

# Minnesota State Register

(Published every Monday (Tuesday when Monday is a holiday.)



**Proposed, Adopted, Emergency, Expedited, Withdrawn, Vetoed Rules;  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

**Monday 2 November 2015  
Volume 40, Number 18**

**Pages 489 - 522**

# Minnesota State Register

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

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

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- Withdrawn Rules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

### Printing Schedule and Submission Deadlines

Vol. 40 Issue Number	PUBLISH DATE ( <b>BOLDFACE</b> shows altered publish date)			Deadline for: all Short Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical-Consulting Contracts, Non-State Bids and Public Contracts			Deadline for LONG, Complicated Rules (contact the editor to negotiate a deadline)		
# 19	Monday	9	November	Noon Tuesday	3	November	Noon Thursday	29	October
# 20	Monday	16	November	Noon Tuesday	10	November	Noon Thursday	5	November
# 21	Monday	23	November	Noon Tuesday	17	November	Noon Thursday	12	November
# 22	Monday	30	November	Noon Tuesday	24	November	Noon Thursday	19	November

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USPS Publication Number: 326-630 (ISSN: 0146-7751)

THE MINNESOTA STATE REGISTER IS PUBLISHED by Plant Management Division, Department of Administration, State of Minnesota, pursuant to *Minnesota Statutes* § 14.46 and is available on-line at website: <http://www.comm.media.state.mn.us/bookstore/mnbookstore>

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# Minnesota Rules: Amendments and Additions

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

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

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

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

The *State Register* features partial and cumulative listings of rules in this section on the following schedule: issues #1-13 inclusive; issues #14-25 inclusive (issue #26 cumulative for issues #1-26); issues #27-38 inclusive (issue #39, cumulative for issues #1-39); issues #40-52 inclusive, with final index (#1-52, or 53 in some years). An annual subject matter index for rules was separately printed usually in August, but starting with Volume 19 now appears in the final issue of each volume. For copies or subscriptions to the *State Register*, contact Minnesota's Bookstore, 660 Olive Street (one block east of I-35E and one block north of University Ave), St. Paul, MN 55155, phone: (612) 297-3000, or toll-free 1-800-657-3757. TTY relay service phone number: (800) 627-3529

## Volume 40 - Minnesota Rules

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Monday 5 October - Monday 2 November 2015

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# Proposed Rules

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

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

**Rules to be Adopted Without a Hearing.** Pursuant to *Minnesota Statutes* § 14.22, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing. An agency must first solicit **Comments on Planned Rules or Comments on Planned Rule Amendments** from the public. The agency then publishes a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register*. If, during the 30-day comment period, 25 or more persons submit to the agency a written request for a hearing of the proposed rules, the agency must proceed under the provisions of §§ 14.14-14.20, which state that if an agency decides to hold a public hearing, it must publish a notice of intent in the *State Register*.

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

## Minnesota Racing Commission

### REQUEST FOR COMMENTS on Possible Amendment to Rules Governing Horse Racing, *Minnesota Rules*, 7877 Horse Racing; Class C Licenses, 7883 Horse Races, 7884 Harness Races, 7890 Horse Medication, 7891 Horses; Physical Examination, 7892 Horses; Medical Testing, 7897 Horse Racing; Prohibited Acts; Revisor's ID Number R-4380

**Subject of Rules.** The Minnesota Racing Commission requests comments on the possible amendment to rules governing Horse Racing. Included are the following:

**Chapter 7877 Horse Racing; Class C Licenses.** The commission is considering rule changes to 7877 that move the responsibility for posting a list of nerved horses from the racing secretary to the commission veterinarian, require a schooling list to be posted in the race office, and give the commission veterinarian authority to not only draw blood but submit it to the diagnostic laboratory for testing for reportable infectious diseases as defined by the Minnesota Board of Animal Health and to supervise removal from the racetrack of those animals with positive tests for reportable infectious diseases.

**Chapter 7883 Horse Races.** The rule changes to 7883 include a prohibition of gelatinous bandages or soft casts under racing wraps and specify that horses entered to race with a flipping halter arrive in the paddock with the halter in place.

**Chapter 7884 Harness Races.** Serum or plasma tests replace the use of urine tests in 7884.

**Chapter 7890 Horse Medication.** Many of the proposed rule changes in 7890 modify existing definitions or provide new definitions used elsewhere in the rule packet. Included are definitions of NSAID stacking, medication overage, hemoglobin based oxygen carrier and synthetic analogue as well as modifications to positive test, test level, and test sample. The use of urine specific gravity as a screening test for furosemide is removed. Further changes in this chapter add more specific language about the possession of prohibited substances and what constitutes prima facie evidence. An error resulting in conflicting statements is corrected in the section on furosemide.

**Chapter 7891 Horses; Physical Examination.** Proposed changes in chapter 7891 clarify the language and modify the process for reporting and conducting postmortem examinations on deceased horses.

**Chapter 7892 Horses; Medical Testing.** The language regarding split sample testing is clarified in chapter 7892. Further proposed



# Proposed Rules

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changes in chapter 7892 update the equipment and procedures for analytical testing and add the deputy director to the list of individuals receiving notification of laboratory reports.

## **7897 Horse Racing; Prohibited Acts.**

Proposed rule changes in chapter 7897 add to those substances that may not be possessed, administered to, or present in a horse. The list is expanded to include metabolites, biological products, blood doping agents, growth hormones, venom, derivatives of venom, synthetic analogues of venom, and derivatives of synthetic analogues of venom, and other agents that may increase the oxygenation of blood. The veterinary use of whole blood or packed red blood cells is regulated. The final proposed rule change prevents a mare or filly over 150 days of gestation (approximately 5 months) from being entered in a race.

**Persons Affected.** The amendment to the rules would likely affect the horse owners, trainers, and veterinarians.

**Statutory Authority.** *Minnesota Statutes*, sections 240.03, 240.23, 240.24, and 240.25 authorize the Racing Commission to amend rules which affect the integrity of racing or the public health, welfare, or safety.

**Public Comment.** Interested persons or groups may submit comments or information on these possible rules in writing or orally until further notice is published in the *State Register* that the Commission intends to adopt or to withdraw the rules. The Commission does not contemplate appointing an advisory committee to comment on the possible rules.

**Rules Drafts.** The Commission has prepared a draft of the possible rule amendment. It is available on the Commission website at [www.mrc.state.mn.us](http://www.mrc.state.mn.us).

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

Thomas DiPasquale, Executive Director  
Minnesota Racing Commission  
P. O. Box 630  
Shakopee, MN 55379  
**Phone:** (952) 496-7950  
**Fax:** (952) 496-7954  
**E-mail:** [tom.dipasquale@state.mn.us](mailto:tom.dipasquale@state.mn.us)  
TTY users may call the Commission at 1-800-627-3529.

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

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

Dated: 28 October 2015

Tom DiPasquale, Executive Director  
Minnesota Racing Commission

## **7877.0175 DUTIES AND RESPONSIBILITIES OF RACING OFFICIALS.**

Subpart 1. **Racing secretary.** The racing secretary shall have the responsibilities in items A to ~~F~~**I**.

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

~~H. The racing secretary must post, in a location accessible to all trainers, a list of all horses registered as “nerved,” pursuant to part 7897.0100, subpart 11.~~

~~I.~~ **H.** The racing secretary shall establish a preference system for horses which have been excluded from races due to overfilling and shall maintain the system for the duration of a meeting. The racing secretary shall be allowed broad discretion with regard to the preference system but shall act in the best interest of racing and the meeting.

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## Proposed Rules

~~7.1.~~ In the event that a race is declared off due to an insufficient number of entries, the racing secretary must post in a conspicuous place the names of all trainers that entered horses in each race that was declared off.

[For text of subps 2 and 3, see M.R.]

Subp. 4. **Paddock judge.** The paddock judge shall have the responsibilities in items A to L.

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

L. The paddock judge shall compile a schooling list of any horse that is fractious or unruly in the paddock, and shall supervise the paddock schooling of those horses. The schooling list shall be posted in the race office.

[For text of subps 4a to 7, see M.R.]

Subp. 8. **Commission veterinarian.** The commission veterinarian shall maintain a list of the following:

A. horses that are scratched because of illness or injury;

B. horses that are pulled up because of lameness or other injury during a race;

C. horses that are bleeders, pursuant to part 7890.0140, subpart 1; and

D. horses otherwise considered unfit to race in the professional judgment of the commission veterinarian or the association veterinarian.

The veterinarian's list shall be posted in the racing secretary's office, and any horse whose name is on the list shall be ineligible to start in a race for five calendar days, or until the commission veterinarian or association veterinarian removes it from the list, whichever is later. All workouts required by the commission veterinarian for the purpose of potentially removing a horse from the veterinarian's list must be conducted under the same medication requirements as those for race days. For purposes of this subpart, the five-day period during which a horse is ineligible to start begins to run on the first day the horse is placed on the list. The veterinarian's list is binding on all racetracks under the jurisdiction of the commission.

The commission veterinarian shall conduct racing soundness examinations pursuant to part 7891.0100. If the veterinarian finds that any horse is unfit to race he or she shall notify the stewards immediately in writing.

The commission veterinarian shall supervise the operation of a barn for the detention and testing of horses after each race pursuant to chapter 7890.

The commission veterinarian must post in a location accessible to all trainers, a list of all horses registered as "nerved" pursuant to part 7897.0100, subpart 11.

The commission veterinarian shall have the authority to draw and submit blood to the diagnostic laboratory from any horse or pony on the grounds of an association for the purpose of testing for equine infectious anemia (EIA) and other reportable infectious diseases as determined by the Minnesota Board of Animal Health, and shall supervise the removal from the racetrack of any horse or pony having positive EIA or reportable infectious disease test results.

In the event of a veterinary emergency where the owner's veterinarian is not on racetrack grounds, the commission veterinarian or association veterinarian may administer emergency treatment to a horse after consulting with the owner or the owner's agent if they are present on racetrack grounds. In all cases, the owner's veterinarian will be notified and the case transferred to the owner's veterinarian as soon as the owner's veterinarian is present.

