

P182

The Minnesota  
**State  
Register**

Department of Administration—Print Communications Division

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# State Register

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

The *State Register* is the official publication of the State of Minnesota, containing executive and commissioners' orders, proposed and adopted rules, official notices, state and non-state contracts, contract awards, grants, and announcements.

A *Contracts Supplement* is published every Thursday and contains additional state contracts and advertised bids, and the most complete source of state contract awards available in one source.

### Printing Schedule and Submission Deadlines

Vol. 15 Issue Number	*Submission deadline for Adopted and Proposed Rules, Commissioners' Orders**	*Submission deadline for Executive Orders, Contracts, and Official Notices**	Issue Date
30	Monday 7 January	Monday 14 January	Tuesday 22 January
31	Monday 14 January	Friday 18 January	Monday 28 January
32	Friday 18 January	Monday 28 January	Monday 4 February
33	Monday 28 January	Monday 4 February	Monday 11 February

\*Deadline extensions may be possible at the editor's discretion; however, none will be made beyond the second Wednesday (12 calendar days) preceding the issue date for rules, proposed rules and executive orders, or beyond the Wednesday (5 calendar days) preceding the issue date for official notices. Requests for deadline extensions should be made only in valid emergency situations.

\*\*Notices of public hearings on proposed rules and notices of intent to adopt rules without a public hearing are published in the Proposed Rules section and must be submitted two weeks prior to the issue date.

Instructions for submission of documents may be obtained from the *State Register* editorial offices, 504 Rice Street, St. Paul, Minnesota 55103, (612) 296-4273.

The *State Register* is published every Monday (Tuesday when Monday is a holiday) by the State of Minnesota, Department of Administration, Print Communications Division, 117 University Avenue, St. Paul, Minnesota 55155, pursuant to *Minnesota Statutes* § 14.46. A *State Register Contracts Supplement* is published every Thursday. The Monday edition is the vehicle for conveying all information about state agency rulemaking, including official notices; hearing notices; proposed, adopted and emergency rules. It also contains executive orders of the governor; commissioners' orders; state contracts and advertised bids; professional, technical and consulting contracts; non-state public contracts; state grants; decisions of the supreme court; a monthly calendar of scheduled cases before the supreme court; and other announcements. The Thursday edition contains additional state contracts and advertised bids, and the most complete listing of contract awards available in one source.

In accordance with expressed legislative intent that the *State Register* be self-supporting, the following subscription rates have been established: the Monday edition costs \$140.00 per year and includes an index issue published in August (single issues are available at the address listed above for \$3.50 per copy); the combined Monday and Thursday editions cost \$195.00 (subscriptions are not available for just the *Contracts Supplement*); trial subscriptions are available for \$60.00, include both the Monday and Thursday edition, last for 13 weeks, and may be converted to a full subscription anytime by making up the price difference. No refunds will be made in the event of subscription cancellation.

Both editions are delivered postpaid to points in the United States, second class postage paid for the Monday edition at St. Paul, MN, first class for the Thursday edition. Publication Number 326630 (ISSN 0146-7751).

Subscribers who do not receive a copy of an issue should notify the *State Register* circulation manager immediately at (612) 296-0931. Copies of back issues may not be available more than two weeks after publication.

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**Terry L. Bock, Acting Commissioner**  
Department of Administration

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Print Communications Division  
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## FOR LEGISLATIVE NEWS

Publications containing news and information from the Minnesota Senate and House of Representatives are available free to concerned citizens and the news media. To be placed on the mailing list, write or call the offices listed below:

### SENATE

**Briefly-Preview**—Senate news and committee calendar; published weekly during legislative sessions.

**Perspectives**—Publication about the Senate.

**Session Review**—Summarizes actions of the Minnesota Senate.

Contact: Senate Public Information Office  
Room 231 State Capitol, St. Paul, MN 55155  
(612) 296-0504

### HOUSE

**Session Weekly**—House committees, committee assignments of individual representatives; news on committee meetings and action. House action and bill introductions

**This Week**—weekly interim bulletin of the House.

**Session Summary**—Summarizes all bills that both the Minnesota House of Representatives and Minnesota Senate passed during their regular and special sessions.

Contact: House Information Office  
Room 175 State Office Building, St. Paul, MN 55155  
(612) 296-2146

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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 75 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. This is a ten-volume bound collection of all adopted rules in effect at the time. Supplements are published to update this set of rules. Proposed and adopted emergency rules do not appear in this set because of their short-term nature, but are published in the *State Register*.

If an agency seeks outside opinion before issuing new rules or rule amendments, it must publish a NOTICE OF INTENT TO SOLICIT OUTSIDE OPINION in the *Official Notices* section of the *State Register*. When rules are first drafted, state agencies publish them as **Proposed Rules**, along with a notice of hearing, or notice of intent to adopt rules without a hearing in the case of noncontroversial rules. This notice asks for comment on the rules as proposed. Proposed emergency rules and withdrawn proposed rules are also published in the *State Register*. After proposed rules have gone through the comment period, and have been rewritten into their final form, they again appear in the *State Register* as **Adopted Rules**. These final adopted rules are not printed in their entirety in the *State Register*, only the changes made since their publication as Proposed Rules. To see the full rule, as adopted and in effect, a person simply needs two issues of the *State Register*, the issue the rule appeared in as proposed, and later as adopted. For a more detailed description of the rulemaking process, see the *Minnesota Guidebook to State Agency Services*.

The *State Register* features partial and cumulative listings of rules in this section on the following schedule: issues 1-13 inclusive; issues 14-25 inclusive; issue 26, cumulative for issues 1-26; issues 27-38 inclusive; issue 39, cumulative for 1-39; issues 40-51 inclusive; and issue 52, cumulative for 1-52. An annual subject matter index for rules appears in August. For copies of the *State Register*, a subscription, the annual index, the *Minnesota Rules* or the *Minnesota Guidebook to State Agency Services*, contact the Print Communications Division, 117 University Avenue, St. Paul, MN 55155 (612) 297-3000 or toll-free in Minnesota 1-800-9747.

### Issues 28-30 inclusive (issues #1-27 appeared in #27)

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## Proposed Rules

Pursuant to Minn. Stat. §§ 14.22, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing, as long as the agency determines that the rules will be noncontroversial in nature. The agency must first publish a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register*. The notice must advise the public:

1. that they have 30 days in which to submit comment on the proposed rules;
2. that no public hearing will be held unless 25 or more persons make a written request for a hearing within the 30-day comment period;
3. of the manner in which persons shall request a hearing on the proposed rules; and
4. that the rule may be modified if the modifications are supported by the data and views submitted.

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*.

Pursuant to Minn. Stat. §§ 14.29 and 14.30, agencies may propose emergency rules under certain circumstances. Proposed emergency rules are published in the *State Register* and, for at least 25 days thereafter, interested persons may submit data and views in writing to the proposing agency.

## Department of Commerce

### Petroleum Tank Release Compensation Board

#### Proposed Permanent Rules Relating to Petrofund; Ineligible Costs

##### Notice of Hearing

**NOTICE IS HEREBY GIVEN** that the Petroleum Tank Release Compensation Board (Board) will hold a public hearing in the above-entitled matter in the Large Hearing Room, first floor, Department of Commerce, 133 East 7th Street, St. Paul, MN, commencing at 9:00 a.m. on Friday, February 22, 1991. Additional days of hearing will be scheduled if necessary. All interested or affected persons will have an opportunity to participate by submitting either oral or written data, statements, or arguments. Statements or briefs may be submitted without appearing at the hearing.

The rule hearing procedure is governed by *Minnesota Statutes* § 14.131 to 14.20 (1990) and by the rules of the Office of Administrative Hearings, *Minnesota Rules* Parts 1400.0200 to 1400.1200 (1989). Questions concerning the rule hearing procedure should be directed to the Administrative Law Judge, George Beck, at Office of Administrative Hearings, Fifth Floor, Flour Exchange Building, 310 Fourth Avenue South, Minneapolis, Minnesota 55414, (612) 341-7601.

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

## Proposed Rules

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The Petroleum Tank Release Compensation Board proposes to adopt an amendment to rules governing ineligible costs, *Minnesota Rules* Parts 2890.0080. The proposed amendment will denominate as "ineligible costs" costs of removal of tanks and costs which are covered by insurance or other contract. Authority for the adoption of these rules is contained in *Minnesota Statutes* § 115C.07. The proposed rules are published below. One free copy of the rules is available on request by contacting:

Robin Hanson  
Petroleum Tank Release Compensation Board  
133 East Seventh Street  
St. Paul, MN 55101-2362  
Telephone: (612) 297-4017

**NOTICE IS HEREBY GIVEN THAT A STATEMENT OF NEED AND REASONABLENESS** is now available for review at the Board office and at the Office of Administrative Hearings. The Statement of Need and Reasonableness includes a summary of all the evidence and argument which the Board anticipates presenting at the hearing justifying both the need for and reasonableness of the proposed rules. Copies of the Statement of Need and Reasonableness may be reviewed at the Board office or at the Office of Administrative Hearings and copies may be obtained from the Office of Administrative Hearings at the cost of reproduction.

Any person may present his or her views on the proposed rules in one or more of the following ways: by submitting written data to the Administrative Law Judge at any time before the close of the hearing; by submitting oral or written data at the hearing; and by submitting written data to the Administrative Law Judge during the comment period following the hearing. The comment period will be not less than five working days after the public hearing ends. The comment period may be extended for a longer period not to exceed 20 calendar days if ordered by the Administrative Law Judge at the hearing. The written material received during the comment period shall be available for review at the Office of Administrative Hearings. Within three business days after the expiration of the comment period, the Board and interested persons may respond in writing to any new information received during the comment period; however, no additional evidence may be submitted during this three-day period.

The Board requests that any person submitting written views or data to the Administrative Law Judge prior to the hearing or during the comment period also submit a copy of the written data to Robin Hanson at the address stated above.

The proposed rules may be modified if the data and views received during the hearing process warrant modification and the modification does not result in a substantial change in the proposed rules.

**NOTICE:** Any person may request notification of the date on which the Administrative Law Judge's report will be available, after which date the Board may not take any final action on the rules for a period of five working days. If you desire to be so notified, you may so indicate at the hearing. After the hearing, you may request notification by sending a written request to the Administrative Law Judge. Any person may request notification of the date on which the rules were adopted and filed with the Secretary of State. The notice must be mailed on the same day that the rules are filed. If you want to be so notified you may so indicate at the hearing or send a request in writing to the Board at any time prior to the filing of the rules with the Secretary of State.

Adoption of the rule will not require expenditure of funds by local public bodies.

You are hereby advised, pursuant to *Minnesota Statute* Section 14.115, subdivision 2, the impact on small business has been considered in the promulgation of the rules. Small businesses having insurance or requiring tank removal will be affected by these rules because the costs of tank removal and costs covered by insurance will not be eligible for reimbursement by the Petroleum Tank Release Compensation Board. Anyone wishing to present evidence or argument as to the rules effect on small business may do so. Further information regarding the impact of the rules on small business is set forth in the Statement of Need and Reasonableness.

Please be advised that *Minnesota Statutes* ch. 10A (1990) requires each lobbyist to register with the State Ethical Practices Board within five days after he or she commences lobbying. A lobbyist is defined in *Minnesota Statutes* § 10A.01, subd. 11 (1990) as any individual:

(a) Engaged for pay or other consideration, or authorized by another individual or association to spend money, who spends more than five hours in any month or more than \$250, not including travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials; or

(b) Who spends more than \$250 not including travel expenses and membership dues, in any year for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials.

The statute contains certain exceptions. Questions should be directed to the Ethical Practices Board, 625 North Robert Street, St. Paul, Minnesota 55101-2520, telephone (612) 296-5615.

Susan Bergh  
Executive Director

**Rules as Proposed****2890.0080 INELIGIBLE COSTS.**

All costs associated with actions that do not minimize, eliminate, or clean up a release to protect the public health and welfare or the environment are ineligible costs. Ineligible costs include, but are not limited to, any costs related to the permanent repair or replacement of a tank, upgrading tanks, removal of tanks, loss of income, attorney's fees, permanent relocation of residents, decreased property values, reimbursement for the responsible person's own time spent in planning and administering a corrective action plan, aesthetic improvements, or any work performed that is not in compliance with safety codes including but not limited to Occupational Safety and Health Administration requirements, well codes, and fire codes. Other ineligible costs include corrective action costs which are covered under an insurance or other contract for initial and supplemental applications received by the board after the effective date of this part.

## Department of Health

### Corrections to Proposed Permanent Rules Relating to Certification of Environmental Laboratories

#### Corrected Rule Citation and Phone Number for Comments

The *Minnesota Rules* cited in the notice appearing on page 1505 of Vol. 15, #27, Dec. 31, 1990 *State Register* were wrong. The correct citation in the first paragraph and the second to the last paragraph on that page should be *Minnesota Rules* part 4740.2040, subp. 4. The correct telephone number for comments is (612) 623-5680.

## Minnesota Racing Commission

### Proposed Permanent Rules Relating to Pari-mutuel Horse Racing

#### Notice of Proposed Adoption of a Rule Without a Public Hearing

**NOTICE IS HEREBY GIVEN** that the Minnesota Racing Commission proposes to adopt the above-entitled rule without a public hearing following the procedures set forth in *Minnesota Statutes*, sections 14.22 to 14.28. The statutory authority to adopt the rule is *Minnesota Statutes*, section 240.23 (1990).

All persons have 30 days in which to submit comment in support of or in opposition to the proposed rule or any part or subpart of the rule. Comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rule within the 30-day comment period. If 25 or more persons submit a written request for a public hearing within the 30-day comment period, a public hearing will be held unless a sufficient number withdraw their request. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed. If a public hearing is required, the agency will proceed pursuant to *Minnesota Statutes*, sections 14.131 to 14.20.

Comments or written requests for a public hearing must be submitted to:

Richard Krueger  
Minnesota Racing Commission  
11000 West 78th Street, Suite 201  
Eden Prairie, MN 55344  
Telephone: (612) 341-7555

The proposed rule may be modified if the modifications are supported by data and views and do not result in a substantial change in the proposed rule as noticed.

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

## Proposed Rules

A copy of the proposed rule is attached to this notice.

**A STATEMENT OF NEED AND REASONABLENESS** that describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rule has been prepared and is available from the Minnesota Racing Commission upon request.

Promulgation of the proposed rule will not result in the expenditure of public monies by local public bodies, fix or adjust any fees, or have an impact on agricultural land. The affect, if any, that the proposed rule may have on small businesses is discussed in the Statement of Need and Reasonableness.

If no hearing is required, upon adoption of the rule, the rule and the required supporting documents will be submitted to the Attorney General for review as to legality and form to the extent the form relates to legality. Any person may request notification of the date of submission to the Attorney General. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the adopted rule, must submit the written request to the Minnesota Racing Commission at the address listed above.

Dated: December 19, 1990.

