facility, wild cervidae must be removed from the premises by herding them off of the land at the owner's expense prior to bringing any farmed cervidae to the premises.

B. An owner of an existing facility or an employee or agent under the direction of the owner must destroy wild cervidae found within the owner's farmed cervidae facility. The owner, employee, or agent must report wild cervidae that are destroyed to a conservation officer or an employee of the Department of Natural Resources Division of Wildlife within 24 hours. The wild cervidae must be disposed of as prescribed by the commissioner of natural resources.

**Subp. 8. Sales of farmed cervidae and meat products.** A person selling or buying farmed cervidae sold as livestock, sold for human consumption, or sold for slaughter must comply with parts 1721.0370 to 1721.0420 and *Minnesota Statutes*, chapters 17A, 31, 31A, 31B, and 35.

**Subp. 9. Slaughter of farmed cervidae.** Farmed cervidae must be slaughtered and inspected according to *Minnesota Statutes*, chapters 31 and 31A.

**Subp. 10. Record keeping.** A herd owner must maintain herd records that include a complete inventory of animals including the type, age, and sex of each animal, the date of acquisition, the source of each animal that was not born into the herd, the date of disposal and destination of any animal removed from the herd, and all individual identification numbers associated with each animal. If animals enter or leave the herd, the names, addresses, and telephone numbers of previous or subsequent owners of the animals must be recorded. Records must be maintained for at least ten years.

## **1721.0390 ANIMAL IDENTIFICATION.**

Farmed cervidae in the state must be identified with an official ear tag that must be visible to the naked eye during daylight under normal conditions at a distance of 50 yards. A newborn animal must be officially identified before December 31 of the year in which the animal is born or before movement from the premises, whichever occurs first.

## **1721.0400 IMPORTATION OF FARMED CERVIDAE.**

**Subpart 1. Import permit.** A permit must be obtained from the board prior to the importation of live cervidae into Minnesota.

**Subp. 2. Certificate of veterinary inspection.** Live cervidae imported into Minnesota must be accompanied by a certificate of veterinary inspection issued by an accredited veterinarian.

**Subp. 3. Chronic Wasting Disease (CWD).**

A. Live cervidae must originate from a herd that has been subject to a state, federal, or provincial approved CWD herd certification program and that has reached a status equivalent to level 6 as specified in part 1721.0420.

B. CWD endemic areas:

(1) Live cervidae may not be imported into the state from a CWD endemic area, as determined by the board.

(2) Cervidae carcasses may not be imported into the state from a CWD endemic area, as determined by the board, except for cut and wrapped meat, quarters or other portions of meat with no part of the spinal column or head attached, antlers, hides, teeth, finished taxidermy mounts, and antlers attached to skull caps that are cleaned of all brain tissue.

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C. Live cervidae or cervidae carcasses may not be imported into Minnesota from a herd that is infected with or exposed to CWD.

Subp. 4. **Brucellosis.** Except for movement directly to a slaughtering establishment having state or federal inspection, live sexually intact cervidae six months of age and over imported into the state must originate from a certified brucellosis-free herd or area or be negative to a brucellosis test within 30 days prior to movement.

Subp. 5. **Tuberculosis.** Except for movement directly to a slaughtering establishment having state or federal inspection, live cervidae imported into the state must originate from an accredited tuberculosis-free herd or area, or meet the following requirements:

A. live cervidae must originate from a herd that is negative to a whole herd tuberculosis test conducted within 365 days prior to the date of movement; and

B. live cervidae that are two months of age and over must be negative to an official tuberculosis test conducted within 90 days prior to the date of movement.

## **1721.0410 INTRASTATE MOVEMENT OF FARMED CERVIDAE.**

Subpart 1. **Movement reports.** Movement of farmed cervidae for any reason from any state premises to another location must be reported to the board within 14 days of the movement on forms approved by the board.

Subp. 2. **Movement requirements.** Farmed cervidae moving from any premises to another location in the state must:

A. be identified with an official ear tag;

B. be accompanied by a farmed cervidae movement report; and

C. originate from a herd that is registered with the board and has achieved at least level 4 of the CWD herd certification program or move directly to a slaughtering establishment having state or federal inspection.

Subp. 3. **Restraint of animals in transit.** Farmed cervidae that are moved from one location to another for any reason including sale, exhibition, or entertainment, must be restrained at all times in a manner to prevent escape.

Subp. 4. **Restriction on herd additions.** Farmed cervidae may not be moved into a farmed cervidae herd unless the herd is registered with the board and has achieved at least level 4 of the CWD herd certification program.

Subp. 5. **Movement into, within, and out of CWD endemic areas.**

A. Farmed cervidae that originate from a CWD endemic area may not be moved to other locations in the state unless they move directly to a slaughtering establishment having state or federal inspection. A shipping permit must be obtained from the board prior to movement of farmed cervidae from a premises located within a CWD endemic area.

B. Farmed cervidae may not be moved into a CWD endemic area unless they move directly to a slaughtering establishment having state or federal inspection. A shipping permit must be obtained from the board prior to movement of farmed cervidae into a CWD endemic area.

C. Except for cut and wrapped meat, quarters or other portions of meat with no part of the spinal column or head attached, antlers, hides, teeth, finished taxidermy mounts, and antlers attached to skull caps that are cleaned of all brain tissue, farmed cervidae carcasses may not be moved from a CWD endemic area to other locations in the state unless they move directly to a slaughtering establishment having state or federal inspection.

## **1721.0420 CHRONIC WASTING DISEASE (CWD).**

Subpart 1. **CWD herd certification program.**

A. The owner of a farmed cervidae herd must be enrolled in the CWD herd certification program and must comply with all the requirements of this part.

B. The owner of a farmed cervidae herd must sign and submit to the board a CWD herd certification program agreement in which the owner agrees to comply with the requirements in this part.

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C. If farmed cervidae that are required to have official identification die or are slaughtered, the owner must report the age, sex, and official identification numbers of the animal to the board within 14 days on forms approved by the board.

D. Animals from farmed cervidae herds that are 12 months of age and over that die or are slaughtered must be tested for CWD with an official CWD test. This requirement includes animals that are slaughtered on the premises and animals that are moved to other locations for slaughter purposes. If animals are sold for slaughter purposes to an entity other than a state or federally licensed slaughter establishment, the farmed cervidae herd owner must maintain legal and physical possession of the animals until the animals are slaughtered and samples are collected for official CWD testing. Samples to be tested for CWD must be submitted to a laboratory approved by APHIS in accordance with *Code of Federal Regulations*, title 9, part 55.8, within 14 days of sample collection. Other testing protocols may be used if they are approved by the board and are equally effective for the detection of CWD in farmed cervidae herds. Testing must be completed at owner expense unless state or federal funds are available for this purpose.

E. The CWD surveillance period for a herd is the continuous length of time the herd has been enrolled in the program and the owner has met all the requirements of this part.

F. Herd status is divided into six levels based on the period of time the herd has been under continuous CWD surveillance without evidence of CWD or a determination that the herd has been exposed to CWD. Progression from one level to the next is based on successful program participation for a continuous period of time as follows:

(1) level 1 is from time of enrollment to 12 months;

(2) level 2 is from 12 months to 24 months;

(3) level 3 is from 24 months to 36 months;

(4) level 4 is from 36 months to 48 months;

(5) level 5 is from 48 months to 60 months; and

(6) level 6 (certified herd) is greater than 60 months.

G. If farmed cervidae are brought into a herd from other herds, the owner must report the age, sex, and identification numbers of the animals and the name and address of the source herd to the board within 14 days on forms approved by the board. New animals may be introduced into the herd only from other herds enrolled in a CWD herd certification program. If animals are received from a herd with a lower herd status, the receiving herd reverts to the program status and enrollment date of the source herd.

H. A newly formed herd that is comprised solely of animals obtained from herds already enrolled in the CWD certification program must start at the lowest status of any herd that provided animals for the new herd. The new herd must have an initial status no higher than that assigned to the cervidae kept on the premises within the previous 12 months.

I. Except as provided in item J, the CWD surveillance period for a herd must be shortened each time an animal over 12 months of age dies, is slaughtered, escapes, or is lost and is not tested for CWD. For each such animal that is not tested for CWD, the surveillance period will be shortened:

(1) by the length of the surveillance period for herds in status level 1;

(2) by 365 days for herds in status levels 2 to 3;

(3) by 180 days for herds in status levels 4 to 5; or

(4) by 90 days for herds in status level 6.

J. If animals die from anthrax or from another disease where necropsy is contraindicated due to public health risks or if they are lost due to natural disaster such as a tornado or flood, the board may grant an exception to the requirements of item I.

K. Herd status may be canceled at any time if the owner fails to comply with any of the requirements in parts 1721.0370 to

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Subp. 2. **Quarantine procedures.** The board must immediately quarantine a farmed cervidae herd that is determined to be infected with or exposed to CWD.

A. Unless a permit is obtained from the board, farmed cervidae may not be moved onto or off of quarantined premises and perimeter fences 96 inches in height must be maintained around the premises so as to prevent egress of farmed cervidae or ingress of wild cervidae until the quarantine is released. The board may allow farmed cervidae from quarantined herds to be moved under permit directly to a state or federally licensed slaughtering establishment, to an approved veterinary diagnostic laboratory, or to another location if that movement is determined by the board not to endanger the health of other animals in the state.

B. The owner of a herd determined to be infected with or exposed to CWD must, upon request, furnish to the board a list of sources of cervidae during the preceding five years and a list of movements of cervidae to other locations during the preceding five years.

C. Farmed cervidae herds may be released from quarantine by any of the following methods:

(1) Depopulation. To release a quarantine by depopulation, all cervidae in the herd must be euthanized and tested with an official CWD test. If the premises has no environmental contamination and all CWD tests are negative, the quarantine may be released immediately. If the premises has minimal environmental contamination and all CWD tests are negative, the quarantine may be released one year after depopulation and cleaning and disinfection. If the premises has moderate to severe environmental contamination, the quarantine may be released five years after depopulation and cleaning and disinfection;

(2) Test and removal. If a premises has no environmental contamination and all CWD exposed animals on the premises are tested and are found to be CWD negative, the quarantine may be released;

(3) Test for five years. If any animal that dies or is slaughtered from the herd is tested, regardless of age, with an official CWD test for a period of 60 months, and no positive animal is identified, the quarantine may be released; or

(4) Other procedures. Quarantines may be released by procedures in addition to those in subitems (1) to (3) if they are approved by the board and are equally reliable and effective as the other methods in this item.

D. CWD contaminated premises must be cleaned and disinfected prior to quarantine release by a method approved by the board.

E. CWD contaminated premises may be restocked with livestock other than cervidae one month after cleaning and disinfection procedures have been completed. If the premises is restocked with livestock other than cervidae, all livestock that die during the quarantine period must be reported by the owner to the board and must immediately be delivered by the owner to the University of Minnesota Veterinary Diagnostic Laboratory for necropsy and determination of the cause of death. Necropsies must be performed at owner expense. A premises may only be restocked with cervidae after the quarantine is released.

Subp. 3. **Determining boundaries of CWD endemic areas in the state.** If the board determines that CWD is endemic in the state, all locations within ten miles of a confirmed case of CWD in wild cervidae in the state must be designated as part of the endemic area. The board may designate larger geographic areas of the state as part of a CWD endemic area if necessary to prevent the spread of CWD. Individual farmed cervidae herds where animals are kept on premises within a designated CWD endemic area may be excluded from and not considered to be a part of a CWD endemic area if one of the following conditions is met:

A. the herd has been maintained in such a way that commingling of farmed cervidae and wild cervidae has been prevented for a continuous period of time that began no later than 180 days following the initial designation of the area as CWD endemic; or

B. the herd has been maintained in such a way that commingling of farmed cervidae and wild cervidae has been prevented for at least 36 consecutive months.

## **SHEEP AND GOATS**

### **1721.0430 DEFINITIONS.**

Subpart 1. **Scope.** For the purposes of parts 1721.0430 to 1721.0480, the terms defined in this part have the meanings given them.

Subp. 2. **Flock.** “Flock” means sheep, goats, or both maintained on a single premises, or sheep, goats, or both maintained under

common ownership or supervision on two or more premises with animal interchange between the premises.

Subp. 3. **Restricted-movement feeder animal.** “Restricted-movement feeder animal” means a sheep or goat that is less than 18 months old as evidenced by the eruption of the second incisor, is not pregnant, has never given birth, is not commingled with breeding animals from other flocks, and will be slaughtered at less than 18 months of age.

Subp. 4. **Slaughter channels.** An animal is in a “slaughter channel” if it is sold, transferred, or moved to:

- A. a slaughter establishment;
- B. an individual for custom slaughter; or
- C. a terminal feedlot for later slaughter at less than 18 months of age.

Subp. 5. **Terminal feedlot.** “Terminal feedlot” means a facility that exists for the express purpose of improving an animal’s condition for slaughter and from which animals are moved only to slaughter.

## **1721.0440 GENERAL.**

Subpart 1. **Registration.** A person who buys or sells sheep or goats in the state must register the person’s flock with the board.

Subp. 2. **Required records for persons who purchase, acquire, sell, or dispose of sheep or goats.**

A. A person who purchases or acquires a sheep or goat must maintain normal business records that include the following:

- (1) date of purchase or acquisition;
- (2) name and address of the person from whom the animals were purchased or acquired;
- (3) species, breed, and class of animal;
- (4) number of animals purchased or acquired; and
- (5) certificate of veterinary inspection, if required.

B. A person who sells or disposes of a sheep or goat must maintain normal business records that include the following:

- (1) date of sale or disposition;
- (2) name and address of the buyer or person who acquired the animals;
- (3) species, breed, and class of animal;
- (4) number of animals sold or disposed of;
- (5) certificate of veterinary inspection, if required; and
- (6) the official identification number of any sheep or goat sold for breeding purposes.

Subp. 3. **Required records for persons who apply official identification.**

A. A person who applies official identification that has been assigned directly to the producer must maintain the following records:

- (1) date the identification was applied;
- (2) number of sheep and goats identified;
- (3) identification numbers applied; and
- (4) name and address of the flock of birth, if different from the current flock.

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B. Personnel at livestock concentration points or accredited veterinarians who apply official identification that is not assigned to the producer must maintain the following records:

- (1) date the identification was applied;
- (2) number of sheep and goats identified;
- (3) serial tag numbers applied; and
- (4) name and address of the flock where the animal currently or most recently resided.

**Subp. 4. Removal of unidentified sheep and goats from slaughter channels.** No sheep or goat that has been sold, moved, or transferred into slaughter channels, including a sheep or goat in a terminal feedlot, may be removed from slaughter channels.

## **1721.0450 IMPORTATION OF SHEEP OR GOATS.**

**Subpart 1. Requirement for official identification.** Goats or sheep imported into Minnesota must be identified with official identification except as provided in items A to D:

A. goats or sheep less than 18 months of age that are going directly to slaughter at a slaughtering establishment having federal inspection;

B. restricted-movement feeder animals that are moved to a state-federal approved livestock market that restricts the sale of sheep and goats without official identification to slaughter channels in a manner approved by the board;

C. restricted-movement feeder animals that are moved to a terminal feedlot when accompanied by a board-issued permit; or

D. goats or sheep moved for grazing or similar management reasons if the goats or sheep are moved from a premises owned or lease by the owner of the goats or sheep to another premises owned or leased by the owner of the goats or sheep and the goats or sheep are not commingled with goats or sheep from other flocks.