In the absence of an association veterinarian, a commission veterinarian shall assume the duties and responsibilities of the association veterinarian.

[For text of subps 8a to 15, see M.R.]

### 7883.0150 PADDOCK TO POST.

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

# Proposed Rules

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Subp. 3. **Bandages and blankets.** Immediately upon arrival in the paddock, all blankets and bandages, except those bandages that will be worn during a race, must be removed. Should weather conditions so dictate, blankets may be worn after saddling with permission of the paddock judge. After saddling, all horses must be walked to allow a satisfactory examination. Bandages that will be worn during a race must not be fastened with safety pins or metal/plastic binders of any kind. No soft cast or gelatinous bandages may be used under the bandages worn during a race.

[For text of subps 4 to 13, see M.R.]

Subp. 14. **Flipping halters.** Any horse entered to race with a flipping halter must arrive in the paddock with the halter in place under the bridle. For purposes of this subpart, a “flipping halter” means a device used to prevent a horse from rearing up inside the starting gate.

## 7884.0180 TIME TRIALS.

Time trial performances are permitted provided:

A. ~~urine~~ serum or plasma tests are required for all horses;

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

## 7890.0100 DEFINITIONS.

[For text of subps 1 to 10e, see M.R.]

Subp. 10f. **Hemoglobin-based oxygen carrier.** “Hemoglobin-based oxygen carrier” is an intravenous solution consisting of chemically stabilized cross linked hemoglobin that carries oxygen to tissues upon infusion.

Subp. ~~10f~~ 10g. **Hemopure®.** “Hemopure®” is a chemically stabilized bovine cross-linked hemoglobin that carries oxygen to tissues. Chemically it is hemoglobin glutamer-250 (bovine) or HBOC-201.

[For text of subps 11 to 12b, see M.R.]

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

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

B. Furosemide, provided, however, that it is administered pursuant to the provisions of part 7890.0140, subpart 7a, ~~and further provided that: the specific gravity of the post-race urine sample is not 1.010 or below or, if the specific gravity is 1.010 or below or a urine sample is unavailable for testing.~~ The concentration of furosemide must not exceed 100 nanograms per milliliter of serum or plasma in the post-race blood sample.

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

[For text of subps 13a to 14, see M.R.]

Subp. 14a. **NSAID stacking.** “NSAID stacking” occurs when a post-race sample is found to contain the presence of multiple nonsteroidal anti-inflammatory drugs in violation of the restrictions in subpart 13, item A, and part 7890.0110, subpart 10.

Subp. ~~14a~~ 14c. **NSAIDs.** “NSAIDs” means nonsteroidal anti-inflammatory drugs.

Subp. 14b. [See repealer.]

Subp. 14d. **Overage.** “Overage” means the detection of any medication or metabolites, substance foreign to the natural horse, androgenic anabolic steroid, or endogenous, dietary, or environmental substance in a test sample that exceeds the regulatory limits as established by subpart 13, items A to D, and part 7890.0110, subparts 7, item C; 7a; 9; and 10.

Subp. ~~14e~~ 14e. **PO.** “PO” means orally.

Subp. 15. **Positive test.** “Positive test” means the detection of any medication or metabolites, substance foreign to the natural horse, androgenic anabolic steroid, or endogenous, dietary, or environmental substance thereof in a test sample ~~or a test level of NSAIDs or~~



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# Proposed Rules

~~furosemide above the allowed level above the limit of detection of the official testing laboratory.~~

[For text of subps 15a and 16, see M.R.]

Subp. 16a. **Synthetic analogue.** “Synthetic analogue” means a molecular or chemical compound made in a laboratory that is structurally similar to the natural compound and exhibits similar effects.

Subp. ~~16a~~ 16b. **TCO<sub>2</sub>.** “TCO<sub>2</sub>” means the total concentration of all forms of carbon dioxide in the sample including bicarbonate and carbonate as well as dissolved CO<sub>2</sub>.

Subp. 17. **Test level.** “Test level” means the concentration of NSAIDs ~~or, furosemide, medications or metabolites, substances foreign to the natural horse, androgenic anabolic steroids, or endogenous, dietary, or environmental substances~~ found in a test sample.

Subp. 18. **Test sample.** “Test sample” means any bodily substance including blood, urine, saliva, hair, or other substance designated by the commission, taken from a horse under the supervision of the commission veterinarian for the purpose of analysis.

[For text of subps 18a to 21, see M.R.]

## 7890.0110 MEDICATIONS AND PRACTICES PROHIBITED.

Subpart 1. **Administration.** No person shall administer or cause to be administered to a horse within 48 hours of a race in which it is scheduled to run any medication (except as permitted by part 7890.0100, subpart 13, items A to D) by injection, oral or topical administration, rectal infusion or suppository, or by inhalation and no horse participating in a race shall carry in its body any substance foreign to the natural horse, except as permitted by subparts 7, item C, 7a, 9, and 10 and part 7890.0100, subpart 13, items A to D. Post-race samples of plasma, serum, or urine must not contain any substances, drugs, medications, or metabolites of substances, drugs, or medications not specifically permitted by commission rule or law.

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

Subp. 8. **Prohibition.** The possession or use ~~of venom or blood doping agents of anabolic androgenic steroids other than as provided in subpart 7a, naturally occurring venoms, derivatives of venoms, synthetic analogues of venoms, derivatives of synthetic analogues of venoms, growth hormone, blood doping agents, or any substance that enhances the oxygenation of equine tissue~~ by any person on the grounds premises of any licensed facility under the jurisdiction of the commission is not permitted.

[For text of subps 9 to 12, see M.R.]

## 7890.0130 FINDINGS OF CHEMIST.

Subpart 1. **Prima facie evidence.** ~~A post-race finding by a chemist of any medication or metabolite, substance foreign to the natural horse, or NSAIDs or furosemide exceeding the allowable test levels provided in part 7890.0100, subpart 13, item A, positive test or overage in the test sample of a horse shall be considered prima facie evidence that the medication or metabolites, androgenic anabolic steroids, substance foreign to the natural horse, or endogenous, dietary, or environmental substances, NSAIDs or furosemide was administered to the horse prior to the race and carried in the body of the horse while participating in a race. Horses racing on NSAIDs or, A horse racing on furosemide must show a detectable concentration of the drug or metabolites in the post-race serum, or plasma, or urine sample. A finding by a chemist of any venom or blood doping agent in the test sample of a horse shall be considered prima facie evidence that the venom or blood doping agent was administered to the horse prior to the race and carried in the body of the horse while participating in a race. A finding by a chemist of a level of TCO<sub>2</sub> greater than 37 millimoles per liter of blood in the test sample of a horse shall be considered prima facie evidence that an alkalinizing agent was administered to the horse prior to the race.~~

Subp. 2. **Distributed purse money.** The fact that purse money has been distributed prior to the issuance of the chemist’s report shall not be deemed a finding that no medication or metabolites, androgenic anabolic steroids, substance foreign to the natural horse, or endogenous, dietary, or environmental substances, NSAIDs or furosemide exceeding allowable levels was administered to the horse earning such purse money in violation of this chapter.

## 7890.0140 BLEEDERS.

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

Subp. 6. **Furosemide may be permitted.** A horse is eligible to race with furosemide if the licensed trainer and licensed veterinarian determine that it would be in the horse’s best interests to race with furosemide. ~~Notification using prescribed commission forms must be given to the commission veterinarian no later than scratch time for that day’s racing.~~ Once a horse has raced with furosemide, it must

# Proposed Rules

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continue to race with furosemide in all subsequent races unless a request is made to discontinue the use. If the use of furosemide is discontinued, the horse shall be prohibited from again racing with furosemide unless it is later observed to be bleeding pursuant to subpart 1. Requests for the use of or discontinuance of furosemide must be made to the commission veterinarian by the horse's trainer or assistant trainer on a form prescribed by the commission on or before the day of entry into the race for which the request is made.

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

## 7891.0110 POSTMORTEM EXAMINATION.

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

Subp. 2. **Test samples to be taken for analysis.** Test samples must be obtained from every horse ~~which undergoes a postmortem examination that dies or is euthanized from a training or catastrophic race-related injury.~~ The samples shall be sent for analysis to a laboratory approved by the commission and the commission may direct the laboratory to retain and preserve such samples for future analysis.

When practical, both blood and urine test samples shall be obtained prior to euthanasia.

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

Subp. 4. **Report of exam.** A report of ~~every postmortem examination~~ each deceased horse shall be filed with the commission within 72 hours of the horse's death on a form prepared by the commission.

## 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. In the absence of urine or blood (serum or plasma) for split sample testing, urine or blood (serum or plasma) from the original testing laboratory, if available, may be sent to the designated split sample laboratory for analysis. The commission shall approve a list of laboratories ~~which may provide that are capable of providing~~ 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 and submitting results for the substance within 14 days of sample receipt. 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~~ notify the stewards in writing within 72 hours of receiving notice of the ~~official commission~~ 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 a list of approved split sample laboratories.~~

C. A person making a request for split sample testing must ~~select from among the laboratories approved by the commission pursuant to item A;~~ provide the request in writing on a form prescribed by the commission to the commission veterinarian within 24 hours of receipt of the list notification to the stewards of the intent to submit a split sample.

D. The trainer is responsible for the cost of split sample testing and fees for shipping and handling of the sample. Payment for split sample testing must accompany the sample. Shipping and handling fees are payable to the Minnesota Racing Commission within seven days of shipment.

~~D. E.~~ 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 subps 5a and 6, see M.R.]

## 7892.0130 TESTING.

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

Subp. 2. **Equipment.** The ~~official commission~~ laboratory must be equipped with sufficient laboratory equipment and personnel to

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# Proposed Rules

perform:

- A. analytical screening procedures for the detection and identification of prohibited substances;
- B. confirmation procedures to provide forensic analytical proof evidence of a medication violation; and
- C. quantitative analyses consistent with commission standards in those cases where an exact quantitative value is warranted.