Richard Krueger  
Director  
Minnesota Racing Commission

### Rules as Proposed

#### 7870.0400 DEADLINES FOR SUBMISSION OF CLASS A AND B LICENSE APPLICATIONS.

Deadlines for submission of a Class A or B license application are as follows:

A. Applications for a Class A license to own and a Class B license to operate a racetrack in the seven-county metropolitan area ~~must be received by the commission's designee before 5:00 p.m. on the 14th day, as computed pursuant to Minnesota Statutes, section 645.15, after these rules become effective or on March 1, 1984, whichever is later. The designee must deliver investigation fees to the commission promptly upon receipt. The designee must retain and safeguard until the deadline with seals intact all applications received. Promptly after the deadline, the designee must deliver the applications to the commission for opening may be submitted at any time by filing the application with the commission at its administrative offices.~~

B. Applications for Class A licenses to own and Class B licenses to operate racetracks outside the seven-county metropolitan area ~~are not subject to the deadline imposed by item A~~ may be submitted at any time. If the commission determines that applications will be submitted for Class A licenses to own and class B licenses to operate racetracks outside the seven-county metropolitan area which will compete significantly with each other, the commission must establish a deadline for submission of applications.

C. Notwithstanding items A and B, applications for Class B licenses must be submitted at least ~~160~~ 60 days before the date on which the applicant proposes to commence horse races.

#### 7871.0010 APPLICATION FOR PARI-MUTUEL POOLS.

[For text of subpart 1, see M.R.]

Subp. 2. **Disposition of requests.** The commission must act on a request for approval of pari-mutuel pools under the following procedures:

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

E. The commission shall approve, deny, or give its qualified approval to an application for pari-mutuel pools not sooner than ~~30~~ 25 nor later than 45 days after filing of the application.

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

[For text of subs 3 and 4, see M.R.]

#### 7872.0100 APPLICATION FOR RACING DAYS.

[For text of subpart 1, see M.R.]

Subp. 2. **Disposition of racing days requests.** The commission must act on a request for assignment of racing days pursuant to the following procedures:

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

B. The commission shall conduct a public hearing on the request no sooner than 25 nor later than ~~30~~ 45 days after an application is filed. The commission shall issue a press release no later than five days after an application is filed announcing the filing and the time and place of the public hearing.

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

[For text of subps 3 to 7, see M.R.]

**7873.0100 APPLICATION FOR PARI-MUTUEL POOLS.**

[For text of subpart 1, see M.R.]

Subp. 2. **Disposition of requests.** The commission must act on a request for approval of pari-mutuel pools pursuant to the following procedures:

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

E. The commission shall approve, deny, or give its qualified approval to an application for pari-mutuel pools not sooner than ~~30~~ 25 nor later than 45 days after filing of the application.

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

[For text of subp 3, see M.R.]

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

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

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

**7873.0185 TRIFECTA.**

[For text of subps 1 to 6, see M.R.]

Subp. 7. **Restrictions on trifecta races.** The restrictions in items A to ~~D~~ C apply to trifecta races.

A. Coupled or uncoupled entries and mutuel fields are prohibited from starting in trifecta races.

B. ~~There must be a minimum of ten horses entered in a race with trifecta wagering.~~

~~C.~~ There shall be no trifecta wagering on handicap races.

~~D.~~ C. If fewer than eight horses are declared starters, trifecta wagering shall be canceled and all trifecta wagers shall be refunded. If time permits, the association may schedule exacta wagering in place of trifecta wagering.

[For text of subp 8, see M.R.]

**7873.0186 TWIN TRIFECTA.**

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

Subp. 3. **Procedures.** ~~The procedures in items A to E apply to twin trifecta races.~~ The twin trifecta pools shall be calculated according to one of the two following methods as approved by the commission.

A. (1) Each bettor purchasing twin trifecta tickets shall designate selections as the first three horses to finish in exact order in the first race of the two designated races.

~~B.~~ (2) After wagering closes for the first race of the twin trifecta, the net pool will be divided with 25 percent of the net pool going to the first race of the twin trifecta and 75 percent of the net pool going to the second race of the twin trifecta.

~~C.~~ (3) After the official declaration of the first race of the twin trifecta, 25 percent of the net pool will be distributed to the holders of the twin trifecta tickets selecting the first three horses in exact order, on the first designated twin trifecta race. Further, each bettor holding a ticket correctly selecting the first three horses in the exact order of finish must, before the running of the second twin trifecta race, exchange the winning tickets for both the monetary value as calculated by the totalisator equipment and twin trifecta exchange tickets and at such time shall select three horses to finish in the second race of the twin trifecta in the exact order as officially posted. No further money shall be required of the holders of the winning tickets in order to make the exchange.

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~~D.~~ (4) After the official declaration of the second race of the twin trifecta, the remaining 75 percent of the net pool will be distributed to the holders of the second half twin trifecta tickets selecting the first three horses in exact order, on the second designated twin trifecta race.

~~E.~~ (5) If a winning twin trifecta ticket from the first race is not presented for cashing and exchange within the time provided, the bettor may still collect the monetary value of the ticket, but forfeits all rights to any distribution of the second race net pool of the twin trifecta.

B. (1) Each bettor purchasing twin trifecta tickets shall designate selections as the first three horses to finish in exact order in the first race of the two designated races.

(2) After wagering closes for the first race of the twin trifecta, the net pool will be divided with 50 percent of the net pool going to the first race of the twin trifecta and 50 percent of the net pool going to the second race of the twin trifecta.

(3) After the official declaration of the first race of the twin trifecta, 50 percent of the net pool will be distributed to the holders of the twin trifecta tickets selecting the first three horses in exact order, on the first designated twin trifecta race. Further, each bettor holding a ticket correctly selecting the first three horses in the exact order of finish must, before the running of the second twin trifecta race, exchange the winning tickets for both the monetary value as calculated by the totalisator equipment and twin trifecta exchange tickets and at such time shall select three horses to finish in the second race of the twin trifecta in the exact order as officially posted. No further money shall be required of the holders of the winning tickets in order to make the exchange.

(4) After the official declaration of the second race of the twin trifecta, the remaining 50 percent of the net pool will be distributed to the holders of the second half twin trifecta tickets selecting the first three horses in exact order, on the second designated twin trifecta race.

(5) If a winning twin trifecta ticket from the first race is not presented for cashing and exchange within the time provided, the bettor may still collect the monetary value of the ticket, but forfeits all rights to any distribution of the second race net pool of the twin trifecta.

[For text of subs 4 to 8, see M.R.]

Subp. 9. **Restrictions on twin trifecta races.** The restrictions in items A to ~~D~~ C apply to twin trifecta races.

A. Coupled or uncoupled entries and mutuel fields are prohibited from starting in twin trifecta races.

B. ~~There must be a minimum of ten horses entered in a race with twin trifecta wagering.~~

~~C.~~ There shall be no twin trifecta wagering on handicap races.

~~D.~~ C. If fewer than eight horses are declared starters for the first race of the twin trifecta, twin trifecta wagering shall be canceled for that day and all twin trifecta wagers shall be refunded. However, any accumulated second race twin trifecta carryover will not be affected and will carry over to the next consecutive race day. In the event this occurs on the final program, the accumulated net pool of the second twin trifecta race will be deposited in a trust account by the association, and the pool, as well as all accrued interest, shall be carried over and included in the second race twin trifecta net pool for the next consecutive racing date as an additional net amount to be distributed.

If fewer than eight horses are declared starters for the second race of the twin trifecta, all holders of exchange tickets to the second race of the twin trifecta will share equally in that part of the second race net pool added in that day. The amount carried over from previous days will not be distributed and will be carried over to the next consecutive race day. In the event this occurs on the final program, the accumulated net pool of the second twin trifecta race will be deposited in a trust account by the association, and the pool, as well as all accrued interest, shall be carried over and included in the second race twin trifecta net pool for the next consecutive racing date as an additional net amount to be distributed.

[For text of subp 10, see M.R.]

### 7873.0190 PICK SIX.

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

Subp. 6. **Calculation of pool.** The pick six pari-mutuel pool shall be calculated according to one of the two following methods as approved by the commission:

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

D. With the permission of the commission before the start of racing, a licensee may declare a mandatory payout on the next consecutive race day after the pick six carryover pool has reached a previously approved amount. Should no distribution be made pursuant to item A or B, then the entire distributable pool and all money accumulated in the pool shall be distributed to the holders of the tickets correctly designating the most winning selections of the six races comprising the pick six for that day. If, for any reason, the day of racing is canceled, or the pick six pool has not been distributed, the pool shall be carried over and included in the pick six pari-mutuel pool for the next succeeding racing day as an additional net amount to be distributed.

[For text of subs 7 to 10, see M.R.]

Subp. 11. Additional money added. With the approval of the commission, the association may guarantee a minimum payout in the pick six. If the guaranteed payout exceeds the amount available for distribution from the amounts wagered, the association shall provide the difference by paying the holders of any winning ticket correctly designating the official winner in each of the six races comprising the pick six with its own funds.

### **7873.0192 SUPER-TRI WAGERING AND POOLS.**

Subpart 1. Scope. The super-tri is a form of pari-mutuel wagering in which the bettor selects three runners that will finish first, second, and third in one designated race, then select the correct order of finish, first, second, third, and fourth in another designated race. All super-tri wagers will be calculated in an entirely separate pool, with no relation to any other pool.

Subp. 2. Price of tickets. Super-tri tickets shall be sold in not less than \$2 denominations.

Subp. 3. Procedures. The procedures in items A to E apply to super-tri races.

A. Each bettor purchasing super-tri tickets shall designate selections as the first three runners to finish in exact order in the first race of the designated two races.

B. After the wagering closes on the first half of the super-tri, the net pool will then be divided into two separate pools of equal amounts.

C. The money in the first part of the pool will be distributed to the holders of the trifecta portion selecting the first three runners in order on the first designated super-tri race according to the established pari-mutuel practice.

After the official declaration of the first three runners to finish in the first race of the super-tri, each bettor holding a winning ticket with the exact order of finish must, prior to the running of the second super-tri race, exchange the winning ticket for both the monetary value established by the mutuels department and super-tri exchange tickets and at that time shall select the four runners to finish in the second race of the super-tri in the exact order of finish as officially posted. No further money shall be requested of the holders of the winning ticket in order to make the exchange.

In the first part of the super-tri, if no ticket is sold on a winning combination, selecting the first three finishers in exact order, there will be no exchange, only the consolation payoff, as described in subpart 4, with the exception of a mandatory payout according to subpart 7. Then an exchange will be given.

D. The second equal part of the divided pool will be distributed to holders of second half super-tri tickets selecting the first four runners in exact order of the second designated super-tri race.

E. No super-tri exchange for the second race shall be issued except upon surrender of the super-tri tickets from the first race as described in this subpart.

If a winning super-tri ticket from the first race is not presented for cashing and exchanging within the time provided, the bettor may still collect the monetary value attached to the ticket but forfeits all rights to any distribution of the second race super-tri pool.

Subp. 4. Failure to select winning combination. Items A to E govern payoffs in races where the winning combination has not been selected.

A. In the first race of the super-tri only, if no ticket is sold on a winning combination of a super-tri pool, the net pool shall be apportioned equally between those having tickets selecting the first and second place runners in exact order with all other horses. If no ticket is sold selecting the first and second runners in the super-tri pool, the net pool shall then be apportioned equally between those having tickets selecting the runner or runners that finish first and third, with all other horses finishing second in the super-tri race. Should no selection be made as above mentioned, the net pool shall be apportioned equally between those having selected the runner finishing second with the runner finishing third, with all other horses to win.

If no ticket is sold correctly selecting the second and third horse, the net pool shall be paid equally on those super-tri tickets selecting the horse that finished first, with all other horses finishing second and third.

B. Should no selection be made as described in this subpart, then a complete refund of the super-tri pool will be made and the super-tri will be canceled for that performance.

C. If less than three horses finish the first super-tri race, payoff shall be made equally on all tickets correctly selecting the actual finishing horses in order, ignoring the balance of the selection. In this event, there will be no exchange for the second race of the super-tri and the second race net pool will automatically carry over to the next consecutive race day.

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D. If no ticket is sold that would require distribution of the net super-tri pool as described in item C, a full refund of the super-tri pool for that race shall be made.

If a full refund is required, any previous day's carryover will not be included and will carry over to the next consecutive race day.

E. In the event there is no super-tri ticket issued accurately selecting the officially declared first four finishers of the second super-tri race, in the exact order, the second race pool as divided earlier shall be held for the next consecutive racing day or night and combined with that program's second race super-tri net pool. Distribution of this cumulative second race super-tri net pool will be made only upon accurate selection, in exact order of the first four officially declared finishers of the second super-tri race.

### **Subp. 5. Scratches.**

A. If fewer than eight horses are declared starters for the first race of the super-tri, super-tri wagering shall be canceled for that day and all super-tri wagers shall be refunded. However, any accumulated second race super-tri carryover will not be affected and will carry over to the next consecutive race day.

If fewer than eight horses are declared starters for the second race of the super-tri, all holders of exchange tickets to the second race of the super-tri will share equally in that part of the second race net pool added in that day. The amount carried over from previous days will not be distributed and will be carried over to the next consecutive race day.

B. If a runner is scratched in the first race of the super-tri prior to the running of the first half of the super-tri, then all super-tri tickets on the scratched runner will be refunded. A public address announcement will be made and a reasonable time will be given to make another selection.

If after the running of the first half of the super-tri, a runner is scratched in the second race of the super-tri, then all exchange tickets involving the scratched horse will be exchanged. A public address announcement will be made and a reasonable time will be given to make another selection.

C. For the second race of the super-tri only, all horses will be declared starters once the starting gate has opened. In this instance the prevention to start rule will not apply.

Subp. 6. Dead heats. In the event of a dead heat in either the first or second race of the super-tri races, all super-tri tickets with the correct order of finish counting a runner in a dead heat as finishing in any position dead-heated shall be a winning ticket and, the winning combinations shall be paid proportionately from the net super-tri pool.

Subp. 7. Mandatory payout. On the final program of any official race meeting, the entire accumulated second race super-tri net pool must be distributed.

A. With approval of the racing commission before the start of racing, the association may declare a mandatory payout on the accumulated second race super-tri pool on the next consecutive race day after the super-tri carryover pool has reached a previously approved amount. If there is a limit placed on the super-tri pool and there is no super-tri ticket issued selecting in the exact order of finish the officially declared first four finishers of the second super-tri race, the second race pool shall be apportioned according to the mandatory distribution rules in items C to G.

B. In the first half of the super-tri, if no ticket is sold on a winning combination of a super-tri pool, an exchange will be given along with the consolation payoff according to subpart 4, items A to D.

C. In the second half of the super-tri, if no ticket is sold on a winning combination, the net pool shall be apportioned equally between those having tickets selecting the first, second, and third runners in exact order with all others.

D. In the second half of the super-tri, if no ticket is sold selecting the first, second, and third runners in exact order, the net pool shall be apportioned equally between those having tickets selecting the first and second place runners in exact order with all others.