**Subp. 2. Requirement for certificate of veterinary inspection.** Goats or sheep imported into the state must be accompanied by a certificate of veterinary inspection issued by an accredited veterinarian except as provided in items A and B:

A. goats or sheep going directly to slaughter at a slaughtering establishment having federal inspection; or

B. goats or sheep originating from a farm of origin in an adjacent state and consigned to a state-federal approved livestock market.

**Subp. 3. Contents of certificate of veterinary inspection.** If official identification is required, the certificate of veterinary inspection must show the individual official identification number of each animal except:

A. officially identified goats and sheep moving directly to slaughter if the certificate indicates the animals are scrapie-tagged and for slaughter only; or

B. officially identified feeder animals that are being moved to a terminal feedlot if the certificate indicates the animals are scrapie-tagged and that the animals are for feeding purposes only.

**Subp. 4. Requirement for import permit.** A permit must be obtained prior to importation of the following:

A. a restricted-movement feeder animal that is being moved to a terminal feedlot as described in subpart 1, item C;

B. goats or sheep from a flock that is currently under quarantine; or

C. goats or sheep from a flock that is currently designated as an exposed flock, as defined in *Code of Federal Regulations*, title 9, part 79.1.

**Subp. 5. Prohibited imports.** No goat or sheep that is currently designated as a scrapie-positive, suspect, or high-risk animal as defined in *Code of Federal Regulations*, title 9, part 79.1, or that is from a noncompliant flock as defined in *Code of Federal Regulations*, title 9, part 79.1, may be imported into the state.

## **1721.0460 INTRASTATE MOVEMENT.**

Subpart 1. **Sheep and goats requiring official identification.** Sheep and goats must be identified with official identification upon movement from the flock to another location and before being commingled with sheep and goats from other flocks, except restricted-movement feeder animals as described in subpart 2.

Subp. 2. **Sheep and goats not requiring official identification.** A restricted-movement feeder animal that has not been designated as a scrapie-positive, suspect, high-risk, or exposed animal as defined in *Code of Federal Regulations*, title 9, part 79.1, may be moved without official identification to a:

A. state-approved or state-federal approved livestock market that restricts the sale of unidentified animals to slaughter channels in a manner approved by the board;

B. slaughtering establishment, either directly or through market channels; or

C. terminal feedlot, either directly or through market channels, when accompanied by a document which indicates that the unidentified animals must be slaughtered by 18 months of age.

## **1721.0470 EXHIBITION.**

Subpart 1. **Official identification.** All sheep and goats at public exhibitions must be officially identified.

Subp. 2. **Restriction on the exhibition of certain female sheep or goats.** No sheep or goat that is within 30 days of giving birth, either before or after birthing, may be exhibited, except with prior approval from the board and if the following conditions are met:

A. the sheep or goat is housed separately from sheep and goats from other flocks so that direct contact does not occur;

B. the sheep or goat is maintained in a separate area for the duration of the exhibition and does not move to any other area within the exhibition where sheep and goats from other flocks are housed or exhibited at any time;

C. the area housing the sheep or goat can be properly cleaned and disinfected;

D. when a sheep or goat gives birth, the placenta, placental fluids, and soiled bedding are removed immediately and disposed of in a manner that prevents it from coming in contact with other animals at the exhibition; and

E. once the sheep or goat leaves the exhibition, the area is thoroughly cleaned and disinfected in a manner approved by the board.

## **1721.0480 COMMUNITY SALES.**

All sheep and goats offered for sale at a community sale must be identified in accordance with part 1721.0460.

## **DOGS, CATS, AND FERRETS**

### **1721.0490 DEFINITIONS.**

Subpart 1. **Scope.** For the purposes of parts 1721.0490 to 1721.0520, the terms defined in this part have the meanings given them.

Subp. 2. **Confinement area.** “Confinement area” means a structure used or designated for use to restrict an animal to a limited amount of space, such as a room, pen, cage, kennel, compartment, crate, or hutch.

Subp. 3. **Duly authorized agent.** “Duly authorized agent” means an agent of the board, a sheriff or deputy sheriff, police officer, or humane agent registered with the board and appointed pursuant to *Minnesota Statutes*, section 343.01.

Subp. 4. **Housing facility.** “Housing facility” means a building, shelter, room, or area that contains an animal.

Subp. 5. **Impounded animal.** “Impounded animal” means an animal seized by a public authority that is being held for redemption by the owner.

Subp. 6. **Institution.** “Institution” means a school or college of agriculture, veterinary medicine, medicine, pharmacy, dentistry, or other educational or scientific organization properly concerned with the investigation of or instruction concerning the structure or function of living organisms; the cause, prevention, control, or cure of disease; or abnormal conditions of human beings or animals.

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Subp. 7. **Kennel.** “Kennel” has the meaning given under *Minnesota Statutes*, section 347.31, subdivision 2.

Subp. 8. **Kennel dealer.** “Kennel dealer” means a public or private agency, person, society, or corporation that is licensed or is required to be licensed as a Class B licensee pursuant to *Code of Federal Regulations*, title 9, parts 1-4, who sells or transfers dogs or cats to institutions or to other kennel dealers who sell or transfer to institutions.

Subp. 9. **Pound.** “Pound” means a facility that houses an impounded animal.

Subp. 10. **Regular business day.** “Regular business day” means a day during which the kennel having custody of an impounded or stray animal is open to the public not less than four consecutive hours between the hours of 8:00 a.m. and 7:00 p.m.

## **1721.0500 IMPORTATION OF DOGS, CATS, OR FERRETS.**

Subpart 1. **Requirement for a certificate of veterinary inspection.** A dog, cat, or ferret imported into the state must be accompanied by a certificate of veterinary inspection, except:

A. dogs or cats for research at educational and scientific institutions;

B. dogs, cats, or ferrets entering a veterinary facility for treatment, surgery, or diagnostic procedures;

C. dogs, cats, or ferrets temporarily entering the state if there is no change of ownership and if the animal will be leaving the state within 30 days; and

D. dogs and cats originating from an adjacent state and entering a kennel licensed by the board if the following conditions are met:

(1) the kennel has a written contract with the city from which the dog or cat originated that specifies the terms under which the kennel accepts and houses stray, abandoned, or impounded animals for the city;

(2) dogs and cats are held in a nonpublic area until they can be examined by a licensed veterinarian;

(3) a licensed veterinarian examines the dog or cat within 48 hours of entry into the state and records the date and results of the examination in the kennel records;

(4) a dog or cat that shows signs of infectious, contagious, or communicable disease is returned to the state of origin, held in a nonpublic area until released by the veterinarian, or euthanized; and

(5) a dog or cat three months of age or older originating outside the state must be currently vaccinated for rabies before being discharged from the facility.

Subp. 2. **Requirement for rabies vaccination.** A dog, cat, or ferret three months of age or older imported into the state must be currently vaccinated for rabies unless they meet all conditions of subpart 1, item D, or are exempted by the board based on the written recommendations of a licensed veterinarian who has examined the animal and who has determined that vaccination is contraindicated due to a medical condition.

Subp. 3. **Contents of certificate of veterinary inspection.** The certificate of veterinary inspection must state that any dog, cat, or ferret three months of age or older is currently vaccinated for rabies and must list the name of the vaccine and the date it was given.

## **1721.0510 DOG EXHIBITION REQUIREMENTS.**

A dog four months of age or older attending a dog exhibition must be accompanied by a certificate of rabies vaccination issued by a licensed veterinarian documenting that the dog is currently vaccinated for rabies.

## **1721.0520 KENNELS.**

Subpart 1. **Kennels and kennel dealers; licenses.** A person licensed by the board to operate as a kennel or kennel dealer must comply with this part and must apply for a license in accordance with *Minnesota Statutes*, sections 347.31 to 347.40.

Subp. 2. **Inspections.** Periodic inspections must be made pursuant to *Minnesota Statutes*, section 347.37. Upon request, the board must be allowed to inspect any building or structure on a premises where a kennel is operated.

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**Subp. 3. Veterinary care.** A kennel or kennel dealer must establish and maintain a program of disease control and prevention, euthanasia, and adequate veterinary care under the supervision of a licensed veterinarian. A written program of veterinarian care, signed and dated by the veterinarian and kennel manager, must be kept on file at the kennel and available for review by the board upon request. The program of veterinary care must be reviewed by the kennel manager and veterinarian annually and updated as needed. The veterinarian must visit the facility as often as necessary to supervise the program, with a minimum of an annual visit. Sick or injured animals must receive veterinary care promptly.

**Subp. 4. Control of pests.** The kennel or kennel dealer shall establish and maintain an effective program for the control of insects, ectoparasites, rodents, and other pests.

**Subp. 5. Kennel premises and facilities.** All licensed kennels must meet the following requirements.

**A.** All housing facilities must be structurally sound and maintained in good repair.

**B.** All animals must be housed in an indoor facility maintained at a temperature of not less than 50 degrees Fahrenheit. Animals may be provided temporary access to outdoor runs and exercise areas when appropriate for the species, breed, and weather conditions.

**C.** All housing facilities must have at least eight hours of illumination, either natural or artificial, sufficient to permit routine inspection and cleaning.

**D.** All housing facilities must be adequately ventilated. Drafts, odors, and moisture condensation must be minimized. Auxiliary ventilation, such as exhaust fans, vents, and air conditioning, must be used when the ambient temperature exceeds 85 degrees Fahrenheit at the floor level.

**E.** Carcass and garbage disposal facilities must be provided and managed to minimize vermin infestation, odors, and disease hazards.

**F.** Adequate storage and refrigeration must be provided and managed to protect food supplies against contamination and deterioration. Open bags of food must be stored in vermin-proof containers.

**G.** The premises, housing facilities, exercise areas, and confinement areas must be cleaned and disinfected as often as necessary to maintain a clean and sanitary condition. Animal confinement areas must be cleaned at least once daily. Measures must be taken to protect animals from being splattered with water or feces and from exposure to harmful chemicals during cleaning. Bedding, if used, must be kept clean and dry. Outdoor runs and exercise areas must be kept clean and soiled base material must be replaced as necessary.

**Subp. 6. Animal housing and confinement areas.**

**A.** Confinement areas must be of sufficient size to allow each dog or cat to turn about fully and to stand, sit, and lie in a comfortable, normal position. The confinement area must be constructed so as to prevent injury to the dog or cat. Interior surfaces of indoor confinement areas must be constructed and maintained so that they are substantially impervious to moisture, provide for rapid drainage, and may be readily cleaned.

**B.** Dogs or cats must not be confined by chains.

**C.** For animals housed in the same primary confinement area:

(1) dogs or cats must be maintained in a compatible group;

(2) puppies or kittens must not be housed with adult dogs or cats other than their dam;

(3) any dog or cat exhibiting a vicious disposition must be housed separately; and

(4) females in estrus must not be confined in the same confinement area with males.

**D.** Dogs or cats with clinical signs of infectious, contagious, or communicable disease must be separated from other dogs or cats.

**Subp. 7. Feeding of dogs and cats.**

**A.** Dogs and cats must be fed at least once a day with clean, wholesome food sufficient to meet the normal daily nutritive

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requirements for the dog's or cat's age, size, and condition. Feed standards must be those recommended by the National Research Council.

B. Clean potable water must be made available to all dogs and cats at least twice daily for periods of not less than one hour.

C. All feeding and watering receptacles must be kept clean and sanitary. The receptacles must be accessible to each animal and located so as to minimize contamination by excreta. Disposable food receptacles must be discarded when soiled.

Subp. 8. **Identification.** Each dog and cat in a kennel must be identified with a numbered tag affixed to the neck by the means of a collar or by other means approved by the board.

Subp. 9. **Records.** Records required in this part must be maintained for a minimum of two years and available to duly authorized agents upon demand at any reasonable time. A licensed kennel or kennel dealer must maintain the following records for each animal handled:

A. the date of acquisition and disposition;

B. the name and address of the person from whom a dog or cat three months of age or older was received and, in the case of a kennel dealer, the person's driver's license number or Social Security number;

C. the identification of each dog or cat confined to the premises;

D. description of the dog or cat by approximate age, breed, and sex, and other distinguishing traits;

E. the name and address of the person to whom a dog or cat three months of age or older was transferred;

F. the history of disease conditions diagnosed by a veterinarian or diagnostic laboratory on animals housed on the premises; and

G. for impounded or stray animals, the location at which the animal was found or taken.

Subp. 10. **Holding period for impounded or stray animals.**

A. With the exception of items B and C, an impounded or stray animal must be held for redemption by the owner for at least five regular business days or for a longer time specified by statute or municipal ordinance.

B. Upon a proper determination by a licensed veterinarian, an impounded or stray animal may be immediately euthanized if the animal is physically suffering and is beyond cure through reasonable care and treatment.

C. An impounded or stray animal that has bitten a human may be euthanized and tested for rabies before the required five-day holding period if requested by the Department of Health.

Subp. 11. **Transportation of dogs and cats.** A dog or cat must be transported in a vehicle equipped with ample cargo space and confinement areas. The dog and cat cargo space must be constructed and arranged to prevent injuries from fighting and allow for compatible grouping in terms of age, breed, size, and disposition. Separate confinement areas must be provided for females in estrus. A dog or cat must not be placed in a confinement area over other animals unless the upper confinement area is constructed to prevent excreta from entering the lower confinement area. All confinement areas and cargo space must be cleaned and disinfected between uses. The number of dogs or cats transported at one time must not exceed the number that can ride comfortably. Vehicles must be adequately equipped to provide sufficient ventilation and still protect the dogs or cats from the elements, injurious drafts, and exhaust fumes.

Subp. 12. **Dogs and cats unfit for sale or release.** A dog or cat that has fractures, serious congenital abnormalities, obvious signs of severe parasitism, or infectious disease is unfit for sale or release, other than to the previous owner. A dog or cat determined to be unfit for sale or release must be isolated and treated by a licensed veterinarian or euthanized in a humane manner. If treatment for the conditions brings about a satisfactory recovery to a normal state of health, the animal is fit for release or sale.

Subp. 13. **Dogs or cats may not be used for breeding.** No person shall allow a dog or cat housed in a kennel facility to be used for breeding. This part does not apply to a veterinary clinic licensed to operate a kennel.

Subp. 14. **Complaints and cost recovery.**

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A. The board may investigate a written complaint alleging a violation of *Minnesota Statutes*, sections 347.31 to 347.40, or these rules, in accordance with *Minnesota Statutes*, section 347.38

B. Money from license fees, fines, penalties, or deposits under *Minnesota Statutes*, section 346.55 or 347.31 to 347.40, must be deposited into the general fund.

## ANTHRAX

### 1721.0530 ANTHRAX QUARANTINE, PRECAUTIONS AND DISPOSAL.

Subpart 1. **Quarantine.** A herd with an animal that died of anthrax must be quarantined. The quarantine must not be released until at least 30 days after the last death due to anthrax.

Subp. 2. **Precautions to be observed.** The board shall maintain recommended standard operating procedures for managing anthrax in domestic animals.