Subp. 3. **Procedures.** Urine and ~~blood serum or plasma~~ samples must be subjected to sufficient analytical procedures to ensure that the medication rules of the ~~Racing~~ commission are not violated. The exact analytical techniques performed must be determined by contract with the ~~Racing~~ commission in consultation with the commission veterinarian and must include, at a minimum, the following:

- ~~A. analysis of blood samples for violations of the use of permitted medications;~~
- ~~B. screening analysis of blood samples for drugs of abuse, when applicable, as determined by the commission veterinarian;~~
- ~~C. analysis of urine samples for excessive dilution;~~
- ~~D. analysis of urine samples for drugs of abuse using a combination of immunoassay and chromatographic techniques; and~~
- ~~E. confirmation analysis of violations using mass spectral analysis.~~

A. quantitative screening analysis of serum or plasma or urine samples for detection of overages;

B. qualitative screening analysis of serum or plasma or urine or hair samples for the presence of any medication and metabolites, substance foreign to the natural horse, androgenic anabolic steroids, or endogenous, dietary, or environmental substance without regulatory limits that may result in a positive test; and

C. confirmation of overage and positive test results using mass spectrometry and laboratory criteria that meet or exceed commission requirements.

Subp. 4. **Reports.** The ~~official~~ commission chemist shall report the results of the sample analyses to the commission veterinarian ~~and the, executive director, and deputy director~~ as described by contract with the ~~Racing~~ commission.

Subp. 5. **Laboratory accreditation.** The official laboratory shall be accredited by and in good standing with the Racing Medication Testing Consortium accreditation program.

## 7897.0100 PROHIBITED ACTS.

[For text of subps 1 to 19, see M.R.]

Subp. 20. **Possession or use, administration to, or presence in a horse of a prohibited drug, substance, medication or metabolites, biological product, venom, or synthetic analog of venom.**

A. No person may possess or ~~use a drug, substance, medication, biological product, or venom on the premises of a facility under the jurisdiction of the commission; administer, on the premises of a licensed association under the jurisdiction of the commission, a prohibited drug, substance foreign to the natural horse, medication or metabolites, biological product, blood doping agent, growth hormone, venom, synthetic analogue of venom, derivative of venom, or synthetic analogue of a derivative of venom that has not been approved by the United States Department of Agriculture (USDA) or the United States Food and Drug Administration (FDA) for any use in humans or animals without prior permission of the stewards or judges and commission veterinarian.~~

(1) ~~for which a recognized analytical method has not been developed to detect and confirm the administration of such substance;~~

(2) ~~the use of which may endanger the health and welfare of the horse or endanger the safety of the rider.~~

B. No person may possess or ~~use, on the premises of a facility under the jurisdiction of the commission, administer a prohibited drug, substance, medication or metabolites, biological product, or venom that has not been approved by the United States Department of Agriculture (USDA) or the FDA for any use in human or animal without prior permission of the stewards and commission veterinarian, synthetic analogue of venom, derivative of venom, synthetic analogue of a derivative of venom, or growth hormone on the premises of a~~

# Proposed Rules

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facility under the jurisdiction of the commission:

- (1) for which a recognized analytical method has not been developed to detect and confirm the administration of such substance;
- (2) the use of which may endanger the health and welfare of the horse or endanger the safety of the rider;
- (3) the use of which results in concentrations in the horse in excess of those that occur naturally; or
- (4) the use of which in established concentrations would cause interference with testing procedures.

C. No person may possess or use venom or blood doping agents, including but not limited to those listed in subitems (1) to (4) on the premises of a facility under the jurisdiction of the commission:

- (1) Hemopure®;
- (2) Erythropoietin;
- (3) Darbepoetin; or
- (4) Oxyglobin®.

C. The presence in or administration to a horse of the following, on the premises of a licensed association under the jurisdiction of the commission, is prohibited at any time:

- (1) blood doping agents, including erythropoietin, darbepoetin, hemoglobin-based oxygen carriers, or any other substance that abnormally enhances the oxygenation of equine body tissue;
- (2) naturally produced venoms, synthetic analogues of venoms, derivatives of venoms, synthetic analogues of derivatives of venoms, or growth hormone;
- (3) androgenic anabolic steroids other than as provided in part 7890.0110, subpart 7a; or
- (4) whole blood or packed red blood cells except as provided in item D.

D. No person other than a licensed veterinarian rendering emergency care may possess, on the premises of a licensed association under the jurisdiction of the commission, whole blood or packed red blood cells. The licensed veterinarian shall notify the commission veterinarian of the intent to administer whole blood or packed red blood cells prior to collection or possession of the whole blood or packed red blood cells.

Ð. E. No person shall feed, or cause or knowingly permit to be fed, or conspire in any manner to feed products that contain any drug not permitted by chapter 7890 to a horse entered or to be entered for a race.

E. F. No person shall have in the person's possession, within the confines of a racetrack or within its stables, buildings, sheds, or grounds, where horses are lodged or kept which are eligible to race over a racetrack, any feed products containing drugs not otherwise and expressly approved for use in race horses.

Subp. 21. **Pregnant filly or mare.** No filly or mare over 150 days gestation may be entered to race.

**REPEALER.** Minnesota Rules, part 7890.0100, subpart 14b, is repealed.

# Exempt Rules

Exempt rules are excluded from the normal rulemaking procedures (*Minnesota Statutes* §§ 14.386 and 14.388). They are most often of two kinds. One kind is specifically exempted by the Legislature from rulemaking procedures, but approved for form by the Revisor of Statutes, reviewed for legality by the Office of Administrative Hearings, and then published in the *State Register*. These exempt rules are effective for two years only.

The second kind of exempt rule is one adopted where an agency for good cause finds that the rulemaking provisions of *Minnesota Statutes*, Chapter 14 are unnecessary, impracticable, or contrary to the public interest. This exemption can be used only where the rules:

- (1) address a serious and immediate threat to the public health, safety, or welfare, or
- (2) comply with a court order or a requirement in federal law in a manner that does not allow for compliance with *Minnesota Statutes* Sections 14.14-14.28, or
- (3) incorporate specific changes set forth in applicable statutes when no interpretation of law is required, or
- (4) make changes that do not alter the sense, meaning, or effect of the rules.

These exempt rules are also reviewed for form by the Revisor of Statutes, for legality by the Office of Administrative Hearings and then published in the *State Register*. In addition, the Office of Administrative Hearings must determine whether the agency has provided adequate justification for the use of this exemption. Rules adopted under clauses (1) or (2) above are effective for two years only. The Legislature may also exempt an agency from the normal rulemaking procedures and establish other procedural and substantive requirements unique to that exemption.

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

## Minnesota Department of Public Safety (DPS) Driver and Vehicle Services Adopted Exempt Permanent Rules Relating to Ignition Interlock

### ORDER ADOPTING PERMANENT EXEMPT RULES

Adoption of Permanent Exempt Rules Governing Ignition Interlock Device Program (IIIDP), *Minnesota Rules*, 7503.1650; 7503.1675; and 7503.1725; **AOH # 8-2400-32846 Revisor's ID Number R- 4310**

### BACKGROUND INFORMATION

1. The Minnesota Department of Public Safety Driver and Vehicle Services has complied with all notice and procedural requirements in *Minnesota Statutes*, Chapter 14, *Minnesota Rules*, Chapter 1400.2400, and other applicable law.
2. The proposed rules are necessary to clarify requirements governing qualifications, program termination and rehabilitation provisions for program participants in the Ignition Interlock Device Program (IIPD). The proposed rules provide clarification and improve consistency with *Minnesota Laws of 2014*, Chapter 298, section 1 and sections 2 to 6; and *Minnesota Statutes*, section 171.306.
3. Previously, a driver convicted of a CVO was not eligible for the Ignition Interlock Device Program. New legislation now requires that any person who is convicted of certain specified CVO violations (not including fatal, drug, or hazardous substance while driving) must complete the Ignition Interlock Device Program before that person's license is reinstated. Drivers who are convicted of a CVO fatality are not eligible to participate in the Ignition Interlock Device Program. Any qualified prior impaired driving incident (which includes prior impaired driving convictions and/or prior impaired driving-related losses of driver's license) will enhance the Criminal Vehicular Operation (CVO) revocation period.
4. Moreover, any prior impaired driving incident (including earlier impaired driving convictions or impaired driving-related loss of licensure) will enhance the length of the CVO revocation period.
5. Additionally, the new law provides that the Commissioner of Public Safety shall now suspend the driver's license of a person if a Police Officer has issued a Certification of Probable Cause, as described in section 629.344, or the driver is charged with a violation of sections 609.20, 609.25, 609.2112, or 609.2113, 609.2114. The proposed rule responds to these statutory changes by broadening the

# Exempt Rules

definition of program participants to include additional drivers with CVO convictions and certain suspensions under section 171.187.

## 7503.1650 IGNITION INTERLOCK DEVICE PROGRAM; QUALIFICATION.

[Subpart 1 – 3 no change]

Subpart 4 § Subp. 4. Revocation prior to July 1, 2014. A person whose driver's license or driving privilege was revoked under Minnesota Statutes, 2012, section 171.17, subdivision 1, paragraph (a), clause (1) for a violation of Minnesota Statutes, section 609.21, subdivision 1, clause (2)(i) or (2)(iii); (3); or (4), section 609.2113, subdivision 1, clause (2), item (i) or (iii); (3); or (4), section 609.2113, subdivision 2, clause (2), item (i) or (iii); (3); or (4), or section 609.2113, subdivision 3, clause (2), item (i) or (iii); (3); or (4), resulting in bodily harm, substantial bodily harm, or great bodily harm prior to July 1, 2014, may choose to participate in the ignition interlock device program. Such a participant is subject to the requirements of the program.