E. In the second half of the super-tri, if no ticket is sold selecting the first and second place runners, the net pool shall then be apportioned equally between those having tickets selecting the runner or runners that finish first with all others.

F. Should no selection be made as described in this subpart, the net pool shall be apportioned equally between those having selected the runner finishing second combined with the runner finishing third and combined with the runner finishing fourth in exact order with all others to win.

G. However, should no selection be made as provided for in items A to F, then the second part of that program's divided pool and any carryover will be evenly distributed to all holders of second race super-tri exchange tickets.

### **Subp. 8. Cancellation of one or both super-tri races.**

A. If, for any reason, the first race of the super-tri is canceled, a full refund of all super-tri tickets will be made.

B. If, for any reason, the second race of the super-tri is canceled, not declared official, or less than three horses finish the race, the winning ticket holders on the first race of the super-tri will be entitled to equal distribution of the amount of the current



program's net pool for the second half of the super-tri. The cumulative pool from previous programs shall not be distributed in this case and will be carried over to the next consecutive race day, unless the association has designated a mandatory payout pursuant to subpart 7.

**Subp. 9. Restrictions on super-tri races.**

A. Coupled or uncoupled entries and mutuel fields are prohibited from starting in super-tri races.

B. There shall be no super-tri wagering on handicap races.

C. If fewer than eight horses are declared starters for the first race of the super-tri, super-tri wagering shall be canceled for that day and all super-tri wagers shall be refunded. However, any accumulated second race super-tri carryover will not be affected and will carryover to the next consecutive race day, including mandatory distribution days. In the event this occurs on the final program, the accumulated net pool of the second race super-tri race will be deposited in a trust account by the association, and the pool, as well as all accrued interest, shall be carried over and included in the second race super-tri net pool for the next consecutive racing date as an additional net amount to be distributed.

If fewer than eight horses are declared starters for the second race of the super-tri, all holders of exchange tickets to the second race of the super-tri will share equally in that part of the second race net pool added on that day. The amount carried over from previous days will not be distributed and will be carried over to the next consecutive race day, including mandatory distribution days. In the event this occurs on the final program, the accumulated net pool of the second super-tri race will be deposited in a trust account by the association, and the pool, as well as all accrued interest, shall be carried over and included in the second race super-tri net pool for the next consecutive racing date as an additional net amount to be distributed.

Subp. 10. Displaying super-tri rules. Super-tri rules shall be prominently displayed at each track conducting super-tri wagering. Printed copies of super-tri rules shall be distributed to patrons upon request.

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

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

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

**7873.0198 PICK SEVEN.**

Subpart 1. Scope. The pick seven pari-mutuel pool is not a parlay and has no connection with or relation to any other pari-mutuel pool conducted by the association, nor to any win, place, and show pool shown on the totalisator, nor to the rules governing the distribution of such other pools.

Subp. 2. Ticket is evidence of binding contract. A pick seven pari-mutuel ticket shall be evidence of a binding contract between the holder of the ticket and the association and the ticket shall constitute an acceptance of the pick seven projections and rules.

Subp. 3. Pick seven may be given distinctive name. A pick seven may be given a distinctive name by the association conducting the race meeting, subject to prior approval by the commission.

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

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

Subp. 6. Calculation of pool. The pick seven pari-mutuel pool shall be calculated according to one of the two methods as approved by the commission:

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A. (1) Seventy-five percent of the net amount in the pari-mutuel pool subject to distribution among winning ticket holders shall be distributed among the holders of pari-mutuel tickets which correctly designate the official winner in each of the seven races comprising the pick seven. Twenty-five percent of the net amount in the pari-mutuel pool subject to distribution among winning ticket holders shall be distributed among holders of pari-mutuel tickets which correctly designate the second greatest number of official winners of the seven races comprising the pick seven.

(2) In the event there is no pari-mutuel ticket properly issued which correctly designated the official winner in each of the seven races comprising the pick seven, 75 percent of the pari-mutuel pool shall not be distributed but shall be retained by the association as distributable amounts and shall be carried over and included in the pick seven pari-mutuel pool for the next succeeding race date as an additional net amount to be distributed among the holders of pari-mutuel tickets which correctly designate the official winner in each of the seven races comprising the pick seven pool that day. The remaining 25 percent shall be distributed among the holders of pick seven tickets which correctly designate the most official winners of the seven races comprising the pick seven.

B. (1) Fifty percent of the net amount in the pari-mutuel pool subject to distribution among winning ticket holders shall be distributed among the holders of pari-mutuel tickets which correctly designate the official winner in each of the seven races comprising the pick seven. Fifty percent of the net amount in the pari-mutuel pool subject to distribution among winning ticket holders shall be distributed among holders of pari-mutuel tickets which correctly designate the second greatest number of official winners of the seven races comprising the pick seven.

(2) In the event there is no pari-mutuel ticket properly issued which correctly designates the official winner of each of the seven races comprising the pick seven, 50 percent of the pari-mutuel pool shall not be distributed but shall be retained by the association as a distributable amount and shall be carried over and included in the pick seven pari-mutuel pool for the next succeeding racing date as an additional net amount to be distributed among the holders of pari-mutuel tickets which correctly designate the official winner in each of the seven races comprising the pick seven pool that day. The remaining 50 percent shall be distributed among the holders of pick seven tickets which correctly designate the most official winners of the seven races comprising the pick seven.

The method of distribution shall be selected by the racing association and implemented after approval by the commission; provided that the method of distribution benefits the wagering public and does not adversely affect the integrity of racing.

C. Should no distribution be made pursuant to item A or B on the last day of the association's meeting, then the entire distributable pool and all money accumulated in the pool shall be distributed to the holders of tickets correctly designating the most winning selections of the seven races comprising the pick seven for that day. If, for any reason the final day of racing is canceled or the pick seven pool has not been distributed, the pool shall be escrowed by the association, and the pool, as well as all accrued interest, shall be carried over and included in the pick seven pari-mutuel pool for the next succeeding racing date as an additional net amount to be distributed.

D. With prior approval of the commission, the association may declare a mandatory payout of the accumulated carryover pool at a stated amount. Should no distribution be made pursuant to item A or B, then the entire distributable pool and all money accumulated in the pool shall be distributed to the holders of the tickets correctly designating the most winning selections of the seven races comprising the pick seven for that day. If, for any reason, the day of racing is canceled or the pick seven pool has not been distributed, the pool shall be carried over and included in the pick seven pari-mutuel pool for the next succeeding racing day as an additional net amount to be distributed.

Subp. 7. Actual favorite substituted for scratched horse. In the event a pick seven pari-mutuel ticket designates a selection in any one or more of the races comprising the pick seven and that selection is scratched, excused, or determined by the stewards to be a nonstarter in the race, the actual favorite, as evidenced by the amounts wagered in the win pool at the time of the start of the race, will be substituted for the nonstarting selection for all purposes, including pool calculations and payoffs.

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

Subp. 8. Dead heats. In the event of a dead heat for win between two or more horses in any pick seven race, all the horses in the dead heat for win shall be considered as winning horses in the race for the purpose of calculating the pool.

Subp. 9. Cancellation of race comprising pick seven. In the event one or more of the races comprising the pick seven is canceled for any reason, or in the event one or more of the races comprising the pick seven is declared as no contest by the stewards, 75 percent of the pari-mutuel pool shall not be distributed but shall be retained by the association as distributable amounts and shall be carried over and included in the pick seven pari-mutuel pool for the next succeeding racing date as an additional net amount to be distributed. The remaining 25 percent shall be distributed among the holders of pick seven tickets which correctly designate the most official winners of the remaining races comprising the pick seven. In the event of the cancellation of all seven races comprising the pick seven pool after wagering has been accepted on that day, a full and complete refund must be made of the pari-mutuel tickets sold on the pick seven on that day. One hundred percent of the remaining amount in the pick seven pari-mutuel pool shall be carried over and included in the pick seven pari-mutuel pool for the next succeeding racing date as an additional net amount to be distributed.

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

Subp. 11. Additional money added. With the approval of the commission, the association may guarantee a minimum payout in the pick seven. If the guaranteed payout exceeds the amount available for distribution from the amounts wagered, the association shall provide the difference by paying the holders of any winning ticket correctly designating the official winner in each of the seven races comprising the pick seven with its own funds.

**7875.0200 EQUIPMENT.**

[For text of subps 1 to 8, see M.R.]

Subp. 9. **External communications.** An association may have telephone or telegraph systems on the premises during a race meeting for the benefit of the public, the press, or for transacting ordinary business, ~~but~~. No information regarding the results of any race shall be transmitted out of the racetrack until ~~15 minutes after~~ the results are official except for races that are broadcast or televised live. ~~For those races the results and payoffs may be announced as soon as the race is official.~~ Under no circumstances shall any message be sent over said wires transmitting money, or other things of value, or directing the placing of any wager on the result of a race except as permitted by part 7873.0400.

No telephone calls, telegrams, or messages of any kind for any person attending or participating in the conduct of a race meeting shall be accepted, nor shall any notice be given pertaining to such message or telephone call during the hours indicated unless permission is first given by the stewards or the authorized representative of the commission.

A telephone on a private line shall be provided in the offices of the commission. All costs of the telephone service shall be borne by the association and the service shall not be interrupted at any time.

One public telephone is allowed per floor at an association track. Each phone must be monitored by association security and must be part of an "information center" provided by the association. All telephones or other instruments of communication, other than those designated for the sole use of the commission or those approved by the commission for use during racing, must be rendered inoperable between the hours starting 30 minutes before post time for the first race and the flashing of the "official" sign following the last race.

~~All~~ Any portable telephones, transmitters, or any other instrument of communication that can be used for transmitting messages off the grounds of an association is subject to confiscation by security personnel or by the racing commission and its employees.

**7876.0110 OFF-TRACK STABLING.**

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

Subp. 3. **Horses must be at racetrack by scratch time for race day inspection.** All horses shipped from another racetrack or off-track stabling facility to a racetrack for a race must be at the racetrack no later than 9:00 a.m. on the day on which the horse is scheduled to race.

**7877.0130 STANDARDS REQUIRED OF APPLICANTS FOR SPECIFIC LICENSES.**

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

Subp. 3. **Trainers and assistant trainers.** Applicants for a trainer's or assistant trainer's license must comply with the following requirements:

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

D. An applicant for a trainer's license shall provide proof of having complied with the workers' compensation laws, *Minnesota Statutes*, chapter 176, and all pertinent rules adopted thereunder, ~~unless the trainer has no employees and contemplates none. If the trainer subsequently employs another person, he or she shall comply with applicable provisions of Minnesota Statutes, chapter 176, and all pertinent rules.~~

[For text of subps 4 to 8, see M.R.]

Subp. 9. **Veterinarians.** An applicant for a veterinarian's license must:

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A. provide proof of current validation to practice veterinary medicine in Minnesota;

The applicant must B. demonstrate to the commission's veterinarian that he or she is familiar with current equine medical practices and possesses knowledge of the commission's medication rules as specified in chapter 7890;

C. provide proof of current United States Department of Agriculture Animal and Plant Inspection Service accreditation in Minnesota; and

D. provide proof of current registration status under the Controlled Substance Act of 1970, including the schedules for which the applicant has been approved by the Drug Enforcement Administration.

[For text of subs 10 to 15, see M.R.]

### 7877.0160 DURATION AND EXTENT OF CLASS C LICENSES.

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

Subp. 3. **Change of employers employees.** At the time a Class C licensee who changes employers employees, the licensee must notify the commission's licensing association's validation office of the change no later than by the end of the next racing day of that race meeting.

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

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

[For text of subpart 1, see M.R.]

Subp. 2. **Trainers.** Trainers shall have the following responsibilities.

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

F. Each trainer must provide a list of all persons in his or her employ to the commission and must ensure that those persons are licensed by the commission no later than the next racing day after those employees arrive on the grounds of an association. Upon discharge of an employee, the trainer shall report that fact to the commission's licensing association's validation office by no later than the end of that racing day.

[For text of items G to S, see M.R.]

T. Each trainer shall comply with all provisions of Minnesota Statutes, chapter 176, and all rules adopted under that chapter.

[For text of subp 2a, see M.R.]

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

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

D. Each jockey reporting to the jockeys' room must remain there until he or she has fulfilled all of that day's riding engagements. While in the jockeys' room performance of his or her duties, the jockey may have no contact or communication with any person outside the jockeys' room other than with an owner or trainer for whom he or she is riding that day, or with the stewards or other commission officials.

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

[For text of subs 4 to 8, see M.R.]

Subp. 9. **Veterinary negligence Veterinarians.** The following shall apply to veterinarians licensed by the commission:

A. Veterinarians shall be responsible for the conduct of any veterinary assistant working with or employed by the veterinarian to ensure compliance with this subpart.

B. Veterinarians shall not be negligent in the performance of their duties with respect to the health and welfare of a horse, or in the prescription or administration of a medication or injectable substance, or in the use of equipment for hypodermic injection.

C. Veterinarians shall not be in possession of medications or substances which have not been approved for use in the United States by the Food and Drug Administration.

D. Veterinarians shall not be in possession of controlled substances in schedules for which they are not currently registered and approved by the Drug Enforcement Administration.

E. Veterinarians must remove from the grounds of an association all discardable equipment and injectable substance containers.

### 7879.0100 QUALIFICATIONS AND APPOINTMENT OF STEWARDS.

[For text of subpart 1, see M.R.]

Subp. 2. **Appointment and approval of stewards.** The following procedures must be observed in the appointment of stewards:

A. There shall be three stewards for each race meeting, at least two of whom shall be appointed by the ~~commissioner~~ commission. The third steward may be nominated by the association for approval by the commission if the commission determines that nomination by the association will be in the best interests of racing.

The commission must notify the association if it will accept an association's nomination for a steward. The name of the association nominee for steward must be submitted no later than 30 days before commencement of a race meeting and must be accompanied by biographical data setting forth the experience and qualifications of the nominee. No steward may serve until approved by the commission.

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

**7883.0100 ENTRIES AND SUBSCRIPTIONS.**

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

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

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

C. enter a horse in more than one race on any day; ~~stakes races excepted~~;

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

[For text of subs 7 to 15a, see M.R.]

Subp. 16. **Workout requirements.** In order to be eligible:

A. A horse which has not started for a period of ~~45~~ 30 days or more shall not be eligible to be entered until it has completed one timed workout prior to the entry date. Any workout following the entry of a horse shall appear on the official daily racing program or shall be posted for the public.

B. ~~Horses that have not started within 60 days of time of entry into a race must have a minimum of two timed workouts prior to entering in any race.~~ A horse which has not started for a period of 60 days or more shall not be eligible to be entered until it has completed two timed workouts prior to the entry date.

C. First-time starters must have gate approval and a minimum of two timed workouts, one of which must be out of the gate within 60 days prior to the entry date.

D. A horse, other than a first-time starter, which has not started for a period of one year or more shall not be eligible to be entered until it has completed three timed workouts, at least one of which must be before the commission veterinarian or the association veterinarian.

[For text of subs 17 and 18, see M.R.]