Subp. 3. **Necropsy.** No one may necropsy the carcass of any animal dying suddenly if there is anthrax in the area unless authorized by the board.

Subp. 4. **Treatment of carcasses.** The carcass of a domestic animal that died of anthrax must be cremated or disposed of in a manner approved by the board.

Subp. 5. **Treatment of buildings.** If an animal dies of anthrax in a building, the building must be cleaned and disinfected in a manner approved by the board.

## RABIES PREVENTION AND CONTROL

### 1721.0540 DEFINITIONS.

Subpart 1. **Scope.** For the purposes of parts 1721.0540 to 1721.0580, the terms in this part have the meanings given them.

Subp. 2. **Approved confinement facility.** "Approved confinement facility" means a veterinary clinic, a kennel licensed with the board pursuant to *Minnesota Statutes*, section 347.31, an animal facility owned or operated by a political subdivision of the state, or other facility that has been approved by the board to confine and observe an animal that has bitten a human.

Subp. 3. **Confinement.** "Confinement" means restricting an animal in such a way that it can always be found and cannot wander away.

Subp. 4. **Positive rabies case.** "Positive rabies case" means an animal diagnosed as positive for rabies by a recognized laboratory or an animal determined by the board to be at high risk for having rabies.

Subp. 5. **Rabies vaccination certificate.** "Rabies vaccination certificate" means a certificate that documents that an animal has been vaccinated for rabies in accordance with parts 1721.0540 to 1721.0580 and the compendium. The completed certificate must be signed by the veterinarian who administered or supervised the administration of the vaccine. The certificate must include the following information:

A. name, address, and telephone number of the owner;

B. pet's name, breed, size, sex, age, species, and color;

C. vaccine name, manufacturer, serial number, expiration date, and duration of immunity;

D. rabies tag number;

E. date the vaccine was administered;

F. name, address, and license number of the veterinarian who administered or supervised the administration of the vaccine; and

G. due date of the next rabies vaccination.

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Subp. 6. **Rabies specimen.** “Rabies specimen” means that part of an animal or an entire animal submitted for rabies examination.

## **1721.0550 ANIMAL RABIES VACCINES.**

Subpart 1. **Distribution of rabies vaccines.** Rabies vaccines may only be sold and distributed in Minnesota in accordance with part 1721.0670.

### Subp. 2. **Administration of rabies vaccines.**

A. Animal rabies vaccines may only be administered by or under the supervision of a licensed veterinarian.

B. The veterinarian responsible for the administration of the rabies vaccine must sign a rabies vaccination certificate for each dog, cat, or ferret that has been vaccinated for rabies in accordance with parts 1721.0540 to 1721.0580 and the compendium.

C. No person shall issue a rabies vaccination certificate for an animal vaccinated in a manner not in accordance with parts 1721.0540 to 1721.0580 and the compendium.

## **1721.0560 SAMPLE SUBMISSION.**

All rabies specimens must be accompanied by a completed rabies specimen submission form.

## **1721.0570 RABIES POSTEXPOSURE MANAGEMENT PROCEDURES FOR ANIMALS.**

### Subpart 1. **Management of animals exposed to a rabid animal.**

A. An animal that is determined by the board to have been exposed to rabies must be managed as described in items B to D.

B. An animal that is currently vaccinated for rabies must be kept under confinement and observed for signs of rabies for 45 days and, unless exempted by the board, revaccinated for rabies within three days of the exposure.

C. An animal for which there is a licensed rabies vaccine, but which has never been vaccinated for rabies, must be euthanized or quarantined for 180 days.

D. All other animals must be evaluated on a case-by-case basis. The board may require the exposed animal to be euthanized, quarantined, or confined for up to 180 days. The board may also require the animal to be vaccinated for rabies.

Subp. 2. **Quarantine procedures.** Animals must be quarantined in a manner approved by the board so as to minimize contact with persons or other animals. Dogs, cats, and ferrets, unless exempted by the board, must be vaccinated or revaccinated for rabies at the beginning of the quarantine period.

Subp. 3. **Release of quarantine on rabies-exposed animals.** All animals that are quarantined for rabies must be inspected by a veterinarian at the end of the quarantine period. Quarantine established on an animal under this part must not be released until a written report is received by the board from a licensed veterinarian stating the veterinarian inspected the animal at the end of the quarantine period and observed no signs of rabies. No dog, cat, or ferret may be released from quarantine unless it is currently vaccinated for rabies.

Subp. 4. **Reporting.** Any illness in an animal that is under confinement or quarantine established under this part must be reported immediately to the board.

## **1721.0580 MANAGEMENT OF ANIMALS THAT BITE HUMANS.**

Subpart 1. **Dogs, cats, and ferrets.** A healthy dog, cat, or ferret that bites a human must be kept under confinement and observed for signs suggestive of rabies for ten days, or the animal must be euthanized and tested for rabies. Any illness in the animal must be reported to the Department of Health. If the animal shows signs suggestive of rabies, it must be euthanized and tested for rabies. An animal that dies or is euthanized during the ten-day confinement period must be tested for rabies. A dog, cat, or ferret that is not currently vaccinated for rabies at the time of the bite must be confined at an approved confinement facility at the owner’s expense, unless exempted by local authorities. A dog, cat, or ferret that is currently vaccinated for rabies at the time of the bite may be confined in the home or as directed by local authorities. If requested by the Department of Health, a stray or impounded dog, cat, or ferret that bites a human may be euthanized and tested for rabies before the required five-day holding period.

Subp. 2. **Other animals.** All other animals that bite a human must be managed on a case-by-case basis based on the recommendations

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of the Department of Health. The animals may be required to be confined in the home, on the owner premises, or at an approved confinement facility. If the Department of Health requests a rabies test, the animal must be euthanized and tested for rabies.

Subp. 3. **Enforcement.** Local animal control and law enforcement officials are responsible for enforcement of this part.

## **FEEDING GARBAGE TO LIVESTOCK**

### **1721.0590 DEFINITIONS.**

Subpart 1. **Scope.** For the purposes of parts 1721.0590 to 1721.0660, the terms in this part have the meanings given them.

Subp. 2. **Feeding premises.** “Feeding premises” means premises on which garbage is fed to livestock.

Subp. 3. **Garbage.** “Garbage” means refuse matter, animal and vegetable, and includes, but is not limited to, refuse from a household, kitchen, restaurant, cafeteria, food processing plant, food store, or slaughter plant.

Subp. 4. **Garbage truck.** “Garbage truck” means a conveyance used to haul garbage from points of origin to a feeding premises.

Subp. 5. **Person.** “Person” means an individual, firm, partnership, company, or corporation, including the state of Minnesota, its public institutions and agencies, and all political subdivisions of the state.

Subp. 6. **Treated garbage.** “Treated garbage” means garbage that has been processed in accordance with part 1721.0650.

Subp. 7. **Untreated garbage.** “Untreated garbage” means garbage that has not been processed in accordance with part 1721.0650.

### **1721.0600 EXCLUSIONS.**

Parts 1721.0590 to 1721.0660 do not apply to a person who feeds the following to livestock:

A. garbage obtained from the person’s own private household which is fed to animals that the person owns;

B. processed product that has undergone an industrial manufacturing process where it has been cooked to a temperature of 167 degrees Fahrenheit for at least 30 minutes or has been subjected to some other industrial process demonstrated to provide an equivalent level of inactivation of disease organisms;

C. rendered product that has been ground and heated to a minimum temperature of 230 degrees Fahrenheit at a rendering plant;

D. commercial feeds licensed under the Minnesota Commercial Feed Law, *Minnesota Statutes*, sections 25.31 to 25.43, that do not contain meat or matter of any character that has been in contact with meat; or

E. vegetable waste or by-products resulting from the manufacture or processing of vegetables.

### **1721.0610 PERMITS.**

Subpart 1. **Requirements.** A person may not operate a feeding premises or a garbage truck unless the person has a permit from the board. Permits must be renewed annually by June 30. Prior to issuance of a permit to operate a feeding premises or garbage truck, an application from the operator must be filed with the board, the feeding premises and garbage trucks must be inspected by the board within 30 days prior to issuance of the permit, and the board must determine that the operator and feeding premises meet the requirements in parts 1721.0590 to 1721.0660. The categories of permits for feeding premises are:

A. Class A permits for feeding premises where garbage containing meat or refuse of any character that may have been in contact with meat may be fed to livestock; and

B. Class B permits for feeding premises where only garbage not containing meat or refuse of any character that may have been in contact with meat may be fed to livestock.

Subp. 2. **Cancellation.** The board may refuse to grant or may revoke a permit if the applicant or permit holder has violated the requirements in parts 1721.0590 to 1721.0660 pertaining to the feeding of garbage to livestock or any requirement specified in parts 1721.0100 to 1721.0740 or *Minnesota Statutes*, chapter 35.

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## **1721.0620 INSPECTIONS, INVESTIGATIONS, AND RECORDS.**

The board may enter premises where garbage is fed to livestock at reasonable times for the purpose of inspecting and investigating conditions of the feeding of garbage to livestock. The board may examine records pertaining to the feeding of garbage to livestock or pertaining to the acquisition and sale of livestock. The board may require the maintenance of records relating to the operation of equipment used to process garbage. Copies of records must be submitted to the board upon request.

## **1721.0630 MAINTENANCE OF FEEDING PREMISES AND TRUCKS.**

Feeding premises must be maintained in a reasonably sanitary condition and garbage must not be permitted to accumulate. Garbage trucks must be maintained in a reasonably sanitary condition and have a watertight wagon bed or tank that is covered when traveling on public highways.

## **1721.0640 FEEDING PRACTICES.**

A person permitted to feed garbage to livestock may not allow livestock to have access to untreated garbage and may not bring more garbage to a feeding premises than the livestock in the operation can reasonably be expected to consume. All garbage brought to a feeding premises must be fed to livestock. Unconsumed garbage must be disposed of in a manner that it is not a potential source for disease for livestock or wildlife.

## **1721.0650 GARBAGE TREATMENT.**

Subpart 1. **Class A permit.** Garbage brought to a Class A feeding premises must be processed by thoroughly heating it to at least 212 degrees Fahrenheit for a continuous period of at least 30 minutes or by some other method approved by the board to provide an equivalent level of inactivation of disease organisms.

Subp. 2. **Class B permit.** Garbage brought to a Class B feeding premises may be fed directly to livestock without further treatment if the board determines that feeding the material is not a risk for spreading livestock diseases.

## **1721.0660 QUARANTINES.**

Livestock that have been fed or allowed access to untreated garbage must be placed under quarantine by the board. Quarantined livestock may only be moved directly to a federally inspected slaughter establishment under permit from the board.

## **BIOLOGICS**

### **1721.0670 RESTRICTIONS ON SALE OR DISTRIBUTION OF CERTAIN VACCINES.**

A. The following vaccines may be sold or distributed only to veterinarians, pharmacists, or companies that only sell to veterinarians:

- (1) rabies vaccine;
- (2) Brucella abortus vaccine;
- (3) Mycobacterium paratuberculosis vaccine; and
- (4) other vaccines determined by the board to be too dangerous for nonveterinarian use.

B. The following vaccines may be sold only to veterinarians, or by written prescription to nonveterinarians:

- (1) anthrax vaccine;
- (2) modified live vaccines for any species of animal that is commonly maintained in the home of the owner whether or not the particular animal is so housed; and
- (3) other vaccines that are restricted by the board for use in a disease control program.

C. A copy of each written prescription must be maintained on file by the issuing veterinarian for two years.

D. No person, pharmacist, company, or corporation may sell or distribute in Minnesota vaccines of any disease of livestock unless the products are licensed by the USDA and are in the original unopened container of the manufacturer except with prior permission by the board. This item does not apply to autogenous biologics that are distributed in accordance with *Code of Federal Regulations*, title 9, part

113.113.

E. With the exception of item D, this part does not apply to vaccines sold exclusively for use in poultry; provided, the board may impose restrictions on the sale, distribution, and use of poultry vaccines if considered necessary to protect the health of livestock and poultry in Minnesota.

## **1721.0680 RESTRICTIONS ON SALE OR DISTRIBUTION OF ANTIGENS USED IN DETECTION AND DIAGNOSIS OF DISEASES OF DOMESTIC ANIMALS.**

A. No person, pharmacist, company, or corporation located in or outside the state, engaged in the manufacture, wholesale or retail sale, or distribution of antigens used in the detection and diagnosis of diseases of domestic animals may sell or distribute these products to any person located in the state except to veterinarians licensed to practice in the state or to a pharmacist, company, or corporation engaged in the retail sale of those products, who must not sell to a person other than licensed veterinarians.

B. Unless prior permission has been obtained from the board, no person, pharmacist, company, or corporation may sell or distribute in the state antigens used in the detection and diagnosis of disease of domestic animals unless the products are licensed by the USDA and are in the original unopened container of the manufacturer.

C. With the exception of item B, this part does not apply to antigens manufactured and sold exclusively for use in poultry; provided, the board may impose restrictions on the sale, distribution, and use of poultry antigens if deemed necessary to protect the health of livestock and poultry in the state.

## **CARCASS DISPOSAL**

### **1721.0690 DEFINITIONS.**

Subpart 1. **Scope.** For the purposes of parts 1721.0690 to 1721.0740, the terms defined in this part have the meanings given them.

Subp. 2. **Carcass.** "Carcass" means the dead body of a domestic animal.

Subp. 3. **Collecting station.** "Collecting station" means a site where carcasses may be unloaded for temporary keeping.

Subp. 4. **Composting.** "Composting" means the controlled microbial degradation of organic material by thermophilic organisms.

Subp. 5. **Establishment.** "Establishment" means a place where carcasses or discarded animal parts are rendered or processed for mink or pet food or for other commercial uses.

Subp. 6. **Litter.** "Litter" means material that is used to provide a carbon source for composting.

Subp. 7. **Off-site pickup point.** "Off-site pickup point" means a location away from the building site where animals are kept and where carcasses may be placed for pickup by a carcass disposal service.

Subp. 8. **Toxic material.** "Toxic material" means a poisonous substance.

### **1721.0695 EXCLUSION FOR DOGS, CATS, AND FERRETS.**

The requirements for disposal of animal carcasses specified in parts 1721.0690 to 1721.0740 do not apply to dogs, cats, or ferrets.

### **1721.0700 DISPOSAL OF CARCASSES.**

A person owning or controlling a domestic animal that has died or been killed other than by being slaughtered for human or animal consumption must dispose of the carcass within 72 hours unless other arrangements for disposal have been approved by the board. Carcasses must be disposed of by:

A. burial in the ground at a depth adequate to prevent scavenging by other animals;

B. incineration;

C. rendering;

# Proposed Rules

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D. composting; or

E. another manner approved by the board as being equally effective for the control of animal diseases.

## **1721.0710 INSPECTION OF CARCASSES.**

An authorized employee or agent of the board may enter private or public property and inspect the carcass of a domestic animal that has died or has been killed other than by being slaughtered for human or animal consumption.

## **1721.0720 TRANSPORT OF ANIMAL CARCASSES.**

### **Subpart 1. Permits.**

A. A permit from the board is required for a vehicle used to transport carcasses over public roads within the state except that no permit is required for a person to haul the carcass of an animal that was owned by that person before the animal died. A permit is valid for one year from the date of issuance. A permit may be revoked by the board for noncompliance with parts 1721.0690 to 1721.0740.