## 7503.1675 IGNITION INTERLOCK DEVICE PROGRAM; TERMINATION.

Pursuant to *Minnesota Statutes*, section 171.306, subdivision 5, paragraph (b), the commissioner shall terminate a program participant's participation in the program for a non-program violation under *Minnesota Statutes*, chapter 169, or a departmental action under *Minnesota Statutes*, chapter 171, that results in the withdrawal of a program participant's driving privilege for more than one year; provided, however, that this part does not apply to a driver whose license has been revoked under *Minnesota Statutes*, section 171.17, subdivision 1, paragraph (a), clause (1), or a driver whose license has been suspended under *Minnesota Statutes*, section 171.187, for a violation of *Minnesota Statutes*, section 609.2113, subdivision 1, clause (2), item (i) or (iii); (3); or (4), or section 609.2113, subdivision 2, clause (2), item (i) or (iii); (3); or (4), or section 609.2113, subdivision 3, clause (2), item (i) or (iii); (3); or (4), resulting in bodily harm, substantial bodily harm, or great bodily harm.

## 7503.1725 IGNITION INTERLOCK DEVICE PROGRAM; REHABILITATION.

Subpart 1. When applicable.

A. The following persons are subject to the provisions of this part:

1. A person whose driver's license or driving privilege has been revoked or canceled and denied under part 7503.1300 or *Minnesota Statutes*, section 169A.52; 169A.54; or 171.04, subdivision 1, clause (10), on or after July 1, 2011; or

2. a person whose driver's license or driving privilege has been revoked or suspended under *Minnesota Statutes*, section 171.17, Subdivision 1(a)(1), or *Minnesota Statutes*, section 171.187 for certain criminal vehicular operation offenses committed on or after July 1, 2014.

B. A person must complete rehabilitation whenever:

1. The person's driver's license or driving privileges has been canceled and denied as a result of incurring three ~~or more~~ alcohol or controlled substance-related incidents within the past ten years; or there are four or more alcohol or controlled substance-related incidents on record.

6. The Department has the authority to adopt the proposed rules under *Minnesota Statutes* 2014, section 171.306, subdivision 8. The Department has followed the procedures for adoption of permanent exempt rules under *Minnesota Statutes*, section 14.386, and notes that paragraph (b) of that section does not apply. The proposed rules comply with, and do not exceed, conflict with, or grant the agency more discretion than is allowed by law; and do not improperly delegate the agency's authority to another agency, person, or group.

## ORDER

The above-named rules, in the form as published in the Revisor's file number R-4310, dated 09/08/2015, are adopted under my authority in *Minnesota Statutes* 2014, section 171.306, subdivision 8.

Dated: 21 October 2015

Ramona L. Dohman, Commissioner  
Minnesota Department of Public Safety

## 7503.1650 IGNITION INTERLOCK DEVICE PROGRAM; QUALIFICATION.

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

Subp. 4. Revocation prior to July 1, 2014. A person whose driver's license or driving privilege was revoked under Minnesota Statutes,



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## Exempt Rules

section 171.17, subdivision 1, paragraph (a), clause (1), for a violation of *Minnesota Statutes*, section 609.2113, subdivision 1, clause (2), item (i) or (iii), (3), or (4), subdivision 2, clause (2), item (i) or (iii), (3), or (4), or subdivision 3, clause (2), item (i) or (iii), (3), or (4); or *Minnesota Statutes* 2012, section 609.21, subdivision 1, clause (2), item (i) or (iii), (3), or (4), resulting in bodily harm, substantial bodily harm, or great bodily harm prior to July 1, 2014, may choose to participate in the ignition interlock device program. A participant under this subpart is subject to the requirements of the program.

### **7503.1675 IGNITION INTERLOCK DEVICE PROGRAM; TERMINATION.**

Pursuant to *Minnesota Statutes*, section 171.306, subdivision 5, paragraph (b), the commissioner shall terminate a program participant's participation in the program for a nonprogram violation under *Minnesota Statutes*, chapter 169, or a departmental action under *Minnesota Statutes*, chapter 171, that results in the withdrawal of a program participant's driving privilege for more than one year; provided, however, that this part does not apply to a driver whose license has been revoked under *Minnesota Statutes*, section 171.17, subdivision 1, paragraph (a), clause (1), or a driver whose license has been suspended under *Minnesota Statutes*, section 171.187, for a violation of *Minnesota Statutes*, section 609.2113, subdivision 1, clause (2), item (i) or (iii);<sup>2</sup> (3);<sup>2</sup> or (4), or subdivision 2, clause (2), item (i) or (iii), (3), or (4), or subdivision 3, clause (2), item (i) or (iii), (3), or (4), resulting in bodily harm, substantial bodily harm, or great bodily harm.

### **7503.1725 IGNITION INTERLOCK DEVICE PROGRAM; REHABILITATION.**

#### **Subpart 1. When applicable.**

A. The following persons are subject to the provisions of this part:

[For text of subitem (1), see M.R.]

(2) a person whose driver's license or driving privilege has been revoked or suspended under *Minnesota Statutes*, section 171.17, subdivision 1, paragraph (a), clause (1), or 171.187, for certain criminal vehicular operation offenses committed on or after July 1, 2014.

B. A person must complete rehabilitation whenever:

(1) the person's driver's license or driving privilege has been canceled and denied as a result of incurring three ~~or more~~ alcohol- or controlled-substance-related incidents within the past ten years; or

(2) there are four or more alcohol- or controlled-substance-related incidents on record.

[For text of subps 2 to 6, see M.R.]

## Official Notices

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

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

### **Minnesota State Agricultural Society (Minnesota State Fair) Notice of Meeting of the Board of Managers 5 November 2015**

**MINNESOTA STATE FAIRGROUNDS** — The Minnesota State Agricultural Society board of managers will meet at 9 a.m. Thursday, November 5 at the Libby Conference Center on the State Fairgrounds. The session opens with a meeting of the board's sales committee. A general business meeting will follow. The Society is the governing body of the Minnesota State Fair. Agendas are available upon request by calling the Minnesota State Fair at (651) 288-4400.

The 2016 Minnesota State Fair runs Aug. 25 - Labor Day, Sept. 5.

### **Minnesota Housing Finance Agency (MHFA) Public Notice to Qualified homebuyers and Lenders of the 2016 Mortgage Credit Certificate Program**

The Minnesota Housing Finance Agency (the "Agency") proposes to implement a program (the "Program") to issue mortgage credit certificates ("MCCs") to provide assistance to qualified homebuyers purchasing new or existing residences in the State of Minnesota. An MCC reduces the amount of federal income tax a qualified homeowner pays by providing a nonrefundable federal tax credit during the life of a mortgage loan, as long as the homeowner occupies the home as his or her principal residence. After all other credits and deductions are taken into account, the value of the MCC is applied directly to the homeowner's remaining federal income tax liability, if any. No sooner than 90 days following publication of this Notice, the Agency intends to issue MCCs in accordance with the guidelines summarized below.

The annual amount of the MCC tax credit will be equal to the lesser of 35% of the yearly interest paid or accrued on the homeowner's mortgage loan or \$2,000. The amount of the credit may not exceed the homeowner's remaining federal income tax liability for a year, but excess credit may be carried forward for up to three subsequent tax years. Use of an MCC will reduce the deduction for home mortgage interest on the homeowner's tax return. An MCC expires on the date the mortgage loan relating thereto is paid in full or refinanced and is revoked on the date the residence to which it relates ceases to be the taxpayer's primary residence. The Agency reserves the right to adjust the MCC credit rate or to conform the Program to market demand or future tax legislation.

To be eligible for an MCC, an applicant must (1) purchase a qualifying new, existing single family home in the State of Minnesota on or before December 31, 2017; (2) acquire a new mortgage loan (refinancing an existing mortgage or land contract is not permissible, except for certain construction loans); (3) occupy the home as a primary residence within 60 days of its purchase; (4) purchase a home that has a total acquisition cost that does not exceed the maximum purchase price limits as established by the Agency; (5) have a household income, including all household members 18 years or older, that does not exceed the maximum household incomes established by the Agency; and (6) not have had an ownership interest in a principal residence within the preceding three years, except for qualified homebuyers purchasing homes in federally designated targeted areas. The applicant must sign all documents and affidavits that are needed to demonstrate eligibility for an MCC under the Program and federal tax law. The Agency reserves the right to adjust and/or waive the application fee and to adjust the purchase price and income limits for the Program from time to time to reflect housing costs and market conditions within federal guidelines or as may be required by federal law.

Until the total MCC credit amount for the Program is exhausted, a qualifying homebuyer may apply for an MCC through a participating lender. Applicants must meet the credit and underwriting criteria established by the participating lender that provides the loan. MCCs

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## Official Notices

cannot be used with any mortgage loans subsidized by mortgage revenue bonds; however, MCCs can be used in connection with the Agency's nonbond programs.

Banks, savings and loan associations, mortgage companies and other financing institutions and individuals are invited to participate as lenders in the Program. Any lender who wishes to participate must sign a participation agreement, which specifies the lender's loan review and reporting responsibilities. If a lender has not already paid a \$250 participation fee through U.S. Bank, MRBP, the lender must pay the Agency a participation fee of \$250. A list of participating lenders will be available from the Agency. An applicant may also obtain a loan from a lender not on this list if the lender agrees to participate in the Program.

MCC applications will be accepted on a first come, first served basis; however, for the first year of the Program, 20% will be targeted to persons purchasing single family homes in federally designated targeted areas. There is no allocation of MCCs by lender.

Each applicant for an MCC will be required to pay a nonrefundable fee of up to 1% of the purchase price of the home at the time of application. The Agency reserves the right to adjust the fee from time to time or waive the fee in specified circumstances.

Current federal tax law requires homeowners who receive MCCs to pay to the U.S. Treasury a certain percentage of the sale of proceeds of their residences (commonly known as recapture). A portion of the sale proceeds representing the benefit derived by the homeowner from the MCC would be payable to the U.S. Treasury if the residence is sold within nine years of purchase at an appreciated price and if the homeowner's income had substantially increased during this period.

The Agency reserves the right to adjust or amend the Program guidelines at its sole discretion and without further notice.