**7883.0130 PENALTIES AND ALLOWANCES.**

[For text of subs 1 to 3, see M.R.]

Subp. 4. **Sex allowance.** In all races against male horses, except handicaps and races where the conditions expressly state to the contrary, fillies two years old are allowed three pounds and fillies and mares three years old and upward are allowed five pounds before September 1 and three pounds thereafter. The sex allowance may not be waived.

**7883.0140 CLAIMING RACES.**

[For text of subs 1 to 14, see M.R.]

Subp. 15. **Protest of claim.** Not later than the next racing day after the race was run, a written protest of a claim may be submitted to the stewards who shall investigate the matter as quickly as possible. In the event that a stewards' ruling is issued concerning a medication violation discovered through post-race drug testing of a claimed horse, a written protest of a claim may be submitted to the stewards within 24 hours of the posting of a ruling; however, a claimant may submit a written protest of a claim within 24 hours of the receipt of notification from the stewards of such a ruling.

[For text of subs 16 to 30, see M.R.]

**7890.0100 DEFINITIONS.**

[For text of subs 1 to 12, see M.R.]

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

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

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

B. Lasix®, provided, however, that if it is administered to a ~~confirmed bleeder on a day it is entered to race, it must be given intravenously under the visual supervision of the commission veterinarian and at a dose level not to exceed 250 milligrams (five milliliters of a 50 milligrams/milliliter or five percent solution) per administration pursuant to the provisions of part 7890.0140, subpart 6.~~

[For text of items C and D, see M.R.]

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

### 7892.0120 TAKING OF SAMPLES.

[For text of subps 1 to 4, see M.R.]

#### Subp. 5. Split samples.

A. A portion of the sample from each horse tested, after a sufficient amount has been sent to the official laboratory, must be preserved by the commission. It must be available for testing at the request of a person accused of a violation of chapter 7890. A person so accused may request that the portion of the test sample retained by the commission be sent to a laboratory selected from shall approve a list of laboratories approved by the commission for which may provide split sample testing. From this list, a person accused of a violation of chapter 7890 shall designate the laboratories in descending order of preference. The sample must be sent to the laboratory given the highest preference and that is capable of testing for the substance within 14 days. The commission veterinarian shall have overall responsibility for the storage, safeguarding, and shipment of the split sample and for the receipt of results from the drug testing laboratory to which the sample was sent.

B. A person making a request for split sample testing must do so in writing to the stewards within 72 hours of notice of the official laboratory's findings and must bear the cost of shipment and additional testing. The cost of additional testing shall be paid in the form of a check or money order payable to the Minnesota Racing Commission or in cash at the commission's administrative offices.

C. A person making a request for split sample testing must select from among the laboratories approved by the commission pursuant to item A, within 24 hours of receipt of the list.

D. Failure to comply with the provisions of items B and C shall render the request for split sample testing null and void.

[For text of subp 6, see M.R.]

### 7895.0100 GENERAL PROVISIONS.

[For text of subps 1 to 6a, see M.R.]

Subp. 7. Late fees. All late fees collected for late registration of horses shall be allocated to the breeders' fund administration account.

### 7895.0125 THOROUGHBRED REGISTRATION.

Subpart 1. **Broodmare registration.** To be eligible to receive any breeders' award payments, the following requirements must be met:

A. Prior to foaling, a broodmare must be in Minnesota and registered or the registration renewed with the racing commission or official registering agency on or before January 31 of the year in which the broodmare will foal and must remain in Minnesota until foaling. The broodmare's original jockey club certificate must be received by the racing commission or official registering agency.

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

E. The commission may, at its discretion, request written documentation from any persons seeking late registration that the broodmare was standing in Minnesota as of ~~February 15~~ January 31 of the foaling year.

Subp. 2. **Stallion registration.** To be eligible to receive any stallion award payments, the following requirements must be met:

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

E. The commission may, at its discretion, request written documentation from any persons seeking late registration that the stallion was standing in Minnesota as of ~~February 15~~ January 31 of the breeding year.

[For text of subp 3, see M.R.]

**7895.0275 STANDARDBRED REGISTRATION.**

Subpart 1. **Stallion registration.** To be eligible to participate in the standardbred breeders' fund program, the following requirements must be met:

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

E. The commission may, at its discretion, request written documentation from any persons seeking late registration that the stallion was standing in Minnesota as of ~~February 15~~ January 31 of the breeding year.

[For text of subp 2, see M.R.]

**7895.0350 QUARTER HORSE REGISTRATION.**

Subpart 1. **Broodmare registration.** To be eligible to receive any breeders' award payments, the following requirements must be met:

A. Prior to foaling, a broodmare must be in Minnesota and registered or the registration renewed with the racing commission or official registering agency on or before January 31 of the year in which the broodmare will foal and must remain in Minnesota until foaling. The broodmare's original American Quarter Horse Association (AQHA) certificate must be received by the racing commission or official registering agency. The broodmare must be in foal to a Minnesota registered stallion which means a stallion owned at least 50 percent by residents of Minnesota or leased entirely by Minnesota residents, and which has stood the entire breeding season from January 31 to July 31 in Minnesota.

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

Subp. 2. **Stallion registration.** To be eligible to receive any stallion award payments, the following requirements must be met:

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

B. Stallions must remain in Minnesota for the entire breeding season from January 31 through July 31, unless the commission is notified in writing by certified mail in the event a stallion shall leave Minnesota for racing purposes, medical purposes, show purposes, or is sold through public auction or sold privately. A stallion may not breed any mares while in another state.

A newly acquired stallion which has not been in Minnesota for breeding purposes before January 31 of the current breeding season may be eligible for stallion awards if the stallion has been properly registered with the commission prior to servicing any mare and the stallion has not serviced any mare after December 31 of the preceding year.

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

[For text of subp 3, see M.R.]

**7897.0100 PROHIBITED ACTS.**

[For text of subps 1 to 6, see M.R.]

Subp. 7. **Cooperation with security officers.** No person shall fail to comply with orders of security officers or racing officials or interfere with security officers or racing officials in the performance of their official duties. No racing official shall fail to comply with orders of a steward while in the performance of the steward's duties.

[For text of subps 8 and 9, see M.R.]

Subp. 10. **Financial responsibility.** No licensee shall willfully or deliberately refuse to pay any money when due for any service, supplies, or fees connected with his or her activities as a licensee, nor shall he or she falsely deny any such amount due or the validity of the claim ~~therefor~~ therefore with the purpose of hindering or defrauding the person to whom the indebtedness is due. All financial responsibility complaints against a licensee shall be made in writing, ~~signed by the complainant, and accompanied by (a) a judgment from a court of competent jurisdiction; or (b) a check, issued by the licensee or by a business entity owned or controlled by the licensee, which indicates on its face that the bank upon which the check is drawn has refused payment due to insufficient funds, alteration, forgery, or because the check was written on a closed or nonexistent account; or (c) written documentation that a licensee is in arrears in an amount in excess of \$2,000 but not to exceed \$5,000 for goods or services for a period of time not to exceed 45 days from the date the goods or services were first provided; presenting facts sufficient to enable the stewards to determine that the claim is meritorious and is directly related to the licensee's activities in their state and that the debt became due within the last two years. Upon receipt of a complaint, the stewards may conduct an investigation and attempt to resolve the matter informally. If the~~

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## Proposed Rules

stewards determine that the complaint has merit, and cannot resolve the matter informally or determine that it is not appropriate to settle the matter informally, then the stewards shall commence the appropriate disciplinary procedures in chapter 7879.

[For text of subs 11 to 18, see M.R.]

Subp. 19. Driving violation. No person may park or drive a vehicle on the grounds of the association in a manner which creates a potential hazard to persons or property.

### 7897.0110 USE OF DRUGS AND ALCOHOL.

Subpart 1. **Drugs.** The commission, the commission's director of security, or the stewards may, at any time, require any licensee having direct physical contact with horses or direct responsibility for some portion of the day's racing program, or whose duties place him or her in a position of danger, or who commits an act that endangers a horse or human, to provide blood or urine samples for chemical analysis. If such a licensee fails to comply with this requirement, the licensee shall be suspended and referred to the commission to show cause for refusing to do so.

Should a licensee be found to have levels of any nonprescription, prohibited, or illegal drug, or an alcohol concentration greater than 0.04 percent, the licensee shall be subject to disciplinary action by the stewards and the commission. For purposes of this part, "alcohol concentration" means:

A. the number of grams of alcohol per 100 milliliters of blood; or

B. the number of grams of alcohol per 210 liters of breath; or

C. the number of grams of alcohol per 67 milliliters of urine.

Subp. 2. [See repealer.]

### 7899.0100 VARIANCES.

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

Subp. 3. **Disposition of variance requests.** The commission shall grant or deny a variance pursuant to the following procedures and standards:

A. Upon receipt of a variance request, the commission shall send written notice of the time, date, and place of the variance hearing to all persons who have registered their names with the commission for that purpose. The commission shall not act upon the variance request for ~~30~~ ten calendar days after it has issued the notice.

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

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

**REPEALER.** Minnesota Rules, part 7897.0110, subpart 2, is repealed.

## Adopted Rules

The adoption of a rule becomes effective after the requirements of Minn. Stat. §14.14-14.28 have been met and five working days after the rule is published in *State Register*, unless a later date is required by statutes or specified in the rule.

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

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

An emergency rule becomes effective five working days after the approval of the Attorney General as specified in Minn. Stat. §14.33 and upon the approval of the Revisor of Statutes as specified in §14.36. Notice of approval by the Attorney General will be published as soon as practicable, and the adopted emergency rule will be published in the manner provided for adopted rules under §14.18.

## Board of Medical Examiners

### Adopted Permanent Rules Relating to Licensing

The rules proposed and published at *State Register*, Volume 15, Number 13, pages 730-733, September 24, 1990 (15 SR 730) are adopted as proposed.



## Office of the Secretary of State

### Adopted Permanent Rules Relating to Absentee Ballot Applications

The rules proposed and published at *State Register*, Volume 15, Number 18, pages 1011-1012, October 29, 1990 (15 SR 1011) are adopted as proposed.

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## Commissioners' Orders

### Department of Natural Resources

#### Commissioner's Order No. 2395: Regulations for the Issuance of Fish Packer Licenses and for the Possession and Transportation of Fishes Packed by Licensed Fish Packers; Superseding Commissioner's Order No. 2354

PURSUANT TO AUTHORITY vested in me by *Minnesota Statutes* §§ 97A.475, subd. 39, 97C.865 and other applicable law, I, Joseph N. Alexander, Commissioner of Natural Resources, hereby prescribe the following regulations for the issuance of fish packer licenses and for the possession and transportation of fishes packed by licensed fish packers.

##### Section 1. DEFINITIONS.

For purposes of this order the following definitions shall apply:

- (a) **Undressed fishes** have heads, tails, fins and skins intact, whether or not entrails, gills or scales are removed.
- (b) **Dressed fishes** have heads and scales or skin removed in addition to removal of entrails and gills.
- (c) **Fillets** are that portion of fish flesh that has been removed from a fish. Scales or skin may be removed or intact.

##### Sec. 2. APPLICATION AND ISSUANCE.

(a) Any resident of Minnesota may apply to the commissioner for a fish packer license by submitting a fully completed application form obtainable from the commissioner or his agent.

(b) Such application shall be signed by the applicant and shall provide the following information concerning the applicant:

- (1) Name;
- (2) Residence address;
- (3) Date of birth;
- (4) Name of employer, if fish packing is to be done for an employer;
- (5) Place of business where fish packing will be conducted.

(c) Licenses shall be issued to any resident who has submitted a properly completed application and who is otherwise eligible to hold such a license. Licenses shall be numbered and shall be effective upon the date specified in the license and shall expire on the last day of February following the effective date. No license shall be issued for a period exceeding one year.

##### Sec. 3. LABELING AND PACKING.

All fish packed by a licensed fish packer shall be packed and labeled in accordance with the following rules:

(a) Fishes may be packed either separately or in bulk. Fishes need not be packed in such a way that they may be readily unpacked, unwrapped, separated, counted and examined. No package shall contain fishes caught by more than one person.

(b) Dressed fishes and fillets may be completely skinned.

(c) Between March 15 and November 30, inclusive, completely filleted sauger shall be counted as walleye except that sauger may be packed in a filleted condition with skin, dorsal fin, and tail attached. Between December 1 and March 14, inclusive, filleted sauger shall not be counted as walleye provided packages are properly labeled.

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(d) Filleted fishes shall not be reduced to more than two fillets per fish.

(e) Fishes having statewide length limits, including muskellunge, sturgeon, splake, Atlantic salmon, and brook, brown, and rainbow trout, shall only be packed undressed. Fishes from waters where length limits differ from statewide regulations may be packed dressed.

(f) Each package of fish shall be individually labeled by the licensed fish packer. The label shall be marked legibly in ink in the English language and shall contain the following information:

- (1) Name, address and license number of the person who caught the fish;
- (2) Name and address of consignee, if different from (1) above;
- (3) Name and license number of the fish packer who packed the fish;
- (4) Contents of package, including species, number of fish, and net weight; and
- (5) Date of packaging.

### Sec. 4. POSSESSION AND TRANSPORTATION.

Fishes possessed and transported in Minnesota are subject to the provisions of this order only if they have been packed and labeled by a licensed fish packer.

### Sec. 5. RECORD KEEPING.

Licensed fish packers shall keep accurate and up-to-date records of all packages of fishes packed. These records shall include for each package of fish all of the information required by Sec. 3(f) of this order. Such records shall be open to inspection by the commissioner or his agents at all times.

### Sec. 6. VIOLATIONS.

(a) Violations of this order shall result in the immediate revocation of the fish packer's license in accordance with *Minnesota Statutes* § 97A.421.

(b) Persons possessing or transporting fishes properly packed and labeled by a licensed fish packer shall remain subject to all laws and commissioner's orders pertaining to the possession and transportation of fishes.

Sec. 7. This order is effective March 1, 1991.

Sec. 8. Commissioner's Order No. 2354 is hereby superseded.

Dated at St. Paul, Minnesota, this 3 day of January, 1991.

Joseph N. Alexander, Commissioner  
Department of Natural Resources

## Department of Natural Resources

### Commissioner's Order No. 2403: Experimental Regulations for the Taking and Possession of Fish in Mille Lacs Lake; Superseding Commissioner's Order No. 2208

PURSUANT TO AUTHORITY vested in me by *Minnesota Statutes* § 97C.001 and other applicable law, I, Joseph N. Alexander, Commissioner of Natural Resources, hereby prescribe the following experimental regulations for the taking and possession of fish in Mille Lacs Lake.

**Section 1. Mille Lacs Lake** in Aitkin, Crow Wing and Mille Lacs Counties is hereby closed to the taking of fish between the hours of 10 p.m. and 6 a.m. daily, during the period commencing at 10 p.m. on the Monday following the Saturday two weeks prior to Saturday of Memorial Day weekend and ending at 12:01 a.m. on Monday, four weeks after the date of commencement.