B. The application for a permit must include:

(1) the name and address of the owner;

(2) a description of each vehicle owned, leased, contracted, or used in the transportation of carcasses including the license number;

(3) the address of each collecting station; and

(4) the name and address of the establishment where the carcasses are to be hauled.

C. Prior to issuance of a permit, all vehicles must be inspected by the board to determine that they meet the requirements in this part.

Subp. 2. Restrictions. The carcass of an animal that has died from anthrax, rabies, ingestion of toxic materials, or any disease that may endanger the health of the domestic animals of the state may not be transported without prior permission of the board.

Subp. 3. Vehicles. A vehicle used for transport of carcasses must be equipped with a watertight body or tank, a cover that completely encloses the body or tank, and a tailgate that completely encloses the rear opening of the vehicle. The vehicle must be thoroughly washed and disinfected after hauling each load or before proceeding with the next load.

Subp. 4. Transfer of carcasses. A carcass must not be removed from a vehicle except at an establishment, a collecting station, a veterinary clinic, a veterinary diagnostic laboratory, or another site approved by the board to receive animal carcasses. Carcasses removed from a vehicle at a collecting station must be kept within an enclosure or a building provided for that purpose. Carcasses at a collecting station may only remain at the facility for up to 24 hours. If the enclosure at a collecting station is refrigerated and kept at a temperature of less than 45 degrees Fahrenheit, carcasses may remain at the facility for up to seven days.

## **1721.0730 OFF-SITE PICKUP POINT.**

Carcasses left at an off-site pickup point must be stored in an animal-proof enclosed area that is at least 200 yards from any adjacent premises or water supply well. If the enclosure is not refrigerated, the carcasses must be picked up within 72 hours. If the enclosure is refrigerated and kept at less than 45 degrees Fahrenheit, the carcasses must be picked up within seven days.

## **1721.0740 COMPOSTING ANIMAL CARCASSES.**

Subpart 1. Composting process. Unless otherwise authorized by the board, all of the following criteria must be met for the disposal of animal carcasses by the composting process:

A. carcasses must be covered with litter at all times;

B. the ratio of carbon to nitrogen in each compost pile must be between 15:1 and 35:1;

C. each pile must be turned completely at least once every 21 days to add essential oxygen to the composting material;

D. the composting material must be kept moist to ensure proper bacterial growth; and

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# Proposed Rules

E. the compost pile temperature must reach a minimum of 130 degrees Fahrenheit during each of two heating cycles during the composting process.

Subp. 2. **Pest control.** Flies, rodents, and other vermin must be controlled around composting facilities.

Subp. 3. **Finished product.** The finished product resulting from the composting of animal carcasses must not contain visible pieces of soft tissue.

Subp. 4. **Inspection.** The board may inspect composting facilities to determine if the composting process meets all of the requirements of this part.

**REPEALER.** Minnesota Rules, parts 1700.0100, subparts 1, 2, 3, 4, 5, 6, 7, 8, 8a, 9, 10, 11, 13, 14, 15, 16, and 17; 1700.0200; 1700.0300; 1700.0400; 1700.0500; 1700.0550; 1700.0600; 1700.0700; 1700.1100; 1700.1200; 1700.1500; 1700.1600; 1700.1700; 1700.1810; 1700.1820; 1700.1830; 1700.1840; 1700.1850; 1700.1860; 1700.2100; 1700.2200; 1700.2300; 1700.2305; 1700.2310; 1700.2400; 1700.2450; 1700.2500; 1700.2590; 1700.2600; 1700.2650; 1700.2700; 1700.2800; 1700.2850; 1700.2900; 1700.2950; 1700.3010; 1700.3110; 1700.3200; 1700.3300; 1700.3400; 1700.3500; 1700.3600; 1700.3700; 1700.3800; 1700.3900; 1700.4000; 1700.4100; 1700.4200; 1700.4300; 1700.4400; 1700.4500; 1700.4900; 1700.5000; 1700.5100; 1700.5200; 1700.5300; 1705.0010; 1705.0020; 1705.0030; 1705.0040; 1705.0045; 1705.0050; 1705.0060, subparts 1, 1a, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16; 1705.0070; 1705.0080; 1705.0090; 1705.0100; 1705.0110; 1705.0120; 1705.0130; 1705.0140; 1705.0150; 1705.0160; 1705.0170; 1705.0180; 1705.0190; 1705.0200; 1705.0210; 1705.0220; 1705.0230; 1705.0240; 1705.0250; 1705.0260; 1705.0270; 1705.0280; 1705.0290; 1705.0300; 1705.0310; 1705.0320; 1705.0330; 1705.0340; 1705.0350; 1705.0360; 1705.0370; 1705.0380; 1705.0390; 1705.0410; 1705.0420; 1705.0440; 1705.0450; 1705.0480; 1705.0490; 1705.0500; 1705.0520; 1705.0530; 1705.0540; 1705.0640, subparts 1, 2, 4, 8a, and 9; 1705.0720; 1705.0725; 1705.0726; 1705.0727; 1705.0732; 1705.1090; 1705.1100; 1705.1110; 1705.1120; 1705.1130; 1705.1131; 1705.1145; 1705.1146; 1705.1147; 1705.1151; 1705.1152; 1705.1170; 1705.1175; 1705.1180; 1705.1190; 1705.1200; 1705.1210; 1705.1220; 1705.1230; 1705.1240; 1705.1250; 1705.1550; 1705.1560; 1705.1570; 1705.1580; 1705.1590; 1705.1600; 1705.1610; 1705.1620; 1705.1630; 1705.1640; 1705.1650; 1705.1660; 1705.1670; 1705.1680; 1705.1690; 1705.1700; 1705.1710; 1705.1720; 1705.1730; 1705.1740; 1705.1750; 1705.1760; 1705.1770; 1705.1780; 1705.1790; 1705.1800; 1705.1810; 1705.1820; 1705.1830; 1705.1840; 1705.1850; 1705.1860; 1705.1870; 1705.1880; 1705.1890; 1705.1900; 1705.1910; 1705.1920; 1705.1930; 1705.1940; 1705.1950; 1705.1960; 1705.1970; 1705.1980; 1705.1990; 1705.2000; 1705.2010; 1705.2020; 1705.2030; 1705.2040; 1705.2050; 1705.2260; 1705.2270; 1705.2280; 1705.2290; 1705.2300; 1705.2310; 1705.2320; 1705.2400, subparts 1, 1a, 1b, 1c, 1d, 2, 3, 3a, 3b, 3c, 3d, 3e, 4, 5, 5a, 5c, 5d, 6, 6a, 6b, 6c, 6d, 7a, 7b, 7c, 8, 9, 10, 11, and 12; 1705.2410; 1705.2420; 1705.2430; 1705.2434, subparts 1, 2, 4, and 5; 1705.2440; 1705.2450, subparts 1, 2, and 4; 1705.2460, subparts 1, 2, 3, 4, 5, 6, 7, 8, 8a, and 8b; 1705.2470, subparts 1, 1a, 1b, 1c, 1d, 3, 4, 5, 6, and 7; 1705.2472, subpart 1; 1705.2474, subparts 1, 2, and 3; 1705.2476, subparts 1, 2, 4, 5, 6, 7, and 8; 1705.2480; 1705.2500; 1705.2520; 1705.2530; 1705.2700; 1705.2710; 1705.2720; 1705.2730; 1705.2740; 1705.2750; 1710.1300; 1710.1310; 1710.1320; 1710.1330; 1710.1340; 1710.1350; 1710.1360; 1710.1370; 1710.1380; 1710.1385; 1710.1390; 1710.1400; 1710.1410; 1710.1420; 1710.1430; 1710.1435; 1710.1440; 1710.1445; 1710.1450; 1710.1455; 1710.1460; 1710.1470; 1710.1480; 1710.1490; 1710.1500; 1710.1510; 1710.1520; 1710.1530; 1715.0005, subparts 1, 2, 2a, 2b, 2c, 2d, 3, 3a, 3b, 4, 5, and 7; 1715.0010; 1715.0020; 1715.0030; 1715.0040; 1715.0050; 1715.0060; 1715.0072; 1715.0090; 1715.0105; 1715.0110; 1715.0125; 1715.0130; 1715.0140; 1715.0150; 1715.0160; 1715.0162; 1715.0200; 1715.0210; 1715.0220; 1715.0230; 1715.0240; 1715.0250; 1715.0260; 1715.0270; 1715.0280; 1715.0290; 1715.0300; 1715.0305; 1715.0310; 1715.0320; 1715.0330; 1715.0340; 1715.0350; 1715.0360; 1715.0370; 1715.0380; 1715.0385; 1715.0390; 1715.0410; 1715.0420; 1715.0430; 1715.0440; 1715.0450; 1715.0460; 1715.0470; 1715.0480; 1715.0490; 1715.0500; 1715.0510; 1715.0520; 1715.0550; 1715.0560; 1715.0570; 1715.0580; 1715.0590; 1715.0610; 1715.0620; 1715.0630; 1715.0640; 1715.0650; 1715.0660; 1715.0670; 1715.0680; 1715.0690; 1715.0705; 1715.0710; 1715.0720; 1715.0730; 1715.0740; 1715.0750; 1715.0760, subparts 1, 2, 4a, 4b, 4c, 4d, and 5; 1715.0770, subparts 1, 2, 3, 4, 6, and 7; 1715.0780, subparts 1, 2, 3, 4, 5, 6, 6a, 7, 9, 10, 11, and 12; 1715.0790; 1715.0800; 1715.0810; 1715.0820; 1715.0830; 1715.0840; 1715.0850; 1715.0860; 1715.0870; 1715.0890; 1715.0900; 1715.0910; 1715.0920; 1715.0940; 1715.0950; 1715.0960; 1715.0970; 1715.1000; 1715.1010; 1715.1020; 1715.1030; 1715.1040; 1715.1050; 1715.1060; 1715.1070; 1715.1080; 1715.1100; 1715.1110; 1715.1120; 1715.1130; 1715.1140; 1715.1150; 1715.1160; 1715.1190; 1715.1200; 1715.1210; 1715.1220; 1715.1230; 1715.1240; 1715.1250; 1715.1260; 1715.1270; 1715.1280; 1715.1290; 1715.1300; 1715.1310; 1715.1315; 1715.1320; 1715.1330; 1715.1340; 1715.1350; 1715.1360; 1715.1370; 1715.1380; 1715.1390; 1715.1400; 1715.1420; 1715.1440; 1715.1450; 1715.1480; 1719.0100, subparts 1, 2, 3, 4, 5, 6, 6a, 6b, 7, 7a, 9a, 10, 11, 12, 12a, and 13; 1719.0200, subpart 1; 1719.0300, subpart 1; 1719.0310; 1719.0400; 1719.0500, subpart 1; 1719.0600; 1719.0700; 1719.0750; 1719.0800; 1719.1000; 1719.1100; 1719.1200; 1719.1300; 1719.1400; 1719.1500; 1719.1600; 1719.1700; 1719.1800; 1719.1900; 1719.2000, subpart 1; 1719.2100; 1719.2200, subpart 1; 1719.2300; 1719.2400, subpart 2; 1719.2500, subpart 1; 1719.2600; 1719.2700; 1719.2800, subpart 1; 1719.2900, subpart 1; 1719.3000; 1719.3100; 1719.3200; 1719.4000; 1719.4100;

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1719.4200; 1719.4250; 1720.0320; 1720.0330; 1720.0581; 1720.0590; 1720.0600; 1720.0610; 1720.0620; 1720.0630; 1720.0640; 1720.0650; 1720.0660; 1720.0670; 1720.0680; 1720.0690; 1720.0700; 1720.0710; 1720.0720; 1720.0730; 1720.0740; 1720.0750; 1720.0760; 1720.0770; 1720.0780; 1720.0790; 1720.0800; 1720.0810; 1720.0860; 1720.0870; 1720.0880; 1720.0890; 1720.0900; 1720.0910; 1720.0920; 1720.0930; 1720.0940; 1720.0950; 1720.0960; 1720.0970; 1720.1000; 1720.1010; 1720.1030; 1720.1040; 1720.1050; 1720.1055; 1720.1060; 1720.1065; 1720.1070; 1720.1080; 1720.1330, subparts 1, 2, 2a, 4, 4a, 5, 5a, 6, and 7; 1720.1390; 1720.1400; 1720.1410; 1720.1420; 1720.1430; 1720.1440; 1720.1450; 1720.1460; 1720.1480; 1720.1490; 1720.1500; 1720.1510; 1720.1520; 1720.1530; 1720.1535; 1720.1537; 1720.1538; 1720.1540; 1720.1542; 1720.1545; 1720.1546; 1720.1550; 1720.1555; 1720.1560; 1720.1570; 1720.1575; 1720.1576; 1720.1578; 1720.1680; 1720.1690; 1720.1700; 1720.1710; 1720.1720; 1720.1730; and 1720.1740, are repealed.

## Commissioners' Orders

Various agency commissioners are authorized to issue "commissioner's orders" on specified activities governed by their agency's enabling laws. See the *Minnesota Statutes* governing each agency to determine the specific applicable statutes. Commissioners' orders are approved by assistant attorneys general as to form and execution and published in the *State Register*. These commissioners orders are compiled in the year-end subject matter index for each volume of the *State Register*.

## Department of Transportation (Mn/DOT)

### ORDER NO. 93167: Revisions to the 2011 Minnesota Uniform Traffic Control Devices Manual

By Order number 92452 dated December 15, 2011 and published in the *State Register* of December 26, 2011, the Commissioner of Transportation (Commissioner) has adopted the 2011 Minnesota Manual on Uniform Traffic Control Devices (2011 MN MUTCD) establishing a uniform system of traffic control devices for streets and highways of the State of Minnesota as required by *Minnesota Statutes*, Section 169.06, Subdivision 1 (2011). The 2011 MN MUTCD correlates with and so far as possible conforms to the current system as approved by the American Association of State Highway Officials and the national Manual on Uniform Traffic Control Devices (Federal MUTCD). (*Minnesota Statutes* § 169.06, subd. 1 (2011); Federal Highway Administration, 23 C.F.R. § 655.603 (2011).)

A multi-agency committee has reviewed the revisions to the 2009 Federal MUTCD published in the *Federal Register* on May 14, 2012 and Federal Highway Administration Memorandum dated May 31, 2012 (Reference Number HOTO-1) and recommended revisions and additions.