If you have any questions regarding the Program or need further information about the requirements for participating lenders, please contact Kirsten Partenheimer or Devon Pohlman at the Minnesota Housing Finance Agency, 400 Sibley Street, Suite 300, Saint Paul, MN 551011998, **phone:** (651) 296-7608 or 1-800-657-3769.

Mary Tingerthal, Commissioner  
Minnesota Housing Finance Agency

## Minnesota Department of Human Services (DHS)

### MN Life Bridge Program

### Notice of Request for Information (RFI) to Identify and Obtain Information about Service Development Ideas for Provision of Services to People with Developmental Disabilities and Related Conditions

**NOTICE IS HEREBY GIVEN** that the Minnesota Department of Human Services is requesting information to:

- collaborate with DHS/MN Life Bridge to develop innovative and creative service alternatives for individuals with complex and challenging needs
- DHS is seeking information to use in creating partnerships with community providers for planning, collaboration, and developing new service options.

For more information, or to obtain a copy of the Request for Information, contact:

Jeamse Peterson at: [jeamse.s.peterson@state.mn.us](mailto:jeamse.s.peterson@state.mn.us) .

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

The RFI can be viewed by visiting the State of MN supplier portal at web site:

[https://supplier.swift.state.mn.us/psp/fmssupap/SUPPLIER/ERP/h/?tab=SUP\\_GUEST](https://supplier.swift.state.mn.us/psp/fmssupap/SUPPLIER/ERP/h/?tab=SUP_GUEST)

under sell event number 2000004523.

# Official Notices

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

## Minnesota Land Exchange Board

### Notice of Hearing on State Land Exchange # EXA0000902 in Kanabec County

**NOTICE IS HEREBY GIVEN** that pursuant to *Minnesota Statutes Annotated* 94.341 to 94.348, a public hearing will be held on behalf of the Minnesota Land Exchange Board by the Commissioner of Natural Resources, at **10:00 AM, Friday, November 13, 2015** in the 4<sup>th</sup> floor Minerals Conference Room, 500 Lafayette Road, St. Paul, MN 55155 on a proposal for the exchange of certain Class A land belonging to the State of Minnesota, located in Kanabec County:

Parts of Section 16, Section 36, Township 41N, Range 22W,  
Section 36, Township 42N, Range 22W,  
Section 36, Township 38N, Range 23W,  
Section 36, Township 41N, Range 23W,  
Section 6, Township 41N, Range 24W,  
Section 16, Township 42N, Range 24W,

To be offered in exchange for certain lands administered by Kanabec County, located in:

Parts of Section 15, Township 42N, Range 23W,  
Sections 8, 16, 17, 20, 21, Township 42N, Range 22W,  
Sections 8, 9, 10, 17, Township 42N, Range 23W,

A complete list of the proposed exchange parcels will be posted in the office of the Kanabec County Auditor at least two weeks before the date of said hearing.

This hearing is specific to the removal of tax forfeited lands in SWSW and SESW, Section 5, Township 42, Range 22 for NWSW and SWSW, Section 21, Township 42, Range 22.

Questions regarding this land exchange can be directed to Katherine Giel, Land Exchange Coordinator at 651-259-5377.

Dated: 26 October 2015

By Kathy A. Lewis, Assistant Director,  
Division of Lands and Minerals,  
and Commissioner's Delegate

## Minnesota Pollution Control Agency (MPCA)

### Metro Watershed Division

#### Public Notice of Availability of the Draft Watershed Restoration and Protection Strategies Report and Total Maximum Daily Loads for the Goose Creek Watershed (Lower Saint Croix Major Watershed) and Request for Comment

Public Comment Period Begins:

**November 2, 2015**

Public Comment Period Ends:

**December 4, 2015**

The Minnesota Pollution Control Agency (MPCA) is requesting comments on the Watershed Restoration and Protection Strategies (WRAPS) Report and Total Maximum Daily Loads (TMDLs) for the Goose Creek Watershed, which is a subwatershed in the Lower Saint Croix Major Watershed. The draft WRAPS Report and TMDLs are available for review at: <http://www.pca.state.mn.us/hh89xpd>.

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## Official Notices

Written comments on the draft WRAPS Report and TMDLs must be sent to the MPCA contact person listed below by December 4, 2015. The comments should indicate as to whether they are about the WRAPS Report or the TMDLs, and specifically which TMDL. The MPCA will prepare responses to comments received and make any necessary revisions of the two documents. Subsequent to the revision(s), the draft TMDLs will be submitted to the U.S. Environmental Protection Agency (EPA) for approval; the WRAPS Report will be forwarded to the MPCA Commissioner for approval.

Required by the state Clean Water Legacy Act, a WRAPS Report is a document summarizing scientific studies of a major watershed no larger than a hydrologic unit code 8. In the case of this project, the WRAPS and TMDLs cover the Goose Creek Watershed, 10 digit subwatershed, located northern Chisago County and Southern Pine County. The Goose Creek Watershed includes waterbodies like Rush Lake, Goose Lake, Rock Lake, Goose Creek, and Rush Creek. The WRAPS Report includes the physical, chemical, and biological assessment of the water quality in the watershed; identification of impairments and water bodies needing protection; and identification of biotic stressors and sources of pollution, point and nonpoint. The science, analysis and strategy development described in this Report began before accountability provisions were added to the Clean Water Legacy Act in 2013 (*Minnesota Statutes* 114D); thus, this Report does not address all of those provisions. When this watershed is revisited (according to the 10-year cycle), the information will be updated according to the statutorily required elements of a Watershed Restoration and Protection Strategy Report. TMDLs are explained for the impairments and an implementation table is included with the strategies to achieve and maintain water quality standards and goals.

The TMDL Report is a scientific study that calculates the maximum amount of a pollutant that a water body can receive (known as the "loading capacity") without exceeding water quality standards for those waterbodies currently listed as impaired in the Goose Creek Watershed. This TMDL Report addresses bacteria (*E. coli*) impairments on Rock Creek, Rush Creek and Goose Creek. The TMDL Report also addresses nutrient impairments for six lakes in the Goose Creek Watershed. The six lakes include: Rock Lake, Rush Lake (West), Rush Lake (East), Horseshoe Lake, Goose Lake (North Bay), and Goose Lake (South Bay).

The Goose Creek Watershed covers approximately 184 square miles located in Chisago, Isanti, and Pine Counties. The watershed consists of three minor tributaries that drain directly to the Saint Croix River 5 miles East of Rush City, MN. The water bodies addressed in this study are located in the upper portion of the Lower Saint Croix Major Watershed, which drains a mixture of agricultural land, rural land, and wetlands approximately 55 miles north of Minneapolis and St. Paul, Minnesota. The goal of this TMDL is to quantify the pollutant reductions needed to meet State water quality standards for *E. coli* and nutrients in the impaired streams and lakes in the watershed.

The Watershed Restoration and Protection Strategies Report and TMDLs for the Goose Creek Watershed were developed in partnership with the Chisago County Soil and Water Conservation District, Pine County Soil and Water Conservation District, Chisago County, local Cities and Counties, state and federal agencies, and local watershed stakeholders. Both reports build on significant work that has been done in the watershed, as well as work that is currently underway.

It should be noted that the science, analysis and strategy development described in this Report began before the accountability provisions were added to the Clean Water Legacy Act in 2013 (*Minnesota Statutes* 114D); thus, this Report does not address all of those provisions. When this watershed is revisited (according to the 10-year cycle), the information will be updated according to the statutorily required elements of a Watershed Restoration and Protection Strategy Report.

**Agency Contact Person:** Written comments and requests for more information should be directed to:

Christopher Klucas  
Metro Watershed Division  
520 North Lafayette Road  
St. Paul, Minnesota 55155  
Phone: (651) 757-2498  
Fax: (651) 297-8324  
E-mail: [christopher.klucas@state.mn.us](mailto:christopher.klucas@state.mn.us)  
Website: <http://www.pca.state.mn.us/water/tmdl>  
TTY users may call the MPCA teletypewriter at (651) 282-5332 or 1-800-657-3864.

**Preliminary Determination on the draft WRAPS and TMDL Reports:** The MPCA Commissioner has made a preliminary determination to approve this WRAPS Report and submit this TMDL Report to the EPA for final approval. A draft TMDL Report and WRAPS Report are available for review at the MPCA office at the address listed below and at the MPCA Website:

# Official Notices

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<http://www.pca.state.mn.us/lupgdd5>.

Suggested changes will be considered before the documents are finalized and the TMDL Report is sent to the EPA for approval.

**Written Comments:** You may submit written comments on the conditions of the draft WRAPS and TMDL Reports or on the Commissioner's preliminary determination. Written comments must include the following:

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

**Petition for Public Informational Meeting:** You also may request that the MPCA Commissioner hold a public informational meeting. A public informational meeting is an informal meeting that may be held to solicit public comment and statements on matters before the MPCA, and help clarify parts of the document and resolve issues. A petition requesting a public informational meeting must include the following information:

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

**Petition for Contested Case Hearing:** You also may submit a petition for a contested case hearing. A contested case hearing is a formal hearing before an administrative law judge that provides evidence on issues requested to be change. In accordance with *Minnesota Rules* 7000.1900, the MPCA will grant a petition to hold a contested case hearing if it finds that: (1) there is a material issue of fact in dispute concerning the application or draft WRAPS and/or TMDL Reports; (2) the MPCA has the jurisdiction to make a determination on the disputed material issue of fact; and (3) there is a reasonable basis underlying the disputed material issue of fact or facts such that the holding of the contested case hearing would allow the introduction of information that would aid the MPCA in resolving the disputed facts in making a final decision on the draft WRAPS and/or TMDL Reports. A material issue of fact means a fact question, as distinguished from a policy question, whose resolution could have a direct bearing on a final MPCA decision. A petition for a contested case hearing must include the following information:

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

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

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

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



**Minnesota Board of Teaching****REQUEST FOR COMMENTS on Possible Amendments to Rules Governing Developmental and Adaptive Physical Education and Other Technical Amendments, *Minnesota Rules* Chapters 8705 and 8710; Revisor's ID Number 4370**

**Subject of Rules.** The Minnesota Board of Teaching requests comments on its possible amendments to rules governing teacher licensure for Developmental and Adaptive Physical Education. The Board of Teaching is considering rule amendments that would repeal *Minnesota Rule* 8710.5300 Subpart 2C, removing this license field from those licenses subject to the requirements of *Minnesota Rule* 8710.5000 Core Skills of Special Education. Amendments to Chapters 8705 and 8710 governing program and institutional review will be made to correct technical errors.