**Sec. 2. Between the hours of 10 p.m. and 6 a.m.** daily during the period described in Section 1, no person shall be upon the waters of Mille Lacs Lake in Aitkin, Crow Wing and Mille Lacs Counties while having in possession or under control, or having with him or her in any watercraft, any equipment whereby fish may be taken.

**Sec. 3. Mille Lacs Lake** is closed to the taking of all fish by spearing from December 1 to the following April 30, both dates inclusive. During this period, no person shall possess any speared fish while on the waters of Mille Lacs Lake, regardless of where such fish may have been taken.

**Sec. 4. Mille Lacs Lake** is closed to the taking of game fish by spearing at all times. No person shall possess any speared game fish while on the waters of Mille Lacs Lake, regardless of where such fish may have been taken.

**Sec. 5. No person shall** have a spear in possession or under control while on the waters of Mille Lacs Lake from December 1 through April 30, both dates inclusive.

**Sec. 6. The daily and possession limit** of walleyes is six (6) fish. While on the waters of Mille Lacs Lake, only one of these six walleyes may exceed 20 inches in length as measured from the tip of the nose to the tip of the tail when fully extended, regardless of where such fish may have been taken.

**Sec. 7. All walleyes** in possession while on the waters of Mille Lacs Lake, regardless of where they may have been taken, must be intact and measurable. Walleye fillets shall not be possessed while on the waters of Mille Lacs Lake.

**Sec. 8. The provisions** of this order shall not be construed to supersede the provisions of any other order of the commissioner, except insofar as such other orders may be inconsistent with the provisions of this order.

**Sec. 9. Commissioner's Order No. 2208** is hereby superseded.

Dated at St. Paul, Minnesota, this 3 day of January, 1991.

Joseph N. Alexander, Commissioner  
Department of Natural Resources

## Department of Natural Resources

### Commissioner's Order No. 2404: Regulations for the Taking and Possession of Fish from the Minnesota-Canada Boundary Waters; Superseding Commissioner's Order No. 2368

**PURSUANT TO AUTHORITY** vested in me by *Minnesota Statutes* §§ 97A.045, 97C.395, 97C.401 and other applicable law, I, Joseph N. Alexander, Commissioner of Natural Resources, hereby prescribe the following regulations for the taking and possession of fish from the Minnesota-Canada boundary waters.

**Section 1. The provisions** of this order apply to all those portions of the following named Minnesota-Canada boundary waters lying within the State of Minnesota, which portions lie generally within the Townships (T.) and Ranges (R.) specified for each:

#### **COOK COUNTY:**

North Fowl Lake, T.65, R.3E  
South Fowl Lake, T.64,65, R.3E  
Granite River, T.66, R.4W  
Gunflint Lake, T.65, R.2,3,4W  
Little Gunflint Lake, T.65, R.2W  
Lily Lakes, T.65, R.2E  
Magnetic Lake, T.65, R.3,4W  
Maraboeuf Lake, T.66, R.4W  
Moose Lake, T.65, R.3E  
Mountain Lake, T.65, R.1,2E  
North Lake, T.65, R.2W  
Little North Lake, T.65, R.2W  
Pigeon River, T.64, R.3,4,5,6,7E  
Pine Lake, T.65, R.4W  
Pine River, T.65, R.3,4W  
Rat Lake, T.65, R.1W  
Rose Lake, T.65, R.1W  
Round Lake, T.66, R.4W  
Saganaga Lake, T.66, R.4,5W; T.67, R.4,5W  
South Lake, T.65, R.1,2W  
Watab Lake, T.65, R.1E

#### **KOOCHICHING & LAKE OF THE WOODS COUNTIES:**

Rainy River, T.70-71 and T.158-162, R.24-32

#### **KOOCHICHING & ST. LOUIS COUNTIES:**

Rainy Lake (including Black Bay), T.69, R.18,19; T.70, R.18,19,20,21,22; T.71, R.20,21,22,23,24

#### **LAKE COUNTY:**

Basswood Lake (except Jackfish, Pipestone, Hoist and Back Bays), T.64, R.9,10; T.65, R.9,10  
Basswood River, T.65, R.10,11  
Birch Lake, T.64, R.8,9; T.65, R.8,9

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Carp Lake, T.65, R.8  
Cypress Lake, T.66, R.6  
Knife Lake (except South Arm of Knife Lake), T.64, R.8; T.65, R.6,7,8; T.66, R.6  
Little Knife Lake, T.65, R.6,7; T.66, R.6  
Knife River, T.65, R.8  
Melon Lake, T.65, R.8  
Seed Lake, T.65, R.8  
Sucker Lake, T.64, R.8,9  
Swamp Lake, T.66, R.6

## LAKE & ST. LOUIS COUNTIES:

Crooked Lake, T.66, R.11,12

## LAKE OF THE WOODS & ROSEAU COUNTIES:

Lake of the Woods

## ST. LOUIS COUNTY:

Bottle Lake, T.67, R.13  
Iron Lake, T.66, R.12,13; T.67, R.13  
Lac La Croix Lake, T.67, R.13,14,15; T.68, R.13,14,15; T.66, R.13  
Loon Lake, T.66,67, R.15  
Loon River, T.66, R.15,16; T.67, R.15,16  
Namakan Lake, T.68, R.17,18; T.69, R.17,18,19  
Sand Point Lake, T.67, R.16,17; T.68, R.16,17; T.69, R.17  
Little Vermilion Lake, T.67, R.16

**Sec. 2. (a) Subject to all applicable laws** and regulations not inconsistent with the provisions of this order, the species of fish named below may be taken in all Minnesota-Canada boundary waters by angling during the times specified for each species, all dates inclusive. The number of each species which may be taken in any one day and which may be possessed at any one time shall be as specified:

### Species

Walleye and Sauger

### Open Season

Saturday two weeks prior to Saturday of Memorial Day weekend to April 14.

### Daily and Possession Limits

6 in the aggregate, except Lake of the Woods where 14 in the aggregate, of which not more than 6 may be walleye. Except Rainy Lake where 12 in the aggregate, of which not more than 6 may be walleye and only 1 walleye over 19.5 inches. Except Rainy River where 6 in aggregate with not more than 1 walleye over 19.5 inches except no walleye over 19.5 inches March 1 through April 14. Except Saganaga Lake including Sea Gull River and Gull Lake where 6 walleye with 1 walleye over 19.5 inches.

Sturgeon (minimum size 45 inches total length)

June 30 to May 15.

1

Lake Trout

In all bodies of water outside or partly outside of the Boundary Waters Canoe Area Wilderness and exceptions from the Saturday nearest January 15 to March 15; lakes partially within and exceptions including Saganaga Lake; in all bodies of water lying entirely within the Boundary Waters Canoe Area Wilderness from the Saturday nearest January 1 to March 31; and in all waters from the Saturday two weeks prior to Saturday of Memorial Day weekend to September 30.

Same as inland limits.

Trout (except Lake Trout)

Saturday nearest May 1 to September 30.

Same as inland limits.

<u>Species</u>	<u>Open Season</u>	<u>Daily and Possession Limits</u>
Northern Pike	No close season.	6, except Rainy Lake 3, with only 1 over 28 inches.
Muskellunge (minimum size 40 inches total length)	Third Saturday in June to November 30.	Same as inland limits.
Large and Small Mouthed Bass	No closed season.	Same as inland limits.
Crappie	No closed season.	30 except on Black Bay of Rainy Lake 15.
All Other Species	No closed season.	Same as inland limits.

(b) One line only may be used except two lines while angling through the ice.

(c) Fish with length limits may not be possessed as fillets on the water while angling.

(d) Any fish that is hooked or snagged in any part of the body except the mouth shall be immediately unhooked and returned to the water, whether dead or alive.

**Sec. 3. (a) While in the State of Minnesota**, no person permitted to take and possess fish in Minnesota and licensed by the Canadian provinces of Ontario and/or Manitoba shall possess fish taken from the Minnesota-Canada boundary waters described above in excess of any Minnesota limit of fish.

(b) While in the State of Minnesota, no person permitted to take and possess fish in Minnesota and licensed by the Canadian provinces of Ontario and/or Manitoba shall possess fish taken from the inland waters of Ontario and/or Manitoba in excess of a Minnesota limit of fish unless such excess fish are accompanied by such proof, one Canadian limit and one Minnesota limit may be possessed simultaneously. The following shall be considered sufficient proof for a period of seven days after date of issuance:

(1) Written verification issued by United States Customs of having entered the United States at a time consistent with the alleged time of having taken fish in inland Canadian waters.

(2) A receipt from a resort, campground or place of lodging located on inland Canadian waters issued at a time consistent with the alleged time of having taken fish in inland Canadian waters.

**Sec. 4. On Minnesota-Canada boundary waters**, a dark house, fish house or shelter may remain on the ice no later than March 31. Portable shelters may be used after March 31 by persons actively engaged in angling, but such shelters shall be removed daily when not in use.

**Sec. 5. Commissioner's Order No. 2368** is hereby superseded.

Dated at St. Paul, Minnesota, this 3 day of January, 1991.

Joseph N. Alexander, Commissioner  
Department of Natural Resources

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## Executive Orders

### **Executive Order 91-3: Directing State Departments and Agencies to Follow a "No-Net Loss" Policy in Regard to Wetlands**

I, Arne H. Carlson, GOVERNOR OF THE STATE OF MINNESOTA, by virtue of the authority vested in me by the Constitution and the applicable statutes, do hereby issue this Executive Order:

**WHEREAS**, wetlands provide economic as well as ecological benefits to the state by protecting and preserving water supplies; by providing for natural storage and retention of flood waters; by serving as transition zones between dry land and lakes and rivers, thereby retarding soil erosion; by functioning as nature's biological filters, assimilating nutrients; by providing essential habitats for fish and wildlife; by providing for groundwater recharge; by providing low flow augmentation for rivers and streams; by providing aesthetic and recreational opportunities; by providing outdoor educational resources; and by adding to Minnesota's ecological diversity; and

**WHEREAS**, over eighty percent of the state's original prairie pothole wetlands have been drained and over sixty percent of the state's total original wetland base have been drained, filled or otherwise diminished; and

## Executive Orders

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**WHEREAS**, the loss of wetlands in the state, both urban and rural, are continuing in excess of 5,000 acres per year; and

**WHEREAS**, the continued loss of wetlands harms the economic and environmental welfare of the state; and

**WHEREAS**, it is in the public interest to protect the functions and values of wetlands; and

**WHEREAS**, the state, through public agencies and units of government, must provide leadership in the stewardship of wetlands for all projects on the lands and waters entrusted to the state by the public;

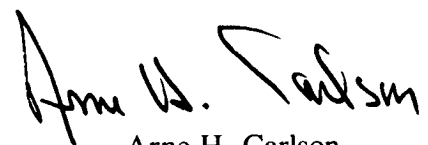
**NOW, THEREFORE**, I hereby order that:

- A. All responsible departments and agencies of the State of Minnesota shall protect, enhance, and restore Minnesota's wetlands to the fullest extent of their authority;
- B. All responsible departments and agencies of the State of Minnesota shall operate to the fullest extent of their authority under the strict concept of "NO-NET LOSS" of wetlands of the state in regard to projects under their jurisdiction;
- C. All responsible departments and agencies of the State of Minnesota shall survey and categorize all wetlands on land being acquired by or donated to the state and on public lands threatened by development activities. Acquisition decisions and subsequent management plans shall mitigate ecological impacts as a result of development activities;
- D. All responsible departments and agencies of the State of Minnesota shall be guided by the following prioritized criteria in the implementation of this "NO-NET LOSS" executive order;
  - 1) AVOID the impact altogether by not taking a certain action or actions;
  - 2) MINIMIZE the impact by limiting the degree or magnitude of the action by using appropriate technologies or by taking affirmative steps to avoid or reduce the impact;
  - 3) MITIGATE all functional values of the wetlands that have been diminished.  
Mitigation must, in order of importance, be accomplished by: first, restoration of drained or diminished wetlands; second, enhancement of existing wetlands; and last, by creation of new wetlands;
- E. The head of each department or agency shall, by appropriate means, ensure that all staff are advised of this order and shall by January 1 of each year report to the Commissioner of Natural Resources on efforts to comply with this order; and
- F. The Commissioner of Natural Resources shall, by March 1 of each year, report to the Governor and the chairs of the Senate and House environment committees a composite report on implementation of the order and the status of Minnesota's wetlands.

In addition, I hereby encourage all local units of government to adopt "NO-NET LOSS" wetlands resolutions guiding public actions within their jurisdiction.

Pursuant to *Minnesota Statutes* 1990, Section 4.035, this Order shall be effective fifteen (15) days after publication in the *State Register* and filing with the Secretary of State and shall remain in effect until rescinded by proper authority or it expires in accordance with *Minnesota Statutes* 1990, Section 4.035, Subdivision 3.

IN TESTIMONY WHEREOF I have set my hand this 17th day of January, 1991.



Arne H. Carlson  
Governor



*Community Waste Education Manual* available at Minnesota's Bookstore

### **Waste Education Campaigns**

The **COMMUNITY WASTE EDUCATION MANUAL** offers practical guidance to help communities develop waste education campaigns. Tremendous step-by-step guide to organizing volunteers, planning a budget, working with media and more. Includes camera-ready art and copy for media and publication needs. 82 pp. Produced by the Minnesota Office of Waste Management. Stock #5-7. \$22.95.

**TO ORDER:** Send to Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155. Call (612) 297-3000, or toll-free in Minnesota: 1-800-652-9747. Minnesota residents please include 6% sales tax. On all orders, add \$2.00 per order for postage and handling. Prepayment is required. Please include daytime phone. VISA/MasterCard and American Express orders accepted over phone and through mail. *Prices are subject to change.* FAX: (612) 296-2265.

Publication editors: As a public service, please reprint this ad in your publication as is, reduced, enlarged, or redesigned to suit your format. Thank you.

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## **Official Notices**

Pursuant to the provisions of Minnesota Statutes § 14.10, an agency, in preparing proposed rules, may seek information or opinion from sources outside the agency. Notices of intent to solicit outside opinion must be published in the *State Register* and all interested persons afforded the opportunity to submit data or views on the subject, either orally or in writing.

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

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### **Board of Animal Health**

#### **Notice of Board Meeting**

A meeting of the Board of Animal Health has been scheduled for Thursday, February 14, 1991 at the Board offices at 9:30 a.m. The Board offices are located at 90 W. Plato Boulevard, St. Paul, MN 55107.

Information about this meeting may be obtained by calling the Board office at 612-296-5000.

Eugene H. Kirchoff  
Accounting Supervisor

### **Minnesota Comprehensive Health Association**

#### **Notice of Meeting of the Board of Directors**

**NOTICE IS HEREBY GIVEN** that a meeting of the Board of Directors of the Minnesota Comprehensive Health Association will be held at 9:30 a.m. on Thursday, January 24, 1991, at Northwestern National Life Insurance Company, 20 Washington Avenue South, Minneapolis, Minnesota.

Please note that the portion of the meeting to consider medical data relating to appeals is closed to the public.