Pursuant to *Minnesota Statutes*, Section 169.06, subd. 1 (2011), the Commissioner hereby adopts the recommended revisions and additions listed below:

Record of Revisions or Additions to the 2011 MN MUTCD

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# Commissioner's Orders

Revision Number	Date Issued	Pages Revised or Added
1	7/15/12	v, viii, ix, 1A-4, 1A-28, 1A-29, 2A-i, 2A-5, 2A-18, 2B-1 thru 2B-6, 2B-8, 2B-11, 2B-15, 2B-34, 2B-35, 2B-38, 2B-41, 2B-45, 2B-46, 2B-51, 2B-53, 2B-56, 2B-57, 2C-3 thru 2C-5, 2C-11, 2C-13, 2C-17, 2C-18, 2C-20, 2C-21, 2C-24 thru 2C-28, 2C-30, 2C-34, 2D-23, 2D-27 thru 2D-29, 2E-6, 2E-33, 2E-37, 2E-41, 2E-51, 2F-6, 2G-2, 2G-11, 2G-16, 2I-2, 2I-5, 2I-9 thru 2I-11, 2I-13, 2J-5, 2M-1, 2M-2, 2M-9, 2M-15, 2N-2, 3B-27, 3B-35, 4D-1, 4D-39, 4D-46, 4E-3, 4E-5, 4E-6, 4F-3, 5B-2, 5C-2, 5C-3, 6D-1, 6D-2, 6D-4, 6E-1, 6F-3 thru 6F-5, 6F-7, 6F-16, 6F-18, 6F-20, 6F-21, 6F-29, 6F-37, 6F-41, 6F-52, 6G-1, 7A-i, 7B-1, 7B-5, 7B-6, 7B-9, 7B-11, 7C-1, 7D-1, 7E-a thru 7E-21, 8B-1 thru 8B-4, 8B-7 thru 8B-10, 8B-14, 8B-18, 8C-4, 8C-8, 8C-9, 9A-i, 9A-ii, 9B-2 thru 9B4, 9B-6, 9B-9, 9B-18, 9C-1, A2-1, C-1 thru C-10, C-13 thru C-70, C-73 thru C-86.

This Order revises Commissioner's Order 92452, dated December 15, 2011.

Dated at St. Paul, on this 12<sup>th</sup> day of July 2012

Thomas K. Sorel, Commissioner  
Department of Transportation

## 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.

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# Official Notices

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## Minnesota Office of Administrative Hearings (OAH)

### Administrative Law Division

## REQUEST FOR COMMENTS on Possible Amendments to Rules Governing Procedures for Contested Cases, Revenue Recapture Act Hearings and Public Hearings, *Minnesota Rules*, Chapters 1400 and 1405

**Subject of Rules.** The Minnesota Office of Administrative Hearings – Administrative Law Division (OAH) requests comments and suggestions on its possible amendments to rules governing its proceedings.

The OAH is considering rule amendments to streamline hearing practices across different types of administrative proceedings, better reflect the technological changes that have occurred since September of 2001 (when the last revision of OAH’s procedural rules was completed) and more closely align its hearing procedures with the General Rules of Practice of the District Courts.

OAH invites comment from interested stakeholders and members of the public on any matters relating to OAH’s hearing procedure or any procedural rule authorized under *Minnesota Statutes* § 14.51.

**Persons Affected.** The proposed rules are likely to affect, and benefit, persons and entities that appear before the OAH in contested cases, Revenue Recapture Act hearings and public hearings.

**Statutory Authority.** Under *Minnesota Statutes* § 14.51, the Chief Administrative Law Judge has authority to adopt rules governing “the procedural conduct of all hearings, relating to both rule adoption, amendment, suspension or repeal hearings, contested case hearings, and workers’ compensation hearings” as well as “the procedural conduct of other hearings conducted by the Office of Administrative Hearings.”

**Public Comment.** Interested persons may submit comments or information on these possible rules in writing, until **4:30 p.m.** on **Wednesday, October 31, 2012.**

The OAH 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 OAH does not plan to appoint an advisory committee to comment on the possible rules.

**Rules Drafts.** The OAH has drafted the possible rule amendments. This item is available on the OAH website at <http://mn.gov/oah/administrative-law/comments/>

and by way of written request to the agency contact person.

**Agency Contact Person.** Written comments, questions, requests to receive a draft of the rules, and requests for more information on these possible rules should be directed to: Honorable Eric L. Lipman, Assistant Chief Administrative Law Judge, P.O. Box 64620, St. Paul, Minnesota, 55164-0620, **telephone:** (651) 361-7900, **facsimile:** (651) 361-7936, **electronic mail:** [eric.lipman@state.mn.us](mailto:eric.lipman@state.mn.us); **TTD** users may call the OAH at (651) 361-7878.

**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 if and when a proceeding to adopt rules is started. The agency is required to submit for review only those written comments received in response to the rules after they are formally proposed. If you submitted comments during the development of the rules, and you want to ensure that those same comments are part of the later review, you should resubmit the comments after the rules are formally proposed.

Signed by the Honorable Raymond R. Krause, Chief Administrative Law Judge, Office of Administrative Hearings on July 10, 2012.

## **Department of Human Services (DHS) Continuing Care Administration Public Notice Regarding Changes to Payment Rates and Methodologies, and Services under the Medical Assistance Program and the MinnesotaCare 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 2012 Minnesota Legislature enacted during the regular session.

This notice is 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 following correction is made to a rate in the notice published in the June 18, 2012 issue of the *State Register*:

Effective July 1, 2012, or upon federal approval, whichever is later, MA covers services provided by community paramedics when services are provided in accordance with certain requirements. The payment rate for services provided by community paramedics is ~~\$9.50~~ **\$15** per 15-minute unit. *Minnesota Laws 2012*, Chapter 169, Section 1.

## **Minnesota Pollution Control Agency (MPCA) Watershed Division Public Notice of Availability of Draft Pope 8 Lakes Nutrient TMDL Report and Request for Comment**

**Public Comment Period Begins:**

**July 23, 2012**

**Public Comment Period Ends:**

**August 22, 2012**

The Minnesota Pollution Control Agency (MPCA) is requesting comments on the draft report for the Nutrient Total Maximum Daily Load (TMDL) study conducted for eight lakes in Pope County, Minnesota, that are on the EPA's 303d list of impaired waters due to excess nutrients (total phosphorus). The lakes are Ann, Emily, Gilchrist, Leven, Malmedal, Pelican, Reno, and Strandness.

The draft TMDL Report for the eight Pope County lakes is available for review at: <http://www.pca.state.mn.us/index.php/water/water-types-and-programs/minnesotas-impaired-waters-and-tmdls/tmdl-projects/minnesota-river-basin-tmdl-projects/project-pope-county-8-lakes-excess-nutrients.html>

Comments on the draft TMDL report must be sent in writing to the MPCA contact person listed below by 4:30 P.M. on August 22, 2012. Following the comment period, the MPCA will submit the draft report to the U.S. Environmental Protection Agency (EPA) for approval.

Required by the federal Clean Water Act, a TMDL is a scientific study that calculates the maximum amount of a pollutant that a waterbody can receive and still meet water quality standards for that pollutant. It is a process that identifies all the sources of the pollutant causing impairment and allocates necessary reductions among them. This multi-year effort results in a pollution reduction plan and engages stakeholders and the general public. An approved TMDL is followed by implementation activities led by local stakeholders for achieving the necessary reductions.

### **Background on the Pope 8 Lakes:**

The eight Pope County lakes in this study are located in the Chippewa River watershed and are tributary to the Minnesota River. The project study area is dominated by agricultural land uses. The land is used heavily for cropland and pasture/hay as well as for livestock agriculture. The largest urban area is the City of Glenwood on the shores of Lake Minnewaska. All of the listed lakes have several classifications. The most protective of these classes is Class 2 waters, which are protected for aquatic life and recreation (waters of the

# Official Notices

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state that support or may support fish, other aquatic life, swimming, boating, or other recreational purposes and for which quality control is or may be necessary to protect aquatic or terrestrial life or their habitats or the public health, safety, or welfare).

Phosphorus has been identified as the primary pollutant leading to eutrophication in these lakes. Potential phosphorus sources include: point sources requiring NPDES (National Pollutant Discharge Elimination System) permit coverage, stormwater runoff, loading from upstream waters, runoff from feedlots not requiring NPDES permit coverage, atmospheric deposition, subsurface sewage treatment systems (SSTS), groundwater, internal loading, in-stream erosion.

**Agency contact person:** Written comments and requests for more information should be directed to:

Tim James  
MPCA Detroit Lakes Regional Office  
714 Lake Avenue, Suite 220  
Detroit Lakes, MN 56501  
**Phone:** (218) 846-8103  
**Fax:** (218) 846-0719  
**E-mail:** [tim.james@state.mn.us](mailto:tim.james@state.mn.us)  
**Web:** [www.pca.state.mn.us](http://www.pca.state.mn.us) use search box and type in "pope 8 lakes tmdl"  
**TTY** users may call the MPCA teletypewriter at (651) 282-5332 or 1-800-65-3864.

## **Preliminary determination on the draft TMDL:**

The MPCA commissioner has made a preliminary determination to submit this TMDL report to the EPA for final approval. A draft TMDL report is available for review at the MPCA office at the location below and at the MPCA Website: <http://www.pca.state.mn.us/index.php/water/water-types-and-programs/minnesotas-impaired-waters-and-tmdls/tmdl-projects/minnesota-river-basin-tmdl-projects/project-pope-county-8-lakes-excess-nutrients.html>

Comments regarding the draft TMDL report will be considered before it is sent to the EPA for final approval.

**Written comments:** You may submit written comments on the draft TMDL report for Pope 8 Lakes Nutrient TMDL Report. Written comments must include the following:

1. A statement of your interest in the draft TMDL report
2. A statement of the action you wish the MPCA to take, including specific references to sections of the draft TMDL report that you believe should be changed; and
3. The reasons supporting your position, stated with sufficient specificity as to allow the Commissioner to investigate the merits of your position.

In addition to submitting comments, a request may be made for either a public informational meeting and/or a MPCA Citizen's Board Item.

**Request for public informational meeting:** A public informational meeting is an informal meeting that the MPCA may hold to solicit public comment and statements on matters before the MPCA, and to help clarify and resolve issues.

A request for a public informational meeting must include the following:

1. A statement identifying the matter of concern;
2. The information required under items 1 through 3 of "Written Comments" identified above;
3. A statement of the reasons the MPCA should hold a public informational meeting; and
4. The issues that you would like the MPCA to address at the meeting.

## **Petition for Contested Case Hearing:**

You may also submit a petition for a contested case hearing. A contested case hearing is a formal evidentiary hearing before an administrative law judge. In accordance with *Minnesota Rules* 7000.1900, the MPCA will grant a petition to hold a contested case hearing if it finds that:

1. There is a material issue of fact in dispute concerning the application or draft TMDL Report;
2. The MPCA has the jurisdiction to make a determination on the disputed material issue of fact; and
3. There is a reasonable basis underlying the disputed material issue of fact or facts such that the holding of the contested case

hearing would allow the introduction of information that would aid the MPCA in resolving the disputed facts in making a final decision on the draft TMDL Report. A material issue of fact means a fact question, as distinguished from a policy question, whose resolution could have a direct bearing on a final MPCA decision.

A petition for a contested case hearing must include the following information:

1. A statement of reasons or proposed findings supporting the MPCA decision to hold a contested case hearing according to the criteria in *Minnesota Rules* 7000.1900, as discussed above; and;
2. A statement of the issues proposed to be addressed by a contested case hearing and the specific relief requested or resolution of the matter.

In addition, and to the extent known, a petition for a contested case hearing should also include the following information:

1. A proposed list of prospective witnesses to be called, including experts, with a brief description of proposed testimony or summary of evidence to be presented at a contested case hearing;
2. A proposed list of publications, references, or studies to be introduced and relied upon at a contested case hearing; and
3. An estimate of time required for you to present the matter at a contested case hearing.

### **MPCA Decision:**

You may submit a petition to the Commissioner requesting that the MPCA Citizens' Board (Board) consider the TMDL Report approval. To be considered timely, the petition must be received by the MPCA by 4:30 p.m. on the date the public comment period ends, identified on page 1 of this notice. Under the provisions of *Minnesota Statutes* § 116.02, subd 6(4), the decision whether to submit the TMDL Report and, if so, under what terms will be presented to the Board for decision if:

1. The Commissioner grants the petition requesting the matter be presented to the Board;
2. One or more Board members request to hear the matter before the time the Commissioner makes a final decision on the TMDL Report; or
3. A timely request for a contested case hearing is pending. You may participate in the activities of the MPCA Board as provided in *Minnesota Rules* 7000.0650.

The written comments, requests, and petitions submitted on or before the last day of the public comment period will be considered in the final decision on this TMDL Report. If the MPCA does not receive written comments, requests, or petitions during the public comment period, MPCA staff as authorized by the Board will make the final decision on the draft TMDL Report.

Dated: July 2012

## **Minnesota Racing Commission REQUEST FOR COMMENTS on Possible Amendment to Rules Governing Horse Racing, *Minnesota Rules*, 7895 Breeders' Fund**

**Subject of Rules.** The Minnesota Racing Commission requests comments on its possible amendment to rules governing Breeders' Fund distribution. The Commission is considering rule amendments that would change the division of the distribution of money available from the breeders' fund for the thoroughbred breed category.

**Persons Affected.** The amendment to the rules would likely affect the horse owners and breeders.

**Statutory Authority.** *Minnesota Statutes*, sections 240.03, 240.18, authorize the Racing Commission to amend rules which affect the integrity of racing or the public health, welfare, or safety, and rules governing the distribution of the Breeders' Fund.

**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 Commission intends to adopt or to withdraw the rules. The Thoroughbred Breeders' Fund Advisory Committee appointed by the Commission proposed and unanimously recommends that this change to rule be adopted.

**Rules Drafts.** The Commission has prepared a draft of the possible rule amendment. It is available on the Commission website at

# Official Notices

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*www.mrc.state.mn.us.*

**Agency Contact Person.** Written or oral comments, questions, requests to receive a draft of the rules, and requests for more information on these possible rule changes should be directed to:

Richard G. Krueger, Executive Director  
Minnesota Racing Commission  
P. O. Box 630  
Shakopee, MN 55379  
**Phone:** (952) 496-7950  
**Fax:** (952) 496-7954  
**E-mail:** *richard.krueger@state.mn.us.*  
**TTY** users may call the Commission at 1-800-627-3529.

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

**NOTE:** Comments received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge if and when a proceeding to adopt rules is started. The 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: 15 July 2012

Richard G. Krueger,  
Minnesota Racing Commission

## Teachers Retirement Association (TRA)

### Internal Audit Committee

#### Notice of Meeting 15 August 2012

The Minnesota Teachers Retirement Association Internal Audit Committee will hold a meeting on Wednesday, August 15, 2012 at 2:00 p.m. in Room 117, 60 Empire Drive, St. Paul, MN to consider matters which may properly come before the committee. Committee members may participate by telephone.

## Teachers Retirement Association (TRA)

### Notice of Planning and Educational Retreat of the Board of Trustees 15 August 2012

The Board of Trustees, Minnesota Teachers Retirement Association will hold a planning and educational retreat on Wednesday, August 15, 2012 at 9:30 a.m. in Room 117 of the Minnesota Retirement Systems building, located at 60 Empire Drive, St. Paul, MN. Board members may participate by telephone.