**Persons Affected.** The amendments to the rules would likely affect applicants for teaching licensure in the field of Developmental and Adaptive Physical Education in the state of Minnesota as well as teacher preparation programs approved by the Minnesota Board of Teaching.

**Statutory Authority.** *Minnesota Statutes* 122A.09 subdivision 9, authorizes the Board to adopt rules subject to the provisions of chapter 14 to implement sections 122A.05 to 122A.09, 122A.16, 122A.17, 122A.18, 122A.20, 122A.21, and 122A.23.

**Public Comment.** Interested persons or groups may submit comments or information on these possible rules in writing until 4:30 p.m. on January 1, 2016. The Board will not publish a notice of intent to adopt the rules until more than 60 days have elapsed from the date of this request for comments. The Board plans to consult its standing Standards and Rules advisory committee to comment on the possible amendments to rules and in addition will provide opportunities for public comment at monthly Board meetings, held on the second Friday of each month.

**Rules Drafts.** The Board has not yet finalized a draft of the possible rule amendments at the time of this publication but does anticipate that a draft of the rule amendments will be available before the publication of the proposed rules.

**Agency Contact Person.** Written comments, questions, requests to receive a draft of the rules when it has been prepared, and requests for more information on these possible rules should be directed to: Erin Doan, Executive Director at Minnesota Board of Teaching, 1500 Highway 36 West, 651-582-8888, and [board.teaching@state.mn.us](mailto:board.teaching@state.mn.us).

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

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

Dated: October 27, 2015

Erin Doan, Executive Director  
Board of Teaching

# Official Notices

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## Minnesota Board of Teaching

### REQUEST FOR COMMENTS on Possible Amendment to Rules Governing Issuance, Renewal and Validity of Teaching Licenses, *Minnesota Rules*, 8710.0300-8710.0500; Revisor's ID Number 4369

**Subject of Rules.** The Minnesota Board of Teaching requests comments on its possible amendments to rules governing the issuance, renewal and validity of teaching licenses. The Board of Teaching is considering rule amendments that permit applicants to demonstrate their qualifications for teaching licensure through recognition of a teaching license from another state in a similar licensure area, completion of a state-approved teacher preparation program, and teaching experience as the teacher of record in a similar licensure field, as well as amendments to provide additional clarification to the existing rules pertaining to all licensing requirements.

**Persons Affected.** The amendments to the rules would likely affect all applicants for teaching licensure in the state of Minnesota and specifically those who have trained to become licensed teachers in other states.

**Statutory Authority.** *Minnesota Statutes* 122A.09 subdivision 9, authorizes the Board to adopt rules subject to the provisions of chapter 14 to implement sections 122A.05 to 122A.09, 122A.16, 122A.17, 122A.18, 122A.20, 122A.21, and 122A.23.

**Public Comment.** Interested persons or groups may submit comments or information on these possible rules in writing until 4:30 p.m. on January 1, 2016. The Board will not publish a notice of intent to adopt the rules until more than 60 days have elapsed from the date of this request for comments. The Board plans to consult its standing Standards and Rules advisory committee to comment on the possible amendments to rules and in addition will provide opportunities for public comment at monthly Board meetings, held on the second Friday of each month.

**Rules Drafts.** The Board has not yet finalized a draft of the possible rule amendments at the time of this publication but does anticipate that a draft of the rule amendments will be available before the publication of the proposed rules.

**Agency Contact Person.** Written comments, questions requests to receive a draft of the rules when it has been prepared, and requests for more information on these possible rules should be directed to: Erin Doan, Executive Director at Minnesota Board of Teaching, 1500 Highway 36 West, **phone:** (651) 582-8888, and **e-mail:** [board.teaching@state.mn.us](mailto:board.teaching@state.mn.us) .

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

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

Dated: October 27, 2015

Erin Doan, Executive Director  
Board of Teaching

**Minnesota Department of Transportation (Mn/DOT)**  
**Notice to Bidders: Suspensions/Debarments as of January 12, 2015****NOTICE OF DEBARMENT**

**NOTICE IS HEREBY GIVEN** that MnDOT has ordered that the following vendors be debarred for a period of three (3) years, effective May 6, 2013 until May 6, 2016:

- Gary Francis Bauerly and his affiliates, Rice, MN
- Gary Bauerly, LLC and its affiliates, Rice, MN
- Watab Hauling Co. and its affiliates, Rice, MN

**NOTICE IS HEREBY GIVEN** that MnDOT has ordered that the following vendors be debarred for a period of three (3) years, effective September 17, 2014 until September 17, 2017:

- Jeffrey Plzak and his affiliates, Loretto, MN
- Laurie Plzak and her affiliates, Loretto, MN
- Honda Electric Incorporated and its affiliates, Loretto, MN
- Jeffrey and Laurie Plzak doing business as Honda Electric Logistics, and its affiliates, Loretto, MN

**NOTICE IS HEREBY GIVEN** that MnDOT has ordered that the following vendors be debarred for a period of three (3) years, effective January 12, 2015 until January 12, 2018:

- Marlin Dahl, Granada, MN
- Dahl Trucking, Elmore, MN
- Elmore Truck and Trailer, Inc., Elmore, MN

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

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

## State Grants & Loans

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

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

### Minnesota Department of Human Services (DHS) Alcohol and Drug Abuse Division Notice of Request for Proposals to Provide Chemical Dependency Prevention Programming in Secondary Schools in Minnesota

**NOTICE IS HEREBY GIVEN** that the Minnesota Department of Human Services is requesting proposals to provide chemical dependency prevention programming in secondary schools in Minnesota.

Grants will be for two one-year contracts (July 1, 2016- June 30, 2017 and July 1, 2017-June 30, 2018) up to \$150,000 each year. These grants will be to non-profit organizations with successful prior experience in providing chemical dependency prevention programming in secondary schools. There is a requirement that the applicant provide verification that the applicant has available and will contribute sufficient funds to match the grant funds being requested.

Work is proposed to start July 1, 2016.

The RFP can be viewed and downloaded by visiting the Minnesota Department of Human Services RFP web site:  
[http://www.dhs.state.mn.us/id\\_000102](http://www.dhs.state.mn.us/id_000102)

The only person designated to answer questions by potential responders regarding this request is Al Fredrickson at (651) 431-2462 or [al.fredrickson@state.mn.us](mailto:al.fredrickson@state.mn.us).

Proposals submitted in response to this Request for Proposals must be received at the address above no later than **4:00 p.m., Central Time, February 1, 2016. Late proposals will NOT be considered.** Faxed or e-mailed proposals will **NOT** be considered.

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

### Minnesota Department of Human Services (DHS) Deaf and Hard of Hearing Services Division Notice of Request for Proposals for a Qualified Grantee to Provide Community- Based Services and a Technology and Training Access Program for Individuals Who are DeafBlind

**NOTICE IS HEREBY GIVEN** that the Minnesota Department of Human Services, through its Deaf and Hard of Hearing Services Division, is requesting proposals from qualified Responders to provide one or both of the following two statewide programs for consumers with both hearing and vision loss. The first program is to provide Support Service Provider and Intervener services for individuals who are deafblind and family support events and activities for families with children who are deafblind. The second program is to develop and operate a program for individuals who are deafblind to receive technology, equipment, and access to training.

Work is proposed to start on December 15, 2015. For more information, or to obtain a copy of the Request for Proposals, contact:  
Teika Pakalns

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## State Grants & Loans

Department of Human Services  
Deaf and Hard of Hearing Services Division  
444 Lafayette Road North  
St. Paul, MN 55155  
**Phone:** (651) 317-3313  
**Fax:** (651) 431-7417  
**E-mail:** *teika.pakalns@state.mn.us*

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

Proposals submitted in response to this Request for Proposals must be received at the address above no later than **4:00 p.m., Central Time, on Tuesday, December 1, 2015. Late proposals will NOT be considered.** Faxed or e-mailed proposals will **NOT** be considered.

The RFP can be viewed by visiting the Minnesota Department of Human Services RFP web site:

*[http://www.dhs.state.mn.us/id\\_000102](http://www.dhs.state.mn.us/id_000102)*

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

## State Contracts

In addition to the following listing of state contracts, readers are advised to check the Statewide Integrated Financial Tools (SWIFT) Supplier Portal at: <http://supplier.swift.state.mn.us> as well as the Office of Grants Management (OGM) at: <http://www.grants.state.mn.us/public/>

**Informal Solicitations:** Informal solicitations for professional/technical (consultant) contracts valued at over \$5,000 through \$50,000, may either be advertised in the Supplier Portal (see link above) or posted on the Department of Administration, Materials Management Division's (MMD) Web site at: <http://www.mmd.admin.state.mn.us/solicitations.htm>.

**Formal Solicitations:** Department of Administration procedures require that formal solicitations (announcements for contracts with an estimated value over \$50,000) for professional/technical contracts must be advertised in the SWIFT Supplier Portal or alternatively, in the *Minnesota State Register* if the procurement is not being conducted in the SWIFT system.

**Requirements:** There are no statutes or rules requiring contracts to be advertised for any specific length of time, but the Materials Management Division strongly recommends meeting the following requirements:

\$0 - \$5000 does not need to be advertised. Contact the Materials Management Division: (651) 296-2600

\$5,000 - \$25,000 should be advertised in the *State Register* for a period of at least seven calendar days.

\$25,000 - \$50,000 should be advertised in the *State Register* for a period of at least 14 calendar days.