For additional information, please call 456-8466.

### **Department of Health**

#### **Notice of Completed Application and Notice of and Order for Hearing in the Matter of the License Application of Northfield Emergency Transportation, Northfield, Minnesota**

**PLEASE TAKE NOTICE** that the Commissioner of Health (hereinafter "Commissioner") has received a completed application from Northfield Emergency Transportation, P.O. Box 489, Northfield, Minnesota to upgrade the type of services provided to Advanced Ambulance Service.

## Official Notices

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**IT IS HEREBY ORDERED AND NOTICE IS HEREBY GIVEN** that, pursuant to *Minnesota Statutes* §§ 14.57 to 14.69 and 144.802 a public hearing will be held on March 5, 1991 at Northfield City Hall, Council Chambers, Northfield, Minnesota, commencing at 1:00 p.m. If you have an interest in this matter you are hereby urged to attend the public hearing. Failure to do so may prejudice your rights in this and any subsequent proceedings in this matter.

1. The purpose of the hearing is to determine whether the application from this ambulance service should be granted based upon the criteria set out at *Minnesota Statutes* §§ 144.802, subd. 3(g).

2. This proceeding has been initiated pursuant to and will be controlled in all aspects by *Minnesota Statutes* §§ 144.801 to 144.8093, *Minnesota Statutes* §§ 14.57 to 14.69, and Rules for Contested Cases of the Office of Administrative Hearings, *Minnesota Rules* 1400.5100-1400.8402. Copies of the rules and statutes may be obtained for a fee from the Department of Administration, Public Documents Division, 117 University Avenue, St. Paul, Minnesota 55155, telephone: (612) 297-3000.

3. Barbara L. Neilson, Office of Administrative Hearings, 500 Flour Exchange, 310 Fourth Avenue South, Minneapolis, Minnesota 55415, telephone: (612) 341-7604, will preside as administrative law judge at the hearing, and will make a written recommendation on this application. After the hearing, the record and the administrative law judge's recommendation will be forwarded to the Commissioner to make the final determination in the matter.

4. Any person wishing to intervene as a party must submit a petition to do so under *Minnesota Rules* pt. 1400.6200 on or before February 11, 1991. This petition must be submitted to the administrative law judge and shall be served upon all existing parties and the Commissioner. The petition must show how the contested case affects the petitioner's legal rights, duties or privileges and shall state the grounds and purposes for which intervention is sought and indicate petitioner's statutory right to intervene if one exists.

5. In addition to or in place of participating at the hearing any person may also submit written recommendations for the disposition of the application. These recommendations must be mailed to the administrative law judge on or before February 22, 1991.

6. Any subpoena needed to compel the attendance of witnesses or the production of documents may be obtained pursuant to *Minnesota Rules* pt. 1400.7000.

7. At the hearing the applicant will present its evidence showing that a license should be granted and that all persons will be given an opportunity to cross-examine witnesses, to be heard orally, to present witnesses, and to submit written data or statements. All persons are encouraged to participate in the hearing and are requested to bring to the hearing all documents, records, and witnesses needed to support their position. It is not necessary to intervene as a party in order to participate in the hearing.

8. Please be advised that if non public data is admitted into evidence, it may become public data unless an objection is made and relief is requested under *Minnesota Statutes* §§ 14.60, subd. 2.

9. You are hereby informed that you may choose to be represented by an attorney in these proceedings, may represent yourself, or be represented by a person of your choice if not otherwise prohibited as the unauthorized practice of law.

10. A Notice of Appearance must be filed with the administrative law judge identified above within 20 days following receipt of the Notice by any person intending to appear at the hearing as a party.

11. In accordance with the provisions of *Minnesota Statutes* §§ 14.61, the final decision of the Commissioner in this proceeding will not be made until the Report of the Administrative Law Judge has been made available to the parties in this proceeding for at least 10 days. Any party adversely affected by the Report of the Administrative Law Judge has the right to file exceptions and present arguments to the Commissioner. Any exceptions or arguments must be submitted in writing and filed with the Commissioner of Health, 717 Delaware Street Southeast, Minneapolis, Minnesota 55440, within 10 days of the receipt of the Administrative Law Judge's Report.

Dated: 14 January 1991

Daniel J. McNerney, Jr.  
Acting Commissioner of Health

## Department of Transportation

### Program Management Division

### Office of Motor Carrier Safety and Compliance

## Notice of Solicitation of Outside Information or Opinions Regarding Proposed Rules Governing Transportation Workplace Drug Testing Programs

**NOTICE IS HEREBY GIVEN** that the State of Minnesota, Department of Transportation, is seeking information or opinions from sources outside the agency in preparing to propose the adoption of rules governing transportation workplace drug testing programs.



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## State Contracts and Advertised Bids

Specifically, the department intends to propose the incorporation of provisions of the *Code of Federal Regulations*, title 49, part 40 and part 391, subpart H. The adoption of the rules is authorized by *Minnesota Statutes*, section 221.031, which requires the agency to prescribe rules for the operation of motor carriers.

The State Department of Transportation requests information and opinions concerning the subject matter of the rule. Interested persons or groups may submit data or views on the subject matter of concern in writing or orally. Written statements should be addressed to:

Ward Briggs  
Office of Motor Carrier Safety and Compliance  
151 Livestock Exchange Building  
100 Stockyard Road  
South St. Paul, MN 55075

Oral statements will be received during regular business hours over the telephone at (612) 297-7656 and in person at the above address.

All statements of information and opinions shall be accepted until March 1, 1991. Any written material received by the State Department of Transportation shall become part of the rulemaking record to be submitted to the attorney general or administrative law judge in the event the rule is adopted.

Dated: January 9, 1991

Douglas H. Differt  
Acting Commissioner  
Department of Transportation

## Executive Council and the Land Exchange Board

### Notice of Meeting

The Executive Council and Land Exchange Board will meet on Wednesday, January 30, 1991, at 8:30 a.m. in Room 224, State Capitol, St. Paul, Minnesota.

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## State Contracts and Advertised Bids

Pursuant to the provisions of Minn. Stat. § 14.10, an agency must make reasonable effort to publicize the availability of any services contract or professional and technical services contract which has an estimated cost of over \$2,000.

Commodities contracts with an estimated value of \$15,000 or more are listed under the Materials Management Division, Department of Administration. All bids are open for 7-10 days before bidding deadline. For bid specifics, time lines, and other general information, contact the appropriate buyers whose initials appear in parentheses next to the commodity for bid, by calling (612) 296-6152.

Awards of contracts and advertised bids for commodities and printing, as well as awards of professional, technical and consulting contracts, appear in the midweek **STATE REGISTER Contracts Supplement**, published every Thursday. Call (612) 296-0931 for subscription information.

## Materials Management Division—Department of Administration:

### Contracts and Requisitions Open for Bid

Call 296-2600 for information on a specific bid, or to request a specific bid.

**Commodity:** Detector sealant  
**Contact:** Joan Breisler 296-9071  
**Bid due date at 2pm:** January 23  
**Agency:** Transportation Department  
**Deliver to:** St. Paul  
**Requisition #:** 79000-12762

**Commodity:** 803 86/20 computers  
**Contact:** Bernadette Vogel 296-3778  
**Bid due date at 4:30pm:** January 24  
**Agency:** Health Department  
**Deliver to:** Minneapolis  
**Requisition #:** 12500-69870

**Commodity:** Air purification equipment  
& accessories  
**Contact:** Linda Parkos 296-3725  
**Bid due date at 2pm:** January 25  
**Agency:** Transportation Department  
**Deliver to:** Owatonna  
**Requisition #:** 79000-12801

## State Contracts and Advertised Bids

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**Commodity:** Air sampler  
**Contact:** Pamela Anderson 296-1053  
**Bid due date at 4:30pm:** January 25  
**Agency:** Pollution Control Agency  
**Deliver to:** St. Paul  
**Requisition #:** 32200-26846

**Commodity:** Binks semi—down draft thru truck booth  
**Contact:** Mary Jo Bruski 296-3772  
**Bid due date at 2pm:** January 28  
**Agency:** Corrections Department  
**Deliver to:** Faribault  
**Requisition #:** 02310-18820

**Commodity:** Sign posts  
**Contact:** John Bauer 296-2621  
**Bid due date at 2pm:** January 28  
**Agency:** Transportation Department  
**Deliver to:** Willmar, Marshall  
**Requisition #:** 79800-03697

**Commodity:** Nox monitor for ambient air  
**Contact:** Pamela Anderson 296-1053  
**Bid due date at 4:30pm:** January 28  
**Agency:** Pollution Control Agency  
**Deliver to:** St. Paul  
**Requisition #:** 32200-26838

**Commodity:** Arjo lifts & trolleys  
**Contact:** Teresa Ryan 296-7556  
**Bid due date at 2pm:** January 28  
**Agency:** Human Services Department  
Regional Treatment Center  
**Deliver to:** St. Peter  
**Requisition #:** 02310-18891

**Commodity:** Sulfur dioxide fluorescent analyzer  
**Contact:** Pamela Anderson 296-1053  
**Bid due date at 2pm:** January 28  
**Agency:** Pollution Control Agency  
**Deliver to:** St. Paul  
**Requisition #:** 32200-26840

**Commodity:** Traffic marking paint  
**Contact:** Joan Breisler 296-9071  
**Bid due date at 2pm:** January 29  
**Agency:** Transportation Department  
**Deliver to:** Various  
**Requisition #:** 79100-09175

**Commodity:** Industrial air cleaner  
**Contact:** Mary Jo Bruski 296-3772  
**Bid due date at 4:30pm:** January 29  
**Agency:** Correctional Facility  
**Deliver to:** Faribault  
**Requisition #:** 02310-18880

**Commodity:** Dyna CNC bench type milling-drilling machine  
**Contact:** Mary Jo Bruski 296-3772  
**Bid due date at 4:30pm:** January 29  
**Agency:** State University  
**Deliver to:** Bemidji  
**Requisition #:** 26070-14352

**Commodity:** Purchase of a new or used hydraulically powered boom mower  
**Contact:** Mary Jo Bruski 296-3772  
**Bid due date at 4:30pm:** January 29  
**Agency:** Transportation Department  
**Deliver to:** Morris  
**Requisition #:** 79382-02161

**Commodity:** Linen & laundry service  
**Contact:** Joyce Dehn 297-3830  
**Bid due date at 2pm:** January 30  
**Agency:** Corrections Department  
**Deliver to:** Sauk Center  
**Requisition #:** Price contract

**Commodity:** Security service  
**Contact:** Joyce Dehn 297-3830  
**Bid due date at 2pm:** January 30  
**Agency:** Various  
**Deliver to:** Various  
**Requisition #:** Price contract

**Commodity:** Large lamps: fluorescent, incandescent, hid, etc.  
**Contact:** Patricia Anderson 296-3770  
**Bid due date at 2pm:** January 31  
**Agency:** Various  
**Deliver to:** Various  
**Requisition #:** Price contract

**Commodity:** Rubbish disposal  
**Contact:** Joyce Dehn 297-3830  
**Bid due date at 2pm:** January 31  
**Agency:** Academies FTH Blind & Deaf  
**Deliver to:** Faribault  
**Requisition #:** Price contract

**Commodity:** Fork lift truck  
**Contact:** Mary Jo Bruski 296-3772  
**Bid due date at 2pm:** January 29  
**Agency:** Minnesota State Lottery  
**Deliver to:** Roseville  
**Requisition #:** 99997-00072

**Commodity:** Lumber and materials  
**Contact:** Pamela Anderson 296-1053  
**Bid due date at 4:30pm:** January 29  
**Agency:** Correction Facility  
**Deliver to:** Faribault  
**Requisition #:** 78790-01620

**Commodity:** IBM RS 6000 Work Station  
**Contact:** Bernadette Vogel 296-3778  
**Bid due date at 2pm:** January 30  
**Agency:** State University  
**Deliver to:** St. Cloud  
**Requisition #:** 26073-22623

**Commodity:** Bridge three sites with three 56KBS leased lines  
**Contact:** Bernadette Vogel 296-3778  
**Bid due date at 2pm:** January 30  
**Agency:** Attorney General's Office  
**Deliver to:** Various  
**Requisition #:** 06000-09685

**Commodity:** Traconex panels  
**Contact:** Joan Breisler 296-9071  
**Bid due date at 2pm:** January 30  
**Agency:** Transportation Department  
**Deliver to:** St. Paul  
**Requisition #:** 79000-13803

**Commodity:** Copier—purchase  
**Contact:** John Bauer 296-2621  
**Bid due date at 2pm:** January 30  
**Agency:** State University  
**Deliver to:** St. Cloud  
**Requisition #:** 26073-22654

**Commodity:** Peak 3-D software  
**Contact:** Joan Breisler 296-9071  
**Bid due date at 4:30pm:** January 30  
**Agency:** State University  
**Deliver to:** St. Cloud  
**Requisition #:** 26073-22659

**Commodity:** Test equipment—materials  
**Contact:** Pam Anderson 296-1053  
**Bid due date at 4:30pm:** January 30  
**Agency:** State University  
**Deliver to:** St. Cloud  
**Requisition #:** 26073-22503

**Commodity:** Six passenger trucks  
**Contact:** Mary Jo Bruski 296-3772  
**Bid due date at 2pm:** January 31  
**Agency:** Transportation Department  
**Deliver to:** St. Paul  
**Requisition #:** 79382-02166

**Commodity:** Latex traffic marking paint  
**Contact:** Joan Breisler 296-9071  
**Bid due date at 2pm:** February 1  
**Agency:** Transportation Department  
**Deliver to:** Various  
**Requisition #:** 79100-09174

## Department of Administration: Print Communications Division

Printing vendors for the following printing contracts must review contract specifications in printing buyers office at 117 University Avenue, Room 134-B, St. Paul, MN.