**Department of Transportation (Mn/DOT)  
Engineering Services Division,  
Office of Construction and Innovative Contracting  
Notices of Suspension and Debarment****NOTICE OF SUSPENSION**

**NOTICE IS HEREBY GIVEN** that the Department of Transportation (“MnDOT”) has ordered that the following vendors be suspended for a period of sixty (60) days, effective June 8, 2012 until August 7, 2012:

- Marlon Louis Danner and his affiliates, South St. Paul, MN
- Danner, Inc. and its affiliates, South St. Paul, MN
- Bull Dog Leasing, Inc. and its affiliates, Inver Grove Heights, MN
- Danner Family Limited Partnership and its affiliates, South St. Paul, MN
- Ell-Z Trucking, Inc. and its affiliates, South St. Paul, MN
- Danner Environmental, Inc. and its affiliates, South St. Paul, MN

**NOTICE OF DEBARMENT**

**NOTICE IS HEREBY GIVEN** that the Department of Transportation (“MnDOT”) has ordered that the following vendors be debarred for a period of three (3) years, effective February 24, 2010 until February 24, 2013:

- Joseph Edward Riley, Morris, MN
- John Thomas Riley, Morris, MN

**NOTICE IS HEREBY GIVEN** that the Department of Transportation (“MnDOT”) has ordered that the following vendors be debarred for a period of three (3) years, effective March 25, 2011 until March 25, 2014:

- Philip Joseph Franklin, Leesburg, VA
- Franklin Drywall, Inc. and its affiliates, Little Canada, MN
- Master Drywall, Inc. and its affiliates, Little Canada, MN

*Minnesota Statute* section 161.315 prohibits the Commissioner, counties, towns, or home rule or statutory cities from awarding or approving the award of a contract for goods or services to a person who is suspended or debarred, including:

- 1) any contract under which a debarred or suspended person will serve as a subcontractor or material supplier,
- 2) any business or affiliate which the debarred or suspended person exercises substantial influence or control, and
- 3) any business or entity, which is sold or transferred by a debarred person to a relative or any other party over whose actions the debarred person exercises substantial influence or control, remains ineligible during the duration of the seller’s or transfer’s debarment.

# 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.

## Market Your Grants and Loans

The *State Register* is one of the best ways to advertise your grants - it's a required read for public works projects. And it's cost is one of the least expensive legal advertising rates in Minnesota. At \$10.20 per 1/10 of a page you cannot go wrong.

Check up on all the "active" state grants in the "Contracts & Grants" section, available only to *State Register* subscribers. Open the *State Register* and click on Bookmarks on the left. You will also see a list of all the current rules, a growing index, and previous years' indices. Subscribers also receive LINKS to the *State Register*. Subscriptions cost \$180 a year (an \$80 savings). Here's what you receive via e-mail:

- Word Search Capability
- LINKS, LINKS, LINKS
- Easy Access to *State Register* Archives
- Updates to Index to Vol. 31
- "Contracts & Grants" Open for Bid
- Early delivery, on Friday
- E-mailed to you . . . its so easy
- Indexes to Vols. 31, 30, 29, 28 and 27

It's all E-mailed to you, at end-of-day on Friday, instead of waiting for the non-subscriber's issue released on Monday. Contact Loretta J. Diaz, our subscriptions manager, at **phone:** (651) 297-8777, or **fax:** (651) 297-8260, or **e-mail:** [loretta.diaz@state.mn.us](mailto:loretta.diaz@state.mn.us)

## Department of Employment and Economic Development (DEED) State Small Business Credit Initiative Early Stage Fund Notice of Request for Proposal (RFP) for Applications for an Organization to Partner with the State of Minnesota to Invest in Early Stage Businesses

### Notice of Contract

The Minnesota Department of Employment and Economic Development (DEED) is requesting applications for organization to partner with the State of Minnesota to invest in early stage businesses, through the Early Stage Fund Program.

### Eligible Organizations

Applicants may be headquartered both in and outside of Minnesota, although it is expected that the organization should have a significant level of experience making angel investments in Minnesota and have a clear understanding of the State's equity investment needs and opportunities since all funds must be invested in Minnesota companies.

For more information, see the department's web page at [PositivelyMinnesota.com](http://PositivelyMinnesota.com).

### Application Deadline

The deadline for submission of applications is 4:30 p.m., Monday, August 20, 2012. E-mailed applications will not be accepted in place of paper copies. Send applications to:

Lisa Dargis  
Business and Community Development Division  
Minnesota Department of Employment and Economic Development  
1st National Bank Building  
332 Minnesota Street, Suite E200  
Saint Paul, MN 55101-1351

For questions, e-mail Lisa Dargis at [Lisa.Dargis@state.mn.us](mailto:Lisa.Dargis@state.mn.us), or call her at (651) 259-7446 or 1-800-657-3858.

This request does not obligate DEED to provide funding or to fund the full estimated dollar amount. DEED may withdraw this opportunity at any time if such action is in the interest of the State of Minnesota.

### 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 Web site at: [www.mmd.admin.state.mn.us](http://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.

### See Current On-going Contracts

The state spends \$2-3 billion a year on contracts. The *State Register* is one of the best ways to advertise your contracts - it's a required read for public works projects. And it's cost is one of the least expensive legal advertising rates in Minnesota. At \$10.20 each 1/10 of a page, you cannot go wrong.

Subscribers receive a list of **all current contracts and grants**, as well as LINKS to the *State Register*, Bookmarks, and a growing INDEX to each volume, including the current issue, and previous volumes. To view, open the *State Register* and click on BOOKMARKS in the left hand corner. Here's what you receive via e-mail:

- **Word Search Capability**
- **LINKS, LINKS, LINKS**
- **Updates to Index to Vol. 31**
- **"Contracts & Grants" Open for Bid**
- **E-mailed to you, on Friday**
- **Easy Access to *State Register* Archives**

Subscriptions cost \$180 a year (an \$80 savings). It's all E-MAILED to you, at end-of-day on Friday, instead of waiting for the non-subscriber's issue released on Monday. Contact Loretta J. Diaz, our subscriptions manager, at (651) 297-8777, or **fax:** (651) 297-8260, or **e-mail:** [loretta.diaz@state.mn.us](mailto:loretta.diaz@state.mn.us).

# State Contracts

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## Department of Administration (Admin)

### State Designer Selection Board Project No. 12-09

#### Notice of Availability of Request for Proposal (RFP) for Minnesota State University, Mankato - Clinical Science Building

The Department of Administration, Real Estate and Construction Services ("State"), through the State Designer Selection Board, is soliciting proposals from interested, qualified consultants for architectural and engineering design services for the above referenced project.

A full Request for Proposals and a copy of the pre-design are available on the Minnesota State Colleges Universities website:  
<http://www.finance.mnscu.edu/facilities/index.html>,

click on "Announcements." A pre-proposal meeting is scheduled for 10:00 a.m. CDT, Thursday, July 26, 2012 at the, Centennial Student Union, Room 253, Mankato State University, Mankato, MN 56001. Project questions shall be referred to the appropriate person(s) as listed in the Request for Proposal.

Proposals must be delivered to Kathy Grochowski, Executive Secretary, State Designer Selection Board, 309 Administration Building, 50 Sherburne Ave., St. Paul, MN 55155, **phone:** (651) 201-2389, not later than 12:00 noon CDT, Monday, August 6, 2012. Late responses will not be considered.

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

## Minnesota State Colleges and Universities (MnSCU)

### Bemidji State University

#### Notice of Request for Proposals for Grants Development Consulting Service

**NOTICE IS HEREBY GIVEN** that Bemidji State University will receive sealed proposals for Grants Development Consulting Service for 360° Manufacturing and Applied Engineering Center of Excellence.

Specifications will be available June 18, 2012, at the following Bemidji State University website:  
[http://www.bemidjistate.edu/offices/procurement\\_logistics/rfps\\_bids/](http://www.bemidjistate.edu/offices/procurement_logistics/rfps_bids/)

Sealed proposals must be received by July 9, 2012, by 2 PM at the following location:  
Belinda Lindell, Director of Procurement & Logistics  
Bemidji State University, Deputy 204, Box 8  
1500 Birchmont Drive NE,  
Bemidji, MN 56601

Bemidji State University reserves the right to reject any or all proposals and to waive any irregularities or informalities in proposals received. This Request for Proposal does not obligate the University to complete a proposed contract, and the University reserves the right to cancel the solicitation if it is considered to be in its best interest.

**Minnesota State Colleges and Universities (MnSCU)****Northland Community and Technical College****Notice of Request for a Composites Repair System Bonded Northland Community and Technical College**

**NOTICE IS HEREBY GIVEN** that Northland Community & Technical College Request for Proposal (RFP) for an Adult Basic Education Specialist for use in its Imagery Analyst Program. To receive a copy of the full RFP, please contact Curtis Zoller either by telephone (218) 683-8829 or e-mail at [curtis.zoller@northlandcollege.edu](mailto:curtis.zoller@northlandcollege.edu).

Proposals are due by 5:00 p.m. central time, Monday, August 6<sup>th</sup>, 2012 and are to be addressed to Shannon Jesme, Northland Community and Technical College, 1011 Highway 1 East, Thief River Falls, MN 56701. Any questions should be in the form of an RFI and directed to Curtis Zoller at e-mail [curtis.zoller@northlandcollege.edu](mailto:curtis.zoller@northlandcollege.edu). Late responses will not be considered.

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

**Minnesota State Colleges and Universities (MnSCU)****Northland Community and Technical College****Notice of Request for a Dell Vstart Server or Equivalent for Northland Community and Technical College**

**NOTICE IS HEREBY GIVEN** that Northland Community & Technical College Request for Proposal (RFP) for a Dell Vstart Server or equivalent for use in its Unmanned Aerial Systems Maintenance Training Program. To receive a copy of the full RFP, please contact Curtis Zoller either by telephone (218) 683-8829 or e-mail at [curtis.zoller@northlandcollege.edu](mailto:curtis.zoller@northlandcollege.edu).

Proposals are due by 5:00 p.m. central time, Monday, August 6<sup>th</sup>, 2012 and are to be addressed to Shannon Jesme, Northland Community and Technical College, 1011 Highway 1 East, Thief River Falls, MN 56701. Any questions should be in the form of an RFI and directed to Curtis Zoller at e-mail [curtis.zoller@northlandcollege.edu](mailto:curtis.zoller@northlandcollege.edu). Late responses will not be considered.

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

**Minnesota State Colleges and Universities (MnSCU)****Northland Community and Technical College****Notice of Request for a G900X Test Bench or Equivalent for Northland Community and Technical College**

**NOTICE IS HEREBY GIVEN** that Northland Community & Technical College Request for Proposal (RFP) for a G900X Test Bench or equivalent for use in its Unmanned Aerial Systems Maintenance Training Program. To receive a copy of the full RFP, please contact Curtis Zoller either by telephone (218) 683-8829 or e-mail at [curtis.zoller@northlandcollege.edu](mailto:curtis.zoller@northlandcollege.edu).

Proposals are due by 5:00 p.m. central time, Monday, August 6<sup>th</sup>, 2012 and are to be addressed to Shannon Jesme, Northland Community and Technical College, 1011 Highway 1 East, Thief River Falls, MN 56701. Any questions should be in the form of an RFI and directed to Curtis Zoller at e-mail [curtis.zoller@northlandcollege.edu](mailto:curtis.zoller@northlandcollege.edu). Late responses will not be considered.

# State Contracts

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

## **Minnesota State Colleges and Universities (MnSCU) Northland Community and Technical College Notice of Request for an Aviation Maintenance Roll Cab with Tools and Inventory Tracking System for Northland Community & Technical College**

**NOTICE IS HEREBY GIVEN** that Northland Community & Technical College Request for Proposal (RFP) for an aviation maintenance roll cab with tools and inventory tracking system for use in its Unmanned Aerial Systems Maintenance Training Program. To receive a copy of the full RFP, please contact Curtis Zoller either by telephone (218) 683-8829 or e-mail at [curtis.zoller@northlandcollege.edu](mailto:curtis.zoller@northlandcollege.edu).

Proposals are due by 5:00 p.m. central time, Monday, August 6<sup>th</sup>, 2012 and are to be addressed to Shannon Jesme, Northland Community and Technical College, 1011 Highway 1 East, Thief River Falls, MN 56701. Any questions should be in the form of an RFI and directed to Curtis Zoller at e-mail [curtis.zoller@northlandcollege.edu](mailto:curtis.zoller@northlandcollege.edu). Late responses will not be considered.

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

## **Minnesota State Colleges and Universities (MnSCU) Northland Community and Technical College Notice of Request for an Avionics Communication and Navigation System Trainer for Northland Community & Technical College**

**NOTICE IS HEREBY GIVEN** that Northland Community & Technical College Request for Proposal (RFP) for an Avionics Communication and Navigation System Trainer for use in its Unmanned Aerial Systems Maintenance Training Program. To receive a copy of the full RFP, please contact Curtis Zoller either by telephone (218) 683-8829 or e-mail at [curtis.zoller@northlandcollege.edu](mailto:curtis.zoller@northlandcollege.edu).

Proposals are due by 5:00 p.m. central time, Monday, August 6<sup>th</sup>, 2012 and are to be addressed to Shannon Jesme, Northland Community and Technical College, 1011 Highway 1 East, Thief River Falls, MN 56701. Any questions should be in the form of an RFI and directed to Curtis Zoller at e-mail [curtis.zoller@northlandcollege.edu](mailto:curtis.zoller@northlandcollege.edu). Late responses will not be considered.

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

## **Minnesota State Colleges and Universities (MnSCU) Northland Community and Technical College Notice of Request for an Imagery Analysis Program/ Adult Basic Education Specialist Northland Community & Technical College**

**NOTICE IS HEREBY GIVEN** that Northland Community & Technical College Request for Proposal (RFP) for an Adult Basic Education Specialist for use in its Imagery Analyst Program. To receive a copy of the full RFP, please contact Curtis Zoller either by telephone (218) 683-8829 or e-mail at [curtis.zoller@northlandcollege.edu](mailto:curtis.zoller@northlandcollege.edu).

Proposals are due by 5:00 p.m. central time, Monday, August 6<sup>th</sup>, 2012 and are to be addressed to Shannon Jesme, Northland Community and Technical College, 1011 Highway 1 East, Thief River Falls, MN 56701. Any questions should be in the form of an RFI and directed to Curtis Zoller at e-mail [curtis.zoller@northlandcollege.edu](mailto:curtis.zoller@northlandcollege.edu). Late responses will not be considered.

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

### **Minnesota State Colleges and Universities (MnSCU) Northland Community and Technical College – Thief River Falls Notice of Request for Proposal for Owner Representative Services**

**NOTICE IS HEREBY GIVEN** that Northland Technical and Community College Request for Proposal (RFP) for Owner Representative services for the Aviation Maintenance Facility Expansion. To receive a copy of the full RFP, contact Clinton Castle at: [Clinton.castle@northlandcollege.edu](mailto:Clinton.castle@northlandcollege.edu)

Proposals are due by 1:00 p.m. CDT, Monday, August 6, 2012 and are to be addressed to Clinton Castle, Northland Community and Technical College, 1101 Highway One East, Thief River Falls, MN 56701. Any questions should be directed to Clinton Castle at e-mail: [clinton.castle@northlandcollege.edu](mailto:clinton.castle@northlandcollege.edu)

Late responses will not be considered.