Anything above \$50,000 should be advertised in the *State Register* for a minimum of at least 21 calendar days

## Minnesota State Colleges and Universities (MnSCU)

### Campus Service Cooperative

#### Notice of Request for Proposals for Digital Signature Services

**NOTICE IS HEREBY GIVEN** that the State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities, on behalf of the various member institutions, is soliciting proposals from qualified vendors for assistance in implementing an enterprise-wide electronic signature system.

The full Request for Proposal (RFP) will be available Monday October 26, 2015 at the following website:

<http://www.csc.mnscu.edu/sourcing/RFP.html>.

All requirements and information, as well as proposal delivery instructions will be contained in the RFP.

Deadline for proposal response is 3:00pm Central Time Friday December 4, 2015. Submit proposals to:

Michael Noble-Olson, Chief Procurement Officer

MnSCU Campus Service Cooperative

Educational Services Building

7411 - 85<sup>th</sup> Avenue North

Brooklyn Park, MN 55445

Minnesota State Colleges and Universities reserves the right to reject any or all proposals, to waive any irregularities or informalities in proposals received, and to cancel the solicitation if it is considered to be in its own best interest. This Request for Proposal does not obligate the Minnesota State Colleges and Universities to award a contract.

## Minnesota State Colleges and Universities (MnSCU)

### Century College

#### Notice of Request for Proposals for Business Process Management Suite (BPMS)

**NOTICE IS HEREBY GIVEN** that Century College is soliciting proposals from qualified vendors for a Business Process Management Suite (BPMS).

The full Request for Proposal (RFP) will be available Monday November 2, 2015 at the following website:

<http://www.csc.mnscu.edu/sourcing/RFP.html> .



All requirements and information, as well as proposal delivery instructions will be contained in the RFP.

Deadline for proposal response is 2:00 pm Central Time Tuesday December 8, 2015. Submit proposals to:

Sue Wennen, Accounting Supervisor  
Business Office, West Campus  
Room 2350, Main Entrance  
Century College  
3300 Century Avenue North  
White Bear Lake, MN 55110

Century College reserves the right to reject any or all proposals, to waive any irregularities or informalities in proposals received, and to cancel the solicitation if it is considered to be in its own best interest. This Request for Proposal does not obligate Century College to award a contract.

## Minnesota State Colleges and Universities (MnSCU)

### System Office

### Notice of Request for Proposals for Project Management in the Planning and Delivery of April 2016 MnSCU IT Conference

Minnesota State Colleges and Universities is the fifth-largest system of higher education in the United States. It is comprised of 31 two-year and four-year state colleges and universities with 54 campuses located in 47 Minnesota communities. The system serves approximately 430,000 students each year. The Minnesota State Colleges and Universities is an independent state entity that is governed by a 15 member Board of Trustees.

Minnesota State Colleges and Universities system office (MnSCU) is requesting responses for Project Management in the planning and delivery of April 2016 MnSCU IT Conference. The annual Information Technology (IT) conference is held in Brainerd, MN (contract rates for food and rooms have been negotiated) and is a three day – three night conference event to be held in April 24 – 27, 2016. There will be up to 500 attendees and up to 75 Vendor tables.

The conference planner will assist with the logistical aspects of planning the annual conference. MnSCU will retain control of the conference content (theme, logo, solicitation and/or selection of pre-conference workshops, conference breakout sessions, association business, general sessions, poster sessions, author events, keynote speeches, social and special events, etc.). Conference planner duties may include, but are not limited to:

**Project Management – Includes weekly meetings for up to one hour for 20 weeks** (estimate of 70 – 80 hours)

- Provide project activity plan(s) and schedule(s)
- Provide reports and communicate on a regular basis with MnSCU conference lead
- Managing times and expectations with key stakeholders to keep project on track

**Conference Support** (estimate of 15 -20 hours)

- Provide program scheduling for pre-conference, conference and poster board presentations
- Transition document

**Communications/Marketing** (estimate of 15 – 25 hours)

- Conference communications (invitations/surveys etc.)

**Optional** (some/parts of the following may be awarded)

- Site Visit (estimate of 10 hours plus re-imbursement)
- Conference Support on site at Conference (estimate 40 hours plus re-imbursement)
  - Manage On-Site Registration
- Other related duties

Work hours and location of work will be at the discretion MnSCU conference lead with mutual agreement of the project. The main work

# State Contracts

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location will be at 30 7th Street East, Suite 350, St. Paul, MN 55101-7804. Attendance of the project manager will be required at the conference. Specific times prior to and after the conference will be mutually agreed upon.

The timeline for the RFP is as follows:

Monday November 2, 2015	Publish RFP notice in <i>State Register</i>
Thursday, November 6, 2015 @ 1:00 P.M. CST	Question are due by email from possible responders
Tuesday, November 17, 2015, 3:00 P.M. CST	Deadline for RFP proposal submissions
November/December, 2015	Interview for finalist(s)

The RFP can be downloaded at the following URL on November 2, 2015: <http://www.csc.mnscu.edu/sourcing/RFP.html>

Send all questions in writing to [dan.duffy@so.mnscu.edu](mailto:dan.duffy@so.mnscu.edu) by Thursday, November 6, 2015 at 1:00 P.M.

If you having trouble downloading the RFP please contact Dan Duffy at (651) 210-1524 or [dan.duffy@so.mnscu.edu](mailto:dan.duffy@so.mnscu.edu)

All proposals must be received **no later than Tuesday, November 17, 2015 at 3:00 P.M. CST** at Minnesota State Colleges and Universities, system office, 30 - 7<sup>th</sup> St. E., Suite 350, St. Paul, MN 55101 (Attn: Dan Duffy).

## Minnesota Department of Health (MDH)

### Health Regulation Division

#### Announcement of Request for Proposals for Quality Consultant in Managed Care

**NOTICE IS HERBY GIVEN** that the Health Regulation Division (HRD) at MDH is issuing a request for proposals (RFP). MDH is seeking a consultant to advise the Managed Care Section (MCS) on quality initiatives as they relate to data collection, auditing, policies and procedures, and Healthcare Effectiveness Data and Information Set (HEDIS) data reporting. MCS has launched this Quality Consultant RFP to solicit responses from health quality experts to serve as an advisor on a part-time basis. MCS anticipates the start date to be around January 2016 and for a consultant to be available via telephone and through in-person contact at the downtown St. Paul location approximately 5 to 10 hours a week through June 30, 2016. This proposal does not obligate the agency to award a bidder.

#### Procedure for Receiving Application Materials

More information and links to the application are available at the following website: <http://www.health.state.mn.us/hmo/> Applications are due *December 1st, 2015 by 2pm CST*.

For more information about the RFP or questions about the RFP please contact:

Kate Eckroth  
Managed Care Section, Health Regulation Division  
**E-mail:** [kate.eckroth@state.mn.us](mailto:kate.eckroth@state.mn.us)

Other department personnel are NOT allowed to discuss the Request for Proposal with anyone, including responders, before the proposal submission deadline. All questions must be received by November 24<sup>th</sup> at 10am CST. All questions and the response will be posted on the MDH website at the following website: <http://www.health.state.mn.us/hmo/> Please check back on this website periodically through November 25<sup>th</sup> for updates.

## Minnesota Historical Society (MNHS)

### Request for a Printing Bid for MNHS Press Title *TEMP ME* by K. & L. Koutsky

The Minnesota Historical Society is seeking bids for PRINTING MNHS Press title *Temp Me* by Kathryn and Linda Koutsky. Detailed

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## State Contracts

specifications are in the RFB. Please read them carefully, comply with them fully, and make sure the attached bid price form is filled out accurately and signed.

**PLEASE NOTE:** MNHS requires complete, no-surprise bids and reserves the right to reject bids that do not address the all the information.

Specifications are available by emailing Mary Green Toussaint, Acting Contracting Officer at [mary.green-toussaint@mnhs.org](mailto:mary.green-toussaint@mnhs.org)

If you have any questions, comments, or suggestions, please email Mary Green Toussaint, Acting Contracting Officer at:  
[mary.green-toussaint@mnhs.org](mailto:mary.green-toussaint@mnhs.org) .

Sealed bid estimates must be received by Mary Green Toussaint, Acting Contracting Officer, Minnesota Historical Society, 345 Kellogg Boulevard West, Saint Paul, Minnesota 55102-1906 by **November 17, 2015**. Authorized agents for receipt of bids are Society staff located at the 1st Floor Information Desk of the Minnesota History Center. **Late bids will NOT be considered.**

## Minnesota Historical Society (MNHS) Request for Proposals for Archaeological Survey and Testing in Lac Qui Parle County

The Minnesota Historical Society (Society) and the Oversight Board of the Statewide Historical and Archaeological Survey (Board) seek a qualified consultant to conduct an archaeological survey of Lac Qui Parle County and to do additional testing at a possible Early Paleoindian site (21LP11). The purposes of the survey portion of the project are to summarize what is known about the early human occupation of the county, update the State Archaeologist's site file with regard to the status of known archaeological sites, and find through field survey unrecorded prehistoric and early historic sites. The purposes of the 21LP11 testing are to find additional Paleoindian materials and better define the site age and site limits. The cost of the survey and testing should not exceed \$115,000.

The Request for Proposals is available by contacting Mary Green Toussaint, Acting Contracting Officer via e-mail:  
[mary.green-toussaint@mnhs.org](mailto:mary.green-toussaint@mnhs.org) .

Questions regarding contracting procedures or project scope and products should be directed to Mary Green Toussaint, Acting Contract Officer, at [mary.green-toussaint@mnhs.org](mailto:mary.green-toussaint@mnhs.org). Questions will be accepted until 2 p.m. on **Friday November 13, 2015**. An anonymous summary of all questions received and their answers will be relayed via email to all requesters of the proposal within a reasonable time thereafter.