**Printing vendors NOTE: Other printing contracts can be found in the Materials Management Division listing above, and in the Professional, Technical & Consulting Contracts section immediately following this section.**

**Commodity:** "Bobber or Sinker" posters, 25M 8½"x11" and 5M 22"x17", type to set + negs, 1-sided, 4-color, fold only the 22"x17" twice to 8½"x11"

**Contact:** Printing Buyer's Office  
**Bids are due:** January 24  
**Agency:** Natural Resources Department—Boat & Water Safety  
**Deliver to:** St. Paul  
**Requisition #:** 13968

**Commodity:** Planting brochure, 30M 15"x9" two folds to 3¼"x9", 4-color, camera ready, 2-sided, 7 photos from slides, one from print, premium quality printing expected

**Contact:** Printing Buyer's Office  
**Bids are due:** January 24  
**Agency:** Natural Resources Department—Forestry  
**Deliver to:** St. Paul  
**Requisition #:** 13797

**Commodity:** Supervision of grain weight certificate, 25M 5-part continuous sets, 8"x5¼" detached, preprinted numbering, camera ready, 1-sided

**Contact:** Printing Buyer's Office  
**Bids are due:** January 25  
**Agency:** Agriculture Department—Grain Inspection  
**Deliver to:** Minneapolis  
**Requisition #:** 14051

**Commodity:** Operators checklist, 2M pads of 50 2-part sets, 5"x8½" overall includes ½" stub on top, perf, chipboard and wrap around cover, camera ready, 1-sided

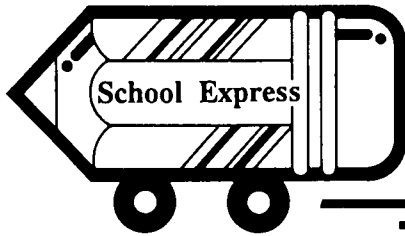
**Contact:** Printing Buyer's Office  
**Bids are due:** January 25  
**Agency:** Transportation Department  
**Deliver to:** St. Paul  
**Requisition #:** 14009

**Commodity:** Arts in Minnesota Tabloid and Max Poster-Brochure: *Tabloid*—35M of 40 pages, 22¾"x17½" quarterfold to 11¾"x8¾", pages 1-16 4-colors, pages 17-40 2-colors, camera ready, 2-sided, no staples; *Poster-Brochure*—45M 20½"x25½" folded to 8½"x10¼", 4-side bleed, 4-colors, 2-sided, camera ready

**Contact:** Printing Buyer's Office  
**Bids are due:** January 31  
**Agency:** Center for Arts Education  
**Deliver to:** Golden Valley  
**Requisition #:** 13502 and 13698

**Hold space for 8 more contracts—CATCH**

## State Contracts and Advertised Bids



### What's your school system like?

**School District Profile 1988-89.** Comparative enrollment, staffing and financial data on Minnesota's school districts. Includes an evaluation of the statistical content with commentary on trends and patterns. 56 pp. Stock #5-3. \$5.00.

**The School Book 1990-91.** Before you enroll your child in school, read this comprehensive guide to elementary schools in the Twin Cities. Lists school addresses/phone, staffing information, MTC bus connections, class size, student/teacher ratio, grading and curriculum. From the Citizens League. 554 pp. Stock #40-9. \$12.95.

**Education Directory 1989-90.** Complete list of schools, and school districts, their principals and superintendents. Also includes non-public schools, regional public library systems, state agencies, boards, and councils. 170 pp. Stock #1-93. \$8.95.

**TO ORDER:** Send to Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155. Call (612) 297-3000, or toll-free in Minnesota: 1-800-652-9747 and ask for "DOCUMENTS." Please include 6% sales tax and \$2.00 postage and handling. Prepayment required. Please include daytime phone. VISA/MasterCard and American Express orders accepted over phone. FAX: (612) 296-2265.

Publication editors: As a public service please reprint this ad in your publications. Thank you.

## Professional, Technical & Consulting Contracts

Department of Administration procedures require that notice of any consultant services contract or professional and technical services contract which has an estimated cost of over \$10,000 be printed in the *State Register*. These procedures also require that the following information be included in the notice: name of contact person, agency name and address, description of project and tasks, cost estimate, and final submission date of completed contract proposal. Certain quasi-state agencies are exempted from some of the provisions of this statute.

### Department of Administration

#### Division of Risk Management

#### Request for Proposal for Development and Implementation and Management of an Owner Controlled Insurance Program of Asbestos Abatement Projects in Public Buildings

The Department of Administration, Division of Risk Management wishes to receive proposals from interested bidders to develop, implement and manage an Owner Controlled Insurance Program (OPIC) for asbestos abatement projects in public buildings in the State of Minnesota. The work will be funded by *Minnesota Statute* 124.83, which provides school districts with a designated revenue for approved health and safety costs initially, but it is the intent of the program to be available to other state agencies and local political subdivisions if they voluntarily elect to participate. It is the goal of the state to realize a financed benefit from the economies of scale through the consolidation of statewide asbestos abatement programs for purposes of bidding required insurance management services and insurance coverages as related to these asbestos abatement projects.

#### Scope of Project

To obtain professional services from a single entity or joint venture to develop, implement and manage an OPIC for the removal and encapsulation of asbestos from property owned by the State of Minnesota and its political subdivisions.

#### Project Start and Completion Dates

The state would like to have the contract become effective April 30, 1991 and end April 30, 1994 with an option to be extended for an additional two years.

#### Project Costs

The total value of the cost of this project cannot be estimated as the activity of asbestos abatement projects can only be estimated at this time and the degree of participation by other state agencies and political subdivisions is not known.

Copies of this Request for Proposal for this project, including detailed project tasks are available from:

Frederick R. Johnson Jr.  
Director of Risk Management  
Department of Administration  
50 Sherburne Avenue, Room 309  
St. Paul, MN 55155  
(612) 296-6022

All proposals must be submitted no later than 4:00 p.m. March 5, 1991.

## Minnesota Historical Society

### Advertisement for Bids for Reprinting, Manufacturing and Delivery of 10,000 Copies of a Book: *Northern Lights: The Story of Minnesota's Past*

#### Bids

Sealed bids for the reprinting, manufacturing and delivery of the Minnesota Historical Society's *Northern Lights: The Story of Minnesota's Past*, in accordance with specifications prepared by the Minnesota Historical Society, will be received in the office of the Contracting Officer, Minnesota Historical Society, 690 Cedar Street, St. Paul, MN 55101 until 2:00 p.m., Central Standard Time, on February 18, 1991 at which time the bids will be publicly opened and read aloud. Bids received after the above deadline will be returned unopened.

#### Bid Security

Each bid must be accompanied by a cashier's check, certified check or corporate surety bond of a surety company duly authorized to do business in Minnesota, in the sum of not less than 5% of the total bid, payable without condition to the Minnesota Historical Society, which is submitted as bid security.

#### Specifications

Copies of specifications and bidding documents for preparation of bids may be obtained by contacting Gary W. Goldsmith, Contracting Officer, Minnesota Historical Society, 690 Cedar Street, St. Paul, MN 55101. Telephone (612) 296-2155.

#### Conditions of Bids

The Minnesota Historical Society reserves the right to accept any bid or to reject all bids, and to waive any informalities therein. No bid may be withdrawn within 30 days after the scheduled closing time for the receipt of bids.

## Minnesota Housing Finance Agency

### Request for Proposals for the Housing Trust Fund Housing Program

The Minnesota Housing Finance Agency (MHFA) and the Housing Trust Fund Advisory Committee (HTFAC) announce the availability of \$650,000 in loan funds to eligible sponsors to assist them in the development, construction, acquisition, preservation and rehabilitation of affordable rental housing, limited equity cooperative housing, and homes for ownership by low income persons. These funds were generated by interest earnings on real estate brokers' trust accounts and interest accrued on revenue bond application fees and forfeited fees.

**FORM OF AWARDS:** Funds are awarded to projects in the form of a zero interest deferred loan. To encourage the long term affordability of the housing provided under this program, a thirty year repayment schedule is used. The loan must be repaid in full if the project fails to operate as affordable housing for low income persons during the first ten years of the loan. During the next twenty years, five percent of the loan is forgiven each year provided that the housing remains affordable for low income persons and families.

**SET ASIDE:** Up to twenty percent (approximately \$130,000) of the total funds available may be used for projects that are not compatible with the 30 year repayment schedule. Within the twenty percent set aside, up to \$65,000 will be available for home ownership projects. The MHFA's and the HTFAC's intent is to use this set aside of funds to encourage innovative proposals which would otherwise not be possible to fund given the 30 year use commitment. All other requirements of the Housing Trust Fund program will apply to these projects. Applications submitted under the set aside will be evaluated with all applications received in response to the Request for Proposals.

## Professional, Technical & Consulting Contracts

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**ELIGIBLE APPLICANTS:** Eligible applicants are individuals, for-profit entities, nonprofit entities, Minnesota Cities, joint power boards established by two or more cities, and Minnesota Housing and Redevelopment Authorities.

**ELIGIBLE PROJECTS:** The legislation requires that the funds from the trust fund account be used "to provide loans or grants for projects for the development, construction, acquisition, preservation, and rehabilitation of low income rental and limited equity cooperative housing units and homes for ownership. At least 75 percent of the rental and cooperative units, and 100 percent of the homes for ownership, must be rented to or cooperatively owned, or owned by persons and families whose income does not exceed 30 percent of the median family income for the metropolitan area." (*Minnesota Statutes* Sect. 462A.201 Subd. 2.) As of February 1990, 30 percent of the Minneapolis/St. Paul area median income was \$13,500.

It is the desire of the MHFA and the HTFAC to use the Housing Trust Fund Housing Program to encourage and support innovative approaches to housing problems which provide affordable housing with strong local support. It is expected that these funds will be used to leverage other funds or to provide the final piece of a financing package. They can be used in conjunction with other MHFA, State, or Federal programs as appropriate.

**APPLICATION PROCESS:** Applicants should request application packets from MHFA staff:

Minnesota Housing Finance Agency  
400 Sibley Street, Suite 300  
St. Paul, MN 55101  
(612) 296-9844

If after reviewing the application materials there are any questions concerning the Housing Trust Fund Housing Program or the application process they should be directed to Steve Peacock (612) 296-9822. Samples of successful applications are available for review at the MHFA offices. Applicants are encouraged to discuss the feasibility of their project proposal with MHFA staff prior to submitting an application for funds.

**Applications are due by 4:30 p.m. on Friday, March 1, 1991.** The Housing Trust Advisory Committee will review the applications and should make funding recommendations to the MHFA Board by April 25, 1991.

This Request for Proposals (RFP) is subject to all applicable federal, state, and municipal laws, rules, and regulations. MHFA reserves the right to modify or withdraw this RFP at any time and is not able to reimburse any applicant for costs incurred in the preparation or submittal of applications.

## Minnesota Pollution Control Agency

### Notice of Request for Proposals for Consultant Services to Prepare an EIS (Environmental Impact Statement) for a Solid Waste Ash/Bypass Landfill

The Minnesota Pollution Control Agency (MPCA) wishes to retain one or more consultant(s) for the preparation of an Environmental Impact Statement (EIS) for the proposed Pope-Douglas Municipal Solid Waste Ash/Bypass Landfill in Solem Township, Douglas County, Minnesota. The consultant contractor(s) will be preparing the Technical Work Papers (TWPs) for submission to the MPCA, and then utilize the TWPs in the preparation of the draft and final EIS documents. A pre-bid meeting with the EIS staff team has been scheduled for those interested in bidding on the project. The meeting has been set for January 31, 1991, from 1:30 to 3:30 p.m. in the Central Board Room at the MPCA offices, 520 Lafayette Road, St. Paul, Minnesota 55155.

The MPCA reserves the right to reject any and all proposals.

All questions regarding this project must be directed to Mr. Kevin Kain, EIS Project Manager, at 612/296-7432.

Copies of the Request for Proposals for the project are available from:

Kevin Kain, EIS Project Manager  
Environmental Analysis Office  
Minnesota Pollution Control Agency  
520 Lafayette Road  
St. Paul, Minnesota 55155  
612/296-7432

Proposals must be submitted to the MPCA by February 14, 1991, or three weeks from the date of the first publication of this notice, whichever is later.

# Non-State Public Contracts

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The *State Register* also serves as a central marketplace for contracts let out on bid by the public sector. The *Register* meets state and federal guidelines for statewide circulation of public notices. Any tax-supported institution or government jurisdiction may advertise contracts and requests for proposals from the private sector.

It is recommended that contracts and RFPs include the following: 1) name of contact person; 2) institution name, address, and telephone number; 3) brief description of project and tasks; 4) cost estimate; and 5) final submission date of completed contract proposal. Allow at least three weeks from publication date (four weeks from date article is submitted for publication). Surveys show that subscribers are interested in hearing about contracts for estimates as low as \$1,000. Contact the editor for further details.

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## Metropolitan Council

### Request for Proposal for Arbitrage Rebate Reporting Consultant

NOTICE IS HEREBY GIVEN that the Metropolitan Council is requesting proposals to perform arbitrage rebate reporting and consulting in the area of arbitrage rebates. The contract will commence on March 1, 1991 and be complete on June 30, 1991. All proposals must be received no later than 2 p.m. on February 1, 1991. (Attention: Laurie Hrad)

Copies of the Request for Proposal may be obtained from the Metropolitan Council, Mears Park Centre, 230 East Fifth Street, St. Paul, MN 55101. Inquiries should be directed to Laurie Hrad, (612) 291-6442.

## Metropolitan Waste Control Commission

### Notice of Request for Proposals for the Development, Delivery and Maintenance of Teambuilding Training

The Metropolitan Waste Control Commission (MWCC) Operations and Maintenance Department is requesting proposals for professional consultant services for the development, delivery, and maintenance of Teambuilding Training. This request provides background information on the Metropolitan Waste Control Commission and the MWCC Operations and Maintenance Department, outlines expected end results of the training, identifies items which should be specifically addressed in proposals responding to this RFP and selection criteria.

Additional copies of this request can be obtained by contacting James Corcoran, Deputy Director, Operations and Maintenance Department at (612) 772-7100. RFP's are available January 14, 1991.

Proposals for the development, delivery and maintenance of Teambuilding Training will be accepted by the MWCC until 4:30 p.m. on February 8, 1991.

All proposals shall be addressed to:

Metropolitan Waste Control Commission  
230 East Fifth Street  
Sixth Floor  
St. Paul, MN 55101  
Attention: James P. Corcoran

The MWCC reserves the right to reject all or any proposals, and to waive any minor irregularities and direction from the requirements outlined in the RFP.

## Metropolitan Waste Control Commission

### Public Notice for Prequalification for Wastewater Treatment Plant Start-Up Training

NOTICE IS HEREBY GIVEN that the Metropolitan Waste Control Commission is soliciting prequalifications for wastewater treatment plant start-up training services related to expansions at its Blue Lake, Empire, Seneca, and Stillwater Plants.

All firms interested in being considered for these projects are invited to submit a letter asking for the project request for qualification.

All inquiries and submittals are to be addressed to Mr. Thomas Lund, Training Specialist, Metropolitan Waste Control Commission, Seneca Treatment Plant, 3750 Plant Road, Eagan, MN 55122, (612) 681-4568.