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

### **Minnesota State Colleges and Universities (MnSCU) St. Cloud State University Notice of Availability of Request for Qualifications (RFQ) for Construction Manager at Risk Selection - Atwood Memorial Center Remodel**

St. Cloud State University is soliciting proposals from interested, qualified consultants for construction manager at risk services for the above referenced project. A full Construction Manager at risk Request for Qualifications (RFQ) is available at:

[http://www.stcloudstate.edu/facilities/Projects\\_000.asp](http://www.stcloudstate.edu/facilities/Projects_000.asp)

A copy of the pre-design is available for review at: [http://www.stcloudstate.edu/facilities/Projects\\_000.asp](http://www.stcloudstate.edu/facilities/Projects_000.asp)

A mandatory informational site meeting is scheduled for **3:00 PM August 2 in the Glacier room in the Atwood Memorial Center** at St. Cloud State University, St. Cloud, MN. All firms interested in this meeting should contact Jane Spaude at (320) 308-2267 or [jjspaude@stcloudstate.edu](mailto:jjspaude@stcloudstate.edu) to sign up to attend the meeting.

Proposals must be delivered to Lisa Sparks, Director of Purchasing, Administrative Services Building, Room 122, 720 4<sup>th</sup> Avenue South, St. Cloud, MN 56301 no later than **3:00 PM, August 16, 2012**

Minnesota State Colleges and Universities is not obligated to complete the proposed project and reserves the right to cancel the solicitation if it is considered to be in its best interest.

# State Contracts

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## Minnesota State Colleges and Universities (MnSCU)

### St. Cloud State University

#### Notice of Availability of Request for Qualifications (RFQ) for Construction Manager at Risk Selection - Shoemaker East/west Renovation

St. Cloud State University is soliciting proposals from interested, qualified consultants for construction manager at risk services for the above referenced project.

A full Construction Manager at risk Request for Qualifications (RFQ) is available at:

[http://www.stcloudstate.edu/facilities/Projects\\_000.asp](http://www.stcloudstate.edu/facilities/Projects_000.asp)

A copy of the pre-design is available for review at: [http://www.stcloudstate.edu/facilities/Projects\\_000.asp](http://www.stcloudstate.edu/facilities/Projects_000.asp)

A mandatory informational site meeting is scheduled for **1:00 PM August 2 in the Glacier room in the Atwood Memorial Center** at St. Cloud State University, St. Cloud, MN. All firms interested in this meeting should contact Jane Spaude at (320) 308-2267 or [jjspaude@stcloudstate.edu](mailto:jjspaude@stcloudstate.edu) to sign up to attend the meeting.

Proposals must be delivered to Lisa Sparks, Director of Purchasing, Administrative Services Building, Room 122, 720 4<sup>th</sup> Avenue South, St. Cloud, MN 56301 no later than **3:00 PM, August 14, 2012**

Minnesota State Colleges and Universities is not obligated to complete the proposed project and reserves the right to cancel the solicitation if it is considered to be in its best interest.

## Minnesota State Colleges and Universities (MnSCU)

### System Office, Advancement Division

#### Request for Proposal for Web Presence Strategy and Design Principles

The Minnesota State Colleges and Universities (MnSCU) system includes 24 two-year community and technical colleges and seven state universities operating on 54 campuses in 47 communities throughout the state. MnSCU is requesting proposals from qualified firms to assist in the development of a web presence strategy and design principles. The initiative is intended to maximize the effectiveness, efficiency and impact of the MnSCU web presence, including its contribution to the effectiveness of the web presence of the system's 31 colleges and universities. The engagement should develop a set of guiding principles for the system's web presence, web governance, and information architecture including usability and analytics, and describe a path forward for effective strategic management of the MnSCU web presence. The proposal should examine how MnSCU web properties can best assist campuses in recruiting students and serve as an access point for all MnSCU academic institutions and initiatives. The project is the initial phase of a longer-term effort to improve the effectiveness and efficiency of the MnSCU web presence, advance awareness of and familiarity with MnSCU colleges and universities and positively impact enrollment and service delivery facilitated by MnSCU's web presence.

Proposals should include a philosophy, methodology, implementation timeline and cost estimate for each suggested element of the project and must present a detailed approach for producing deliverables to improve the effectiveness and efficiency of the MnSCU web presence and advance the MnSCU mission and Strategic Framework.

Specifications are available by visiting the website: [www.pa.mnscu.edu/webpresenceRFP](http://www.pa.mnscu.edu/webpresenceRFP) or by contacting:

Mike Dougherty, Vice Chancellor for Advancement  
Minnesota State Colleges and Universities  
30 - 7<sup>th</sup> St. E., Suite 350  
St. Paul, Minnesota 55101  
**Phone:** (651) 201-1801  
**E-mail:** [michael.dougherty@so.mnscu.edu](mailto:michael.dougherty@so.mnscu.edu)

Sealed proposals must be received by noon CDT on Monday, August 6, 2012. MnSCU personnel other than Mike Dougherty are not allowed to discuss the Request for Proposal with anyone, including responders, before the proposal submission deadline.

This request does not obligate Minnesota State Colleges and Universities to complete the proposed project, and the system reserves the right to cancel this solicitation if it is considered to be in its best interest.

The Minnesota State Colleges and Universities system is an Equal Opportunity employer and educator.

## Minnesota Department of Health (MDH) Community and Family Health Division Notice of Request for Proposals for the Evaluation of the Health Care Homes Initiative

**NOTICE IS HEREBY GIVEN** that the Minnesota Department of Health is requesting proposals from qualified responders to evaluate the overall Health Care Homes (HCH) initiative as authorized under *Minnesota Statutes §256B.0752*. This statute requires MDH to evaluate and monitor the implementation and impact of the HCH initiative for all populations served by certified HCHs. As part of the statutory requirements, an evaluation report on the impact of the HCH initiative for certified populations will be provided at the end of 2013 and 2015.

The contractor will:

- Develop a detailed work plan to meet all required tasks delineated in the RFP
- Develop a study design using appropriate comparative statistical methodology to evaluate the health care homes initiative on the following dimensions:
  1. The number of state health care program enrollees in HCHs and the number and characteristics of enrollees with complex or chronic conditions, identified by income, race, ethnicity and language.
  2. The number and geographic distribution of HCH providers.
  3. The performance and quality of care of HCHs including clinical quality, patient experience and cost.
  4. Measures of preventive care.
  5. HCH payment arrangements and costs related to implementation and payment of care coordination fees.
  6. The estimated impact of HCHs on health disparities.
  7. The estimated savings from implementation of the HCH model for the fee-for-service, managed care and county-based purchasing sectors.
- Identify decision points, potential challenges and options for responding to challenges associated with this evaluation study.
- Gain secure access to, develop familiarity with, and utilize data sources available to inform this study and analysis.
- Compile information and results into HCH Evaluation Reports in 2013 and 2015.
- Provide Professional Communication of Results
- Conduct a written review of the implementation of this evaluation study at a time to be determined by the State.
- Provide excellent project management and communicate regularly with MDH staff.

Work is proposed to start September 12, 2012. For more information, or to obtain a copy of the Request for Proposal, contact:

Marcia Carlson  
Health Care Homes Program  
Minnesota Department of Health  
85 East Seventh Place, Suite 220  
P.O. Box 64882  
St. Paul, MN 55164-0882  
**Phone:** (651) 201-5930  
**Fax:** (651) 215-8915  
**E-mail:** *Marcia.Carlson@state.mn.us*

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

# State Contracts

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Proposals submitted in response to this Request for Proposals must be received at the address above no later than **4:00 pm. Central Daylight Saving Time, August 6, 2012**. Late proposals will not be considered. Faxed or e-mailed proposals will not be considered.

The RFP can be viewed by visiting the MDH HCH web site: <http://www.health.state.mn.us/about/sop.html>. Any addenda to this RFP will be posted on this MDH web site.

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 Health (MDH) Office of Rural Health and Primary Care Request for Proposals to Host State Trauma Registry

**NOTICE IS HEREBY GIVEN** that the Minnesota Department of Health (MDH) requests proposals to provide and host a web-based application (trauma registry) that hospitals use to report and upload data to MDH on traumatic brain and spinal cord (TBI/SCI), work-related, burn, firearm, fireworks and traumatic injuries.

The term of this contract is anticipated to run from October 1, 2012 to June 30, 2013, with the option to extend an additional four years. The department has estimated that the annual cost of this contract should not exceed \$30,450.

Obtain a complete copy of the request for proposals and direct questions to Chris Ballard, Trauma System Coordinator, MDH/ORHPC, 85 E. 7<sup>th</sup> Place, Suite 220, St. Paul, MN 55101, [chris.ballard@state.mn.us](mailto:chris.ballard@state.mn.us), (651) 201-3841.

All proposals must be received not later than 4:00 p.m., Central Time, August 15, 2012 at 85 East 7<sup>th</sup> Place, Suite 220, St. Paul, MN 55101. Late responses will not be considered. Fax and email responses will be considered, however the burden of proving timely receipt is upon the responder.

Chris Ballard, Trauma System Coordinator  
Minnesota Department of Health

## Minnesota Historical Society (MHS) Request for Bids for Split Rock Lighthouse Visitor Center Parking Lot, 3713 Split Rock Lighthouse Road, Two Harbors, MN 55616

The Minnesota Historical Society is seeking bids from qualified contractors to provide all labor, materials, equipment, and supplies to perform work including, but not limited to, the following at Split Rock Lighthouse Visitor Center Parking Lot, 3713 Split Rock Lighthouse Road, Two Harbors, MN 55616 in Lake County for:

Installation of new lighting for the two public parking lots at Split Rock Lighthouse Visitors Center.

Request for Bids are available by emailing Mary Green Toussaint, Acting Contracting Officer at [mary.green-toussaint@mnhs.org](mailto:mary.green-toussaint@mnhs.org)

There will be a MANDATORY pre-bid meeting for all interested parties on **Thursday, August 2, 2012 at 1:00 p.m.** Local Time at the Project Site.

Bids must be received by Mary Green-Toussaint, Acting Contracting Officer, for the Minnesota Historical Society, 345 Kellogg Boulevard West, St. Paul, Minnesota 55102, or an authorized agent (Society staff located at the first floor Information Desk of the Minnesota History Center) no later than **2:00 p.m. Local Time, on Thursday, August 16, 2012**. Late bids will not be considered.

Dated: **July 23, 2012**

## **Minnesota Historical Society (MHS)** **(on behalf of the Minnesota Historical Society Press/Borealis Books)** **Request for a Printing Estimate**

The Minnesota Historical Society, dba Minnesota Historical Society Press/Borealis Books (MHS Press), is seeking bids for printing the book entitled *Asian Flavors* (4,000 + additional 500s to be shipped trimmed and flat with bulk to warehouse). Detailed specifications follow. Please read them carefully, comply with them fully, and make sure the attached bid price form is filled out accurately and signed.

PLEASE NOTE: MHS Press requires complete, no-surprise bids and reserves the right to reject bids that do not address the following information:

- number of pages per signature you plan for this job
- approximate number of days this job will be in your plant, from receipt of files to bound-book date
- all shipping costs, from printer's dock to the Chicago Distribution Center (CDC) warehouse, including all customs fees and domestic transport costs. (Printer must pay all such fees and bill them to MHS Press on final invoice.)

If you have any questions, comments, or suggestions, please contact Daniel Leary, MHS Press Print Production Manager, via e-mail at [daniel.leary@mnhs.org](mailto:daniel.leary@mnhs.org).

Sealed bid estimates must be received by Mary Green Toussaint, Acting Contracting Officer, Minnesota Historical Society, 345 Kellogg Boulevard West, Saint Paul, Minnesota 55102-1906 by **Tuesday, July 31, 2012 at 2 p.m. Local Time**. Late bids will **NOT** be accepted.

Dated: July 23, 2012

## **Minnesota Historical Society (MHS)** **Notice of Request for Proposals for National Register of Historic Places** **Nominations**

The Minnesota Historical Society is seeking proposals from qualified firms and individuals to provide professional services for cultural resources work as follows:

1. One National Register of Historic Places nomination form for the Springfield Commercial Historic District, Springfield, Brown County, Minnesota.
2. One National Register of Historic Places nomination form for the Chisholm Commercial Historic District, Chisholm, St. Louis County, Minnesota.
3. One National Register of Historic Places nomination form for the Indian Mounds Park Site (21RA10), Saint Paul, Ramsey County, Minnesota.

Project Time Period: September 1, 2012 – June 30, 2013

A total of approximately \$30,000 is available in federal Historic Preservation Funds (HPF) to award in contracts for these projects. Consultants may submit proposals for any number or combination of properties listed. The successful applicant(s) must comply with all applicable federal, state, and local laws, rules, and regulations.

The Request for Proposals is available by contacting Mary Green-Toussaint, Acting Contracting Officer, Minnesota Historical Society, 345 Kellogg Boulevard West, St. Paul, MN 55102; via e-mail: [mary.green-toussaint@mnhs.org](mailto:mary.green-toussaint@mnhs.org).

Proposals (3 copies, 1 unbound) must be received by Mary Green-Toussaint, Acting Contracting Officer, Minnesota Historical Society, 345 Kellogg Boulevard West, St. Paul, MN 55102 no later than **2:00 p.m., local time, Tuesday, August 21, 2012**. No late proposals will be accepted.

# State Contracts

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This program receives Federal funds from the National Park Service. Regulations of the U.S. Department of the Interior strictly prohibit unlawful discrimination in departmental Federally-assisted Programs on the basis of race, color, national origin, age, or disability. Any person who believes he or she has been discriminated against in any program, activity, or facility operated by a recipient of Federal assistance should write to: Director, Equal Opportunity Program, U.S. Department of the Interior, National Park Service, P.O. Box 37127, Washington, D.C. 20013-7127.

Dated: July 23, 2012

## Minnesota Department of Human Services (DHS)

### Administration Division

#### Notice of Request for Proposals to Contract for Actuarial Services and Analysis for the Purposes of Evaluating Public Sector Healthcare Program Rate Setting for the Fiscal Years 2003 through Fiscal Year 2011

**NOTICE IS HEREBY GIVEN** that the Minnesota Department of Human Services is requesting proposals to purchase of actuarial services and analysis to evaluate rate setting for public sector healthcare programs for the fiscal years 2003 through FY 2011. The analysis will address procedural systems and the rate determination outcomes and identify “best practices and procedures” moving forward.

The products will include a written and oral report analyzing the Department’s rate setting procedures and processes including identification of key players essential to creating, instituting and maintaining a rate setting system which is actuarially sound and meets the federal and state requirements for rate setting and federal reimbursement of healthcare provided by Minnesota’s public healthcare programs.

Work is proposed to start on or about September 10, 2012. To obtain a copy of the Request for Proposal, contact:

Jay A. Brunner  
Department of Human Services  
Contracts, Procurement & Compliance Division  
P.O. Box 64941  
444 Lafayette Road North,  
St. Paul, MN 551550941  
**Phone:** (651) 431-3614  
**E-mail:** [jay.brunner@state.mn.us](mailto:jay.brunner@state.mn.us)

This is the only person designated to accept questions by potential responders regarding this request. The text of the Request for Proposals can also be viewed by visiting the Minnesota Department of Human Services RFP web site:

[http://www.dhs.state.mn.us/main/id\\_000102](http://www.dhs.state.mn.us/main/id_000102)

Proposals submitted in response to this Request for Proposals must be received at the address above no later than **4:00 p.m., Central Time, August 13, 2012. Late proposals will NOT be considered.** Faxed or e-mailed proposals will **NOT** be considered.