By Order of the  
METROPOLITAN WASTE CONTROL COMMISSION  
Mr. Gordon O. Voss  
Chief Administrator

# Announcements

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**Arts Board News:** March 15, 1991 is the deadline for **Artists in Education School Support and Arts Curriculum Expertise** grants to Minnesota schools. Potential applicants should request application materials as soon as possible to begin the planning process. Artists in Education **School Support** grants offer assistance to elementary and secondary schools sponsoring an individual artist or artists in residence for five days or more. The School Support program is open to any Minnesota nonparochial elementary or secondary school, or nonprofit educational organization. **Arts Curriculum Expertise** is a three-year program to help school districts develop and implement K-12 curricula in music, visual art, and dance. Dance will be the focus discipline during fiscal year 1992, the program's third year. Twenty districts may participate in ACE, with preference given to schools having completed the first two years of curriculum development. For information and application forms, contact the Minnesota State Arts Board, 432 Summit Avenue, Saint Paul, MN 55102, (612) 297-2603, or toll-free from greater Minnesota (800) 652-9747. • **The next regular meeting** of the Minnesota State Arts Board will take place at 12:00 noon on Thursday, January 24, 1991 at the Arts Board offices, 432 Summit Avenue in Saint Paul. The public is invited to attend. Open meeting law guidelines will be in effect. Agenda items will include the selection of Artist Assistance Visual Arts Fellowship grantees. For information on this meeting or other programs, contact the Arts Board, 432 Summit Avenue, Saint Paul, MN 55102, (612) 297-2603 or toll-free from greater Minnesota at (800) 652-9747. • The Arts Board is offering **five free grantwriting workshops** this winter. The workshops, conducted by Tamara G. Hauser, Artists in Education program associate for the Arts Board will offer grantwriting tips for School Support applications, due on March 15. To make a reservation, call the listed phone number for the location you wish to attend: Minneapolis, February 4, 4-6 p.m., (612) 627-2225; Saint Paul, February 7, 4-6 p.m., (612) 297-2603; Fergus Falls, February 26, 4-6 p.m., (218) 739-3273; Thief River Falls, February 27, 4-6 p.m., (218) 681-8005; Saint Cloud, February 28, 4-6 p.m., (612) 255-3236. • The Minnesota State Arts Board has issued a call for entries to the Slide Registry for the Minnesota State Percent for Art in Public Places program. The deadline to enter the Slide Registry and be considered for several recently identified state building projects is February 1, 1991. Applicants must submit slides of their work, a current resume, and a Slide Registry application form. Artists already listed in the Registry may choose to submit updated slides, along with a new application form and resume. At this deadline, artists may apply specifically for state building projects including Brainerd Community College, which has a \$20,309 budget for framed works, or Fond du Lac Community College in Cloquet, which has budgeted \$48,600 for artists to produce outdoor sculptural pieces. The slide registry will also be used in early 1991 to locate artists and artwork for upcoming building projects including technical colleges at Winona (\$37,328), Detroit Lakes (\$35,432), and Thief River Falls (\$18,704), and skilled nursing facilities at Brainerd (\$28,444), Fergus Falls (\$20,016), and Cambridge (\$24,800). For an application form and a prospectus describing the projects; contact the Arts Board office at (612) 297-2603 or toll-free in Minnesota at (800) 652-9747. Application materials must be received in the Arts Board offices no later than 4:30 p.m. on Friday, **February 1, 1991**. The **Percent for Art Registry** is a collection of slides and information on visual artists interested in placing work in new or renovated state building sites. The Registry is open to artists nationwide, and is used to select artists for numerous projects throughout the state. The program accepts submissions to the registry twice each year. The next deadline is June 17, 1991.

**Federal Grants Awarded for Anti-poverty Programs:** Federal grants totaling \$305,000 have been awarded to Minnesota community action agencies for local anti-poverty programs. Economic Opportunity Office (EOO) of the Minnesota Department of Jobs and Training said the grants, which are provided through Community Services Block Grant Discretionary funds, will be used for a variety of services to help low-income people in communities throughout the state.

**Energy Assistance Additional Funds Released:** An additional \$6.5 million in energy assistance funds has been released to local agencies, according to the Economic Opportunity Office of the Minnesota Department of Jobs and Training. This amount supplements the \$56.1 million in federal funds, announced in December, that the state received for the 1990-91 heating season. The Energy Assistance Program helps qualified low-income households with winter heating costs. Services include financial help to pay energy bills, conservation and repair activities, consumer education and crisis assistance. More than 107,000 households were served last year. Eligible families are those with incomes at or below 135 percent of the federal poverty level. Applicants must provide eligibility information for the three calendar months preceding the month of application. Three-month income limits are \$2,885 for household of two people, and \$4,286 for four. People wishing to apply for assistance or needing more information should contact their local delivery agency for an appointment, or call the state operator at 1-800-652-9747 and ask for "Fuel Assistance."

**Hunter Education:** Advanced hunter education and bowhunter education seminars and clinics are being offered again by the Minnesota Department of Natural Resources (DNR). The Advanced Hunter Education Program courses cover topics such as why people hunt, responsibilities and behavior, planning the hunt, wildlife management, survival, waterfowl laws, big game and small game laws, firearm safety, and much more. The course incorporates a level of professional experience into each learning situation. Since 1976, thousands have experienced these seminars through the DNR's Advanced Hunter Education Program. Participants who successfully complete the courses receive a patch and ID card, which can be useful in gaining landowner's permission to hunt on their property. Participants also receive a variety of resource materials. Those who plan to hunt in other states next fall should consider taking one of the Advanced Hunter Education Program seminars now. Many states require hunter education certificates before people can hunt. Minnesotans who successfully complete one of these adult-oriented seminars or clinics qualify for a firearm safety certificate. A nominal fee of \$10 to \$15 is charged for the seminars and clinics. For more information or a free brochure on the Advanced Hunter Education and Bowhunter Education programs, call (612) 296-0890.



**Counties Closed to Winter Trout Fishing:** Five Minnesota counties are closed to winter trout fishing, the Department of Natural Resources (DNR) reminded anglers this week. No winter trout angling is allowed in Aitkin, Beltrami, Cass, Crow Wing and Hubbard counties. The winter lake trout and stream trout season opened Dec. 29 on lakes entirely within the Boundary Waters Canoe Area Wilderness (BWCAW), and will close on those lakes March 31, 1991. The winter trout season on lakes outside or partially outside the BWCAW runs from Jan. 12 through March 15.

**River Stories That Warm Your Heart**

**A Stretch on the River.** 1950 novel about the son of a wealthy family who goes to work on a Mississippi River towboat to avoid being drafted. With power, gusto and humor, author Richard Bissel creates an energetic, rowdy, and delightful account of a typical trip up the river, accurately re-creating a colorful era of towboating on America's major waterway. Stock #17-6, \$8.95 plus tax.

**High Water.** During the worst flood on the Mississippi River anyone can remember, the mate of a towboat has his hands full on a perilous trip, working with an unhappy crew, an angry captain, and too many barges to push against too much river. A 1954 Richard Bissel novel reveals the drama, humor and charm of working on the river. Stock #17-8. \$8.95 plus tax.

**Old Times on the Mississippi River.** George Merrick's lively, loving, and humorous reminiscences of his steamboat life from the bottom up, as a pantry boy, apprentice engineer, second clerk, and "cub" pilot. First published in 1909, he describes steamboat operations—from machinery and personnel to the economics of the business—with vivid examples and rich detail. 323 pp. includes appendices and index. Stock #17-45. \$8.95 plus tax.

**Canoeing with the Cree.** Minnesota's distinguished newsman, Eric Sevareid, wrote his first book in 1935 about a canoe journey he and a classmate made to Hudson Bay. The classic recounts their trip on the Mississippi, Minnesota and Red River of the North Rivers into Lake Winnipeg, and then God's River to Hudson Bay. 209 pp. includes index, maps and photos. Stock #17-14. \$6.95 plus tax.

**TO ORDER:** Send to Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155. Call (612) 297-3000, or toll-free in Minnesota: 1-800-652-9747. Minnesota residents please include 6% sales tax. On all orders, add \$2.00 per order for postage and handling. Prepayment is required. Please include daytime phone. VISA/MasterCard and American Express orders accepted over phone and through mail. **Prices are subject to change.** FAX: (612) 296-2265.



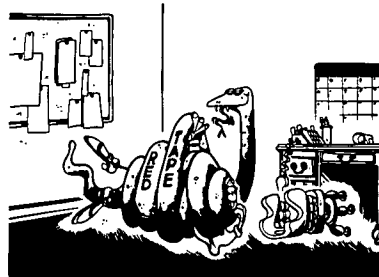
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~~It's  
Never  
O.K.~~

## Social workers', counselors' and therapists' guides and directories

**It's Never OK.** A handbook for professionals on sexual exploitation by counselors and therapists. It covers the therapeutic and prevention issues and employer responsibilities, plus recommended curriculum for training institutions for counselors and therapists. Stock No. 14-16. \$19.95 + tax.

**Chemical Dependency Programs Directory 1989.** Features comprehensive listings for programs ranging from prevention/intervention services to a wide range of treatment services. Each type of program includes a listing of facilities and description of programs. Stock No. 1-12, \$15.00 + tax.

**Process parenting—Breaking the Addictive Cycle.** This training manual provides parent education and treatment techniques for professionals working with recovering chemically dependent parents or dysfunctional families. Stock No. 5-4, \$15.00 + tax.

**TO ORDER:** Send to Minnesota Documents Division, 117 University Avenue, St. Paul, MN 55155. Call (612) 297-3000, or toll-free in Minnesota: 1-800-652-9747 and ask for "DOCUMENTS." Please include 6% sales tax and \$2.00 postage and handling. Prepayment required. Please include daytime phone. VISA/MasterCard and American Express orders accepted over phone. FAX: (612) 296-2265.

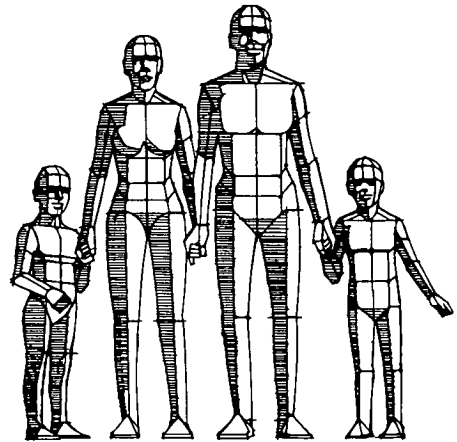
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## Adoption and Process Parenting

**Adoption Resource Directory.** This comprehensive resource directory to adoption services and laws will be your best friend if you are looking into adoption. Over 300-pages of research by the Minnesota Dept. of Human Services Adoption Unit make this a valuable tool that includes federal and state adoption laws and policies, information on Minnesota's adoption program and child placement resources. It goes into detail listing support groups, advocacy groups; health, education, social service and vocational resources; and a whole range of assorted community and state resources, and legal services including IRS information. Stock #1-16, \$12.45 + 75¢ tax.

**Process Parenting: Breaking the Addictive Cycle.** This is a curriculum and training manual designed to help chemical dependency treatment counselors to incorporate parent education into their on-going programs. It focuses on positive parent-child interactions and parenting strengths to assist chemically dependent persons develop a more positive view of self, feelings of greater control or influence over situations, understanding of self-defeating behaviors, and increased responsibility within one's social/community situation. 163 pages plus appendices. Stock #5-4, \$15.00 + 90¢ tax.

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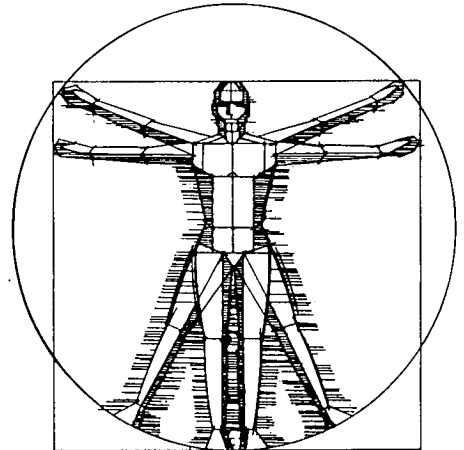
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## A Helping Hand for the Chemically Dependent

### Directory of Chemical Dependency Programs in Minnesota.

This 250-page directory lists prevention and intervention programs including county social service agencies, mental health centers, other information and referral programs, self-help programs and employee assistance programs. It also lists DWI (Driving While Intoxicated) clinics and detoxification centers. Outlining Minnesota's continuum of care, the Minn. Dept. of Human Services Directory lists treatment services under three headings: **Primary Residential Programs**—freestanding facilities, hospital-based facilities and state regional treatment centers; **Intermediate/Extended Residential Programs**—halfway houses, extended care facilities, and board and lodging facilities; **Non-Residential Programs**—freestanding facilities and hospital-based facilities. Stock #1-12. \$15.00 + 90¢ tax.

**TO ORDER:** Send to Minnesota Documents Division, 117 University Avenue, St. Paul, MN 55155. Call (612) 297-3000, or toll-free in Minnesota: 1-800-652-9747. Minnesota residents please include 6% sales tax. On all orders, add \$2.00 per order for postage and handling. Prepayment is required. Please include daytime phone. VISA/MasterCard and American Express orders accepted over phone and through mail. **Prices are subject to change.** FAX: (612) 296-2265.



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**School District Profile 1988-89.** Comparative enrollment, staffing and financial data on Minnesota's school districts, evaluation of the statistical content with commentary on trends and patterns. Stock #5-3, \$5.00 + 30¢ tax.

**The School Book 1990-91.** Comprehensive guide to elementary schools in the Twin Cities: school addresses/phone, staffing information, and MTC bus connections at schools. Lists class size, student/teacher ratio, grading and curriculum. 554 pages. Stock #40-9, \$12.95 + 78¢ tax.

**Chemical Dependency Programs Directory 1989.** Features comprehensive listings for programs ranging from Prevention/Intervention Services to a wide range of Treatment Services. Each type of program includes an alphabetical listing of facilities and brief narrative description of programming provided. Stock No. 1-12, \$15.00 plus tax.

**Process Parenting—Breaking the Addictive Cycle.** A training manual that provides parent education and treatment techniques for professionals who work with recovering chemically dependent parents or dysfunctional families. Stock No. 5-4, \$15.00 plus tax.

**It's Never Okay: A Handbook for Professionals on Sexual Exploitation by Counselors and Therapists.** Therapeutic and prevention issues and employer responsibilities are discussed in this task force report, as well as recommended curriculum for training institutions for counselors and therapists. Stock No. 14-16, \$19.95

### OTHER PUBLICATIONS

**Our Minnesota.** More than 100 full-color photos by Les and Craig Blacklock portray Minnesota in her seasonal beauty, with text from the personal journal of Fran Blacklock's thirty years of traveling the state. Stock #9-23. \$13.95 plus tax.

**Historic Sites and Place Names of Minnesota's North Shore.** John Fritzen, long time employee of the Minnesota DNR draws upon his almost 40 years as a forester, mostly spent on Minnesota's colorful and legendary North Shore, to regale readers with tales of timbermen, pioneer settlers, miners, commercial fishermen and others. Black and white photos. Stock #9-11. \$3.50 plus tax.

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**Woodworking for Wildlife.** Carefully illustrated with a variety of game bird and mammal box designs, including maintenance requirements and important tips on placement of nests in proper habitat areas. 47 pages with diagrams. Stock #9-14, \$3.95 plus tax. See "Special Set Offer" below.

**"Special Set Offer."** Save 15% by purchasing the two books together on wildlife mentioned above. Stock #9-20, \$10.95 plus tax.

**Minnesota Manufacturer's Directory, 1990.** More than 7,000 entries listing name, address, phone, staff size, sales volume, market area, year of establishment, type of firm, CEO, sales or marketing and purchasing managers, and four manufactured products. Stock #40-2. \$78.50 + \$4.71 sales tax.

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