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

## State Board of Investment

### Notice of Request for Proposals for Accounting/Investment Management System

The State Board of Investment is soliciting proposals from providers of trading/ticketing and internal control system services for the assets of the Combined Retirement Funds, Supplemental Retirement Funds, state cash accounts and other non-retirement trust funds.

Responses to this request for proposal will be used to select a vendor or vendors to supply the SBI with these services.

All interested vendors should contact the person below by letter or telephone to request a copy of the complete Request For Proposal. For the subject line in an e-mail request please use Trading/Ticket-Internal Control RFP 2012.

Paul Anderson  
Administrative Director  
Suite 355  
60 Empire Drive  
Saint Paul, MN 55103-3555  
**Telephone:** (651) 297-2287  
**Fax:** (651) 296-9572  
**E-mail:** [paul.anderson@state.mn.us](mailto:paul.anderson@state.mn.us)

All proposals must be submitted before 3:00 P.M. Central Time, August 7, 2012 as specified in the Request For Proposal.

NO PROPOSAL RECEIVED AFTER THAT DATE AND TIME WILL BE CONSIDERED.

## Department of Natural Resources (DNR) Notice of Availability of Contract for Updating the National Wetland Inventory: 30-County Portion of Southern Minnesota

**Certification #:** 30204  
**Amount of proposed contract:** \$712,000.00

The Minnesota Department of Natural Resources is requesting proposals to update the digital National Wetland Inventory (NWI) data for a 30-county portion of southern Minnesota. DNR requests a cost and technical proposal for an update of the NWI in accordance with federal mapping standards and a potential product enhancement, which the state may consider as an option.

The winning vendor will be expected to:

- Update the NWI for 19,606 square miles of southern Minnesota
- Identify wetland features from remote sensing and geographic information systems data
- Provide the data in a digital geographic database
- Classify features using the Cowardin classification system
- Meet the state's accuracy and quality specifications
- Prepare full metadata records in compliance with the state standards

Work is proposed to start October 1, 2012 with deliverables provided to the state for final quality assurance review by September 30, 2014.

A Request for Proposal will be available by mail or e-mail through this office through August 1, 2012. The Request for Proposal can be obtained from:

Steve Kloiber, Project Coordinator  
Minnesota Department of Natural Resources  
500 Lafayette Road  
St. Paul, MN 55155-4025  
**E-mail:** [steve.kloiber@state.mn.us](mailto:steve.kloiber@state.mn.us)  
**Telephone:** (651) 259-5164

A written request (by direct mail or e-mail) is required to receive the Request for Proposal.

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than 2:30 p.m. Central Time, August 24, 2012. **Late proposals will not be considered.** No time extensions will be granted.

# State Contracts

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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 Natural Resources (DNR) Notice of Intent to Hold State Metallic Minerals Lease Sale State Lands to be Offered for Metallic Minerals Exploration**

The Minnesota Department of Natural Resources announces that plans are being developed to hold the state's 33rd sale of metallic minerals exploration and mining leases. The sale is tentatively scheduled for October 2012. The lease sale plans are being announced at this time in order to give mining companies, public interest groups and all other interested parties additional time to review the areas under consideration.

The purpose of Minnesota's metallic minerals rules (Minnesota Rules, parts 6125.0100 - .0700) is to promote and regulate the exploration for, mining and removal of metallic minerals on state-owned and state-administered lands. These rules, and the leases issued under these rules, authorize exploration and development of these minerals and impose certain requirements on the lessee. The requirements include: the payment of rentals that increase with the passage of time, the payment of royalty for all ore mined and removed, the submission of data and other reports, and the addressing of environmental considerations. In addition, the state lessee must comply with all applicable regulatory laws.

The areas under consideration for the lease sale cover portions of Aitkin, Lake and Saint Louis Counties. Some of the lands being considered have been offered in previous metallic minerals lease sales, but based upon the interest shown by industry, new geologic data, and exploration techniques developed during the past few years, it is felt that within these lands there is significant potential for the discovery of mineral resources. Certain new lands of interest are also being considered for the lease sale.

The exact time and place of the lease sale will be announced by legal notice at least thirty (30) days prior to the sale. Mining unit books, listing the state lands to be offered at the lease sale, will be available for inspection or purchase at that time.

A map showing the general areas under consideration may be obtained from the Division of Lands and Minerals, Box 45, 500 Lafayette Road, Saint Paul, MN 55155-4045, telephone 651-259-5959, or by visiting the DNR website at [www.dnr.state.mn.us](http://www.dnr.state.mn.us).

Dated: 16 July 2012

Larry R. Kramka, Director  
Division of Lands and Minerals  
Department of Natural Resources

## **Department of Transportation (Mn/DOT) Engineering Services Division Notice of Potential Availability of Contracting Opportunities for a Variety of Highway Related Technical Activities ("Consultant Pre-Qualification Program")**

This document is available in alternative formats for persons with disabilities by calling Kelly Arneson at (651) 366-4774; for persons who are hearing or speech impaired by calling Minnesota Relay Service at (800) 627-3529.

Mn/DOT, worked in conjunction with the Consultant Reform Committee, the American Council of Engineering Companies of Minnesota (ACEC/MN), and the Department of Administration, to develop the Consultant Pre-Qualification Program as a new method of consultant selection. The ultimate goal of the Pre-Qualification Program is to streamline the process of contracting for highway related professional/technical services. Mn/DOT awards most of its consultant contracts for highway-related technical activities using this method, however, Mn/DOT also reserves the right to use Request for Proposal (RFP) or other selection processes for particular projects.

Nothing in this solicitation requires Mn/DOT to use the Consultant Pre-Qualification Program.

Mn/DOT is currently requesting applications from consultants. Refer to Mn/DOT's Consultant Services web site, indicated below, to see which highway related professional/technical services are available for application. Applications are accepted on a continual basis. All expenses are incurred in responding to this notice will be borne by the responder. Response to this notice becomes public information under the Minnesota Government Data Practices.

Consultant Pre-Qualification Program information, application requirements and applications forms are available on Mn/DOT's Consultant Services web site at: <http://www.dot.state.mn.us/consult>.

Send completed application material to:

Kelly Arneson  
Consultant Services  
Office of Technical Support  
Minnesota Department of Transportation  
395 John Ireland Blvd. Mail Stop 680  
St. Paul, MN 55155

## Department of Transportation (Mn/DOT) Engineering Services Division Notice Concerning Professional/Technical Contract Opportunities and Taxpayers' Transportation Accountability Act Notices

**NOTICE TO ALL:** The Minnesota Department of Transportation (Mn/DOT) is now placing additional public notices for professional/technical contract opportunities on Mn/DOT's Consultant Services **website** at: [www.dot.state.mn.us/consult](http://www.dot.state.mn.us/consult)

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. Mn/DOT is also posting notices as required by the Taxpayers' Transportation Accountability Act on the above referenced website.

## Minnesota Department of Transportation (MnDOT) Office of Customer Relations Request for Proposals (RFP) for High Enforcement of Aggressive Traffic (HEAT) 2012 - Wave 3

The primary objective of this post-campaign study is to assess the changes in public awareness and attitudes regarding aggressive driving; enforcement of same; and of the HEAT campaign, specifically in the context of other concurrent safe driving public education campaigns. Results will inform future education and enforcement campaigns targeted to specific types of aggressive driving. Specifically, 1) the successful responder will compare the pre-campaign, mid-point, and post-campaign data on recollection of public education messages; determine to what extent the public recalls HEAT campaign messages versus other safe driving messages, and explore how and to what extent those differences matter to them; 2) Wave 1 and Wave 2 of the HEAT survey identified driving behaviors that the public consistently viewed as a threat to their safety (e.g., DUI, tailgating, texting and talking on a cell phone while driving, etc.) – this last iteration of the survey will measure whether attitudes regarding these behaviors have remained relatively stable, or changed; and 3) The HEAT campaign focused specifically on younger drivers. A goal of the HEAT campaign is to identify safety themes and messages that resonate with targeted populations, specifically these younger drivers. This post-project survey will test whether previous findings hold, identify any new factors, and otherwise inform future public education campaigns.

The full RFP can be viewed on the Consultant Services Web Page at:  
(Cite 37 SR 159)

# State Contracts

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<http://www.dot.state.mn.us/consult/files/notices/notices.html>

If you have any questions regarding this advertisement, or are having problems viewing the RFP on the Consultant Services Web Page, you may contact:

Ashley Duran, Contract Administrator

**E-mail:** [ashley.duran@state.mn.us](mailto:ashley.duran@state.mn.us)

**Telephone:** (651) 366-4627

Note: RESPONSES WILL BE DUE ON **WEDNESDAY, August 8, 2012 AT 2:00 PM** CENTRAL DAYLIGHT TIME.

## Minnesota Zoo

### Request for Proposal for Onsite Assessment of Three Large Aquatic Presentation Pools and One Small Medical Treatment Pool in Discovery Bay Exhibit

The Minnesota Zoo requests proposals for onsite assessment of 3 large aquatic presentation pools and 1 small medical treatment pool located in its Discovery Bay as well as specifications, CA documents, and 3<sup>rd</sup> party installation oversight. Discovery Bay is a 15 year old facility originally constructed to house the marine mammal collection as well as various sea creatures. The 3 presentation pools are the focal point of the building each containing saltwater and contain 578,000 gallons, 192,000 gallons, and 188,000 gallons each. The small medical pool is connected to one of the smaller pools and contains 10,000 gallons.

Proposals shall be separated into 2 separate costs as outlined in the RFP. The entire project will be awarded to a single contractor.

Details are included in the complete Request for Proposals which is available by e-mailing Derik Otten, Minnesota Zoo Project Manager at [derik.otten@state.mn.us](mailto:derik.otten@state.mn.us). The deadline for submitting a proposal is 11:00AM., CST, August 7<sup>th</sup>, 2012.

This Request for Proposals does not obligate the State of Minnesota or the Minnesota Zoo to complete the work contemplated in this notice and the State reserves the right to cancel this solicitation. All expenses incurred in response to this notice are solely the responsibility of the responder.

## 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.

## Contracts with Other Units of Government

Check up on all the “active” state grants in the “Contracts & Grants” section, available only to *State Register* subscribers. Open the *State Register* and click on Bookmarks on the left. You will also see a list of all the current rules, a growing index, and previous years’ indices. Subscribers also receive LINKS to the *State Register*. Subscriptions cost \$180 a year (an \$80 savings).

The *State Register* is one of the best ways to advertise your grants - it’s a required read for public works projects. And it’s cost is one of the least expensive legal advertising rates in Minnesota. At \$13.60 per 1/10 of a page you cannot go wrong.

Here’s what you receive via e-mail:

- **Word Search Capability**
- **Updates to Index to Vol. 31**
- **E-mailed to you on Friday**
- **LINKS, LINKS, LINKS**
- **“Contracts & Grants” Open for Bid**
- **Easy Access to *State Register* Archives**

It’s all E-mailed to you, at end-of-day on Friday, instead of waiting for the non-subscriber’s issue released on Monday. Contact Loretta J. Diaz, our subscriptions manager, at **phone:** (651) 297-8777, or **fax:** (651) 297-8260, or **e-mail:** [loretta.diaz@state.mn.us](mailto:loretta.diaz@state.mn.us)

## Metropolitan Airports Commission (MAC)

### Minneapolis-Saint Paul International Airport

#### Notice of Call for Bids for Conveyance Systems Modifications 2012—P4

**MAC Contract No.:** 106-2-666  
**Bids Close At:** 2:00 p.m. August 14, 2012

**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. Work will include the modernization of four (4) electric traction passenger elevators in the Gold Parking Ramp to include controllers, door operators, hoist motors, door equipment, signal fixtures and cabs

**Targeted Group Businesses (TGB):** The goal of the MAC for the utilization of TGB on this project is 1%.

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

**Availability of Bidding Documents:** Bidding documents are on file for inspection at the office of Architectural Alliance; at the Minneapolis and Saint Paul Builders Exchanges; McGraw Hill Construction/Dodge; and NAMC-UM Plan Room. Bidders desiring bidding documents may secure a complete set from Franz Reprographics; 2781 Freeway Boulevard, Suite 100; Brooklyn Center, MN 55430; **phone:** (763) 503-3401; **fax:** (763) 503-3409. Make checks payable to Architectural Alliance. Deposit per set (refundable): \$150. Requests for mailing sets will be invoiced for mailing charges. Deposit will be refunded upon return of bidding documents in good condition within 10 days of opening of bids.

**MAC Internet Access of Additional Information:** A comprehensive Notice of Call for Bids for this project will be available on July 23, 2012, at MAC’s web address of <http://www.metroairports.org/business/solicitations> (construction bids).



**Several convenient ways to order:**

- ♦ **Retail store** Open 8 a.m. - 5 p.m. Monday - Friday, 660 Olive Street, St. Paul
- ♦ **Phone** (credit cards): 8 a.m. - 5 p.m. Monday - Friday, 651.297.3000 (Twin Cities) or 1.800.657.3757 (nationwide toll-free)
- ♦ **On-line orders:** www.minnesotasbookstore.com
- ♦ **Minnesota Relay Service:** 8 a.m. - 5 p.m. Monday - Friday, 1.800.627.3529 (nationwide toll-free)
- ♦ **Fax** (credit cards): 651.215.5733 (fax line available 24 hours/day)
- ♦ **Mail orders:** Orders can be sent to Minnesota's Bookstore, 660 Olive Street, St. Paul, MN 55155

**PREPAYMENT REQUIRED. Prices and availability subject to change.**

**Fax and phone orders:** Credit card purchases ONLY (American Express/Discover/MasterCard/VISA). Please allow 1-2 weeks for delivery. **Mail orders:** Complete order blank and send to address above. Enclose check or include credit card information. Please allow 4-6 weeks for delivery. Please make checks payable to "Minnesota's Bookstore." A \$20.00 fee will be charged for returned checks.

Stock No.	Title	Quantity	Unit Price	Total

Send my order to:

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Name \_\_\_\_\_

Street Address (Not deliverable to P.O. boxes) \_\_\_\_\_

City ( ) State Zip \_\_\_\_\_

Daytime phone (In case we have a question about your order) \_\_\_\_\_

Credit card number: \_\_\_\_\_

Expiration date: \_\_\_\_\_ Signature: \_\_\_\_\_

**Shipping Charges**

<i>If Product</i>	<i>Please</i>
<i>Subtotal is:</i>	<i>Add:</i>
Up to \$15.00	\$ 5.00
\$15.01-\$25.00	\$ 6.00
\$25.01-\$50.00	\$ 9.00
\$50.01-\$100.00	\$ 14.00
\$100.01-\$1,000	\$ 17.00*
*\$17 to an address in MN, WI, SD, ND, IA. If delivered to an address in other states, Canada or internationally, we will contact you if there are additional charges.	
More than \$1,000	Call

Product Subtotal \_\_\_\_\_

Shipping \_\_\_\_\_

Subtotal \_\_\_\_\_

Sales tax \_\_\_\_\_

*(6.875% sales tax if shipped to MN address, 7.625% if shipped to St. Paul address. 7.125% MN transit tax or other local sales tax if applicable)*

**TOTAL** \_\_\_\_\_

If tax exempt, please provide ES number or completed exemption form.  
ES# \_\_\_\_\_