Four (4) hard copies of a proposal must be received by Mary Green-Toussaint, Acting Contract Officer, Minnesota Historical Society, 345 Kellogg Boulevard West, St. Paul, Minnesota 55102-1906, or by a staff member at the first floor reception desk no later than **2:00 p.m. Local Time, Tuesday, November 24, 2015**. **Late proposals will NOT be considered.**

## Minnesota Judicial Branch 9<sup>th</sup> Judicial District Notice of Request for Proposal for Outreach Technician for Ignition Interlock Device Program (IIDP)

The Ninth District, of the Minnesota Judicial Branch (MJB), is using a competitive selection process to obtain a list of vendors who would provide Outreach Technician duties for the Ignition Interlock Device Program (IIDP). The counties included in the program are: Aitkin, Beltrami, Cass, Clearwater, Crow Wing, Hubbard, Itasca, Kittson, Koochiching, Lake of the Woods, Mahnommen, Marshall, Norman, Pennington, Polk, Red Lake, and Roseau.

The Ninth District will implement a judicially administered ignition interlock program to be coordinated with the current Minnesota  
(Cite 40 SR 517)

# State Contracts

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Department of Public Safety administrative ignition interlock program.

The request for proposal does not obligate the MJB to award a contract or complete the project, and the MJB reserves the right to cancel the solicitation if it is considered to be in its best interest.

Interested party's submissions must be in writing and received by the MJB no later than 4:00 pm CST, November 13, 2015. The proposals must be in writing and emailed or delivered to:

Abby Kuschel, Ninth Judicial District Problem Solving Courts Coordinator  
Ninth Judicial District  
15 N.E. 5<sup>th</sup> Street  
Grand Rapids, MN 55744  
**E-mail:** [Abby.Kuschel@courts.state.mn.us](mailto:Abby.Kuschel@courts.state.mn.us)

A complete copy of the Request for Proposal may be found on the Minnesota Judicial Branch website (in the News and Announcements/Public Notices section) at [www.mncourts.gov](http://www.mncourts.gov).

## Minnesota State Lottery Request for Proposals for Sponsorship Agreements

### Description of Opportunity

The Minnesota State Lottery develops sponsorship agreements throughout the year with organizations, events, and sports teams to create excitement for lottery players, to interest new players and increase the visibility of lottery games. The Lottery encourages and continually seeks new sponsorship agreements to help achieve current Lottery marketing goals.

### Proposal Content

A sponsorship proposal presented to the Lottery should meet the following three criteria:

**1. Maximize Lottery Visibility** – the event, sports or tie-in proposal should draw a large number of desired participants (typically 50,000 or more) whose demographics match the Lottery player profile. The Lottery is interested in effectively delivering its message of fun and entertainment to Minnesota adults whose demographics skew primarily towards those aged 25-64, with a household income of \$35,000-\$75,000, and having an educational background of some college or higher. The Lottery does not market to those under the age of 18, and family events with high levels of children present are generally not accepted. Attendance, on-site signage visibility and paid media exposure will be critical components that will be evaluated.

**2. Enhance Lottery Image-** – the event, sports or tie-in proposal should inherently project the attitude that the Lottery is a fun and socially acceptable part of the community. The Lottery's presence should fit well within the lineup of other sponsors. The Lottery is interested in creating opportunities whereby the sponsorship can translate into sales revenue, either via on-site sales from a Lottery booth, from sales-generating promotions with Lottery retailers or from joint programs with the sponsor's media partners.

**3. Provide Promotional Extensions** – the event, sports or tie-in proposal should offer exciting, value-added ways to interact with our players and have opportunities to motivate attendees, listeners and viewers to participate in and purchase Lottery games. The proposal must include proper staffing availability or other considerations to help the Lottery implement any appropriate promotional extension ideas.

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

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

### Questions

Questions concerning this Solicitation should be directed to:

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

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

### Response Delivery

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

## Minnesota Management and Budget (MMB) Notice of Request for Proposal for Master Equipment Lease Purchase Financing Program

Request for Proposal to provide a Master Equipment Lease Purchase Financing Program for the State of Minnesota Internal Service Funds operated by the Commissioners of Administration and the Office of Information Technology Services (MN.IT). The Department of Management and Budget expects to finance the purchase of approximately \$21,450,000 of equipment during the first year of the contract and approximately \$21,810,000 of equipment during the second year of the contract. The Department of Management and Budget is seeking proposals from qualified firms to provide lease purchase financing pursuant to a Master Equipment Lease Purchase Agreement.

Deadline for submission of the Proposal is no later than **3:00 PM CT, Wednesday, November 18, 2015.**

For further information or to obtain a copy of the complete proposal materials, contact Jessica Cameron Mitchell of Public Financial Management, Inc., the State's municipal advisor for this transaction at [cameronj@pfm.com](mailto:cameronj@pfm.com).

## Minnesota Board of Physical Therapy Administering Board of the Health Professionals Services Program Notice of Request for Proposals to Provide a Full Range of Toxicology Screening Services

The Health Professionals Services Program (HPSP) is requesting proposals from laboratories able and willing to provide HPSP and its participants with a full range of toxicology related services. These include, but are not limited to: testing roughly 14,000 urine specimens for substances of abuse annually, submitting results to HPSP in a timely manner, and providing medical review officer opinions/consultation as needed.

Work is proposed to start after December 15, 2015.

A Request for Proposals will be available by mail from this office through November 6, 2015. A written request by direct mail, fax, or email (direct e-mail to: [Monica.Feider@state.mn.us](mailto:Monica.Feider@state.mn.us) with subject line: RFP Tox 15) is required to receive the *Request for Proposal*. After November 2, 2015, the *Request for Proposal* must be picked up in person.

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The Request for Proposal can be obtained from:

Monica Feider  
Health Professionals Services Program  
1380 Energy Lane, Suite 202  
St. Paul, MN 55108  
Fax: (651) 643-2163  
Or e-mail: [Monica.feider@state.mn.us](mailto:Monica.feider@state.mn.us) (in subject line: RFP Tox 15)

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than 2:30 p.m. CST on November 10, 2015. **No time extensions will be granted.**

The RFP can be viewed by visiting the Health Professionals Services Program's website at:

<http://mn.gov/health-licensing-boards/hpsp/>

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

## Minnesota Sports Facilities Authority Advertisement for Qualifications and Proposals for Employment Assistance Firm

**1. Proposals** – Submit qualifications & proposals for Minnesota Sports Facilities Authority Employment Assistance Firm, to Alex Tittle, Equity Director, MSFA, at the Minnesota stadium on or before 4:00 p.m., on November 19<sup>th</sup>, 2015.

**2. Work Includes** – Consult and assist with providing qualified, experienced, and/or skilled minorities, women, and veterans as candidates for potential employment at the U.S. Bank Stadium.

**3. Pre-Proposal Meeting** – A pre-proposal meeting will be held on October 29<sup>th</sup>, 2015 at 9:00 a.m. at the Dorsey & Whitney Law Offices, 50 S. 6<sup>th</sup> St. Suite 1500, Minneapolis, MN. It is mandatory that the prime proposers attend the meeting.

**4. Affirmative Action** – All proposers, applicants, prime contractors and prospective subcontractors will be subject to a pre-award compliance review to ensure the employment of minorities, women and disabled person.

The Minnesota Sports Facilities Authority reserves the right to reject any and all proposals and to waive any information in any proposals received without explanation.

Ted Mondale, CEO/Executive Director  
Minnesota Sports Facilities Authority

## Minnesota Department of Transportation (Mn/DOT) Engineering Services Division Notice of Potential Availability of Contracting Opportunities for a Variety of Highway Related Technical Activities (“Consultant Pre-Qualification Program”)

This document is available in alternative formats for persons with disabilities by calling Kelly Arneson at (651) 366-4774; for persons who are hearing or speech impaired by calling Minnesota Relay Service at (800) 627-3529.

Mn/DOT, worked in conjunction with the Consultant Reform Committee, the American Council of Engineering Companies of Minnesota (ACEC/MN), and the Department of Administration, to develop the Consultant Pre-Qualification Program as a new method of consultant selection. The ultimate goal of the Pre-Qualification Program is to streamline the process of contracting for highway related



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professional/technical services. Mn/DOT awards most of its consultant contracts for highway-related technical activities using this method, however, Mn/DOT also reserves the right to use Request for Proposal (RFP) or other selection processes for particular projects.

Nothing in this solicitation requires Mn/DOT to use the Consultant Pre-Qualification Program.

Mn/DOT is currently requesting applications from consultants. Refer to Mn/DOT's Consultant Services web site, indicated below, to expenses are incurred in responding to this notice will be borne by the responder. Response to this notice becomes public information under the Minnesota Government Data Practices.

Consultant Pre-Qualification Program information, application requirements and applications forms are available on Mn/DOT's Consultant Services web site at: <http://www.dot.state.mn.us/consult>.

Send completed application material to:

Kelly Arneson  
Consultant Services  
Office of Technical Support  
Minnesota Department of Transportation  
395 John Ireland Blvd. - Mail Stop 680  
St. Paul, MN 55155

## Minnesota Department of Transportation (Mn/DOT)

### Engineering Services Division

### Notice Concerning Professional/Technical Contract Opportunities and Taxpayers' Transportation Accountability Act Notices

**NOTICE TO ALL:** The Minnesota Department of Transportation (Mn/DOT) is now placing additional public notices for professional/technical contract opportunities on Mn/DOT's Consultant Services **website** at: [www.dot.state.mn.us/consult](http://www.dot.state.mn.us/consult)

New Public notices may be added to the website on a daily basis and be available for the time period as indicated within the public notice. Mn/DOT is also posting notices as required by the Taxpayers' Transportation Accountability Act on the above referenced website.

## *Minnesota's Bookstore*

660 Olive Street (Williams Hill Business Development), St. Paul, MN 55155

(1 block east of I-35E Bridge, 1 block north of University Ave.) **FREE PARKING**

Phone: (651) 297-3000; Fax: (651) 215-5733

E-mail: <http://www.minnesotasbookstore.com>

Order Online at: [www.minnesotasbookstore.com](http://www.minnesotasbookstore.com)



### Several convenient ways to order:

- ♦ **Retail store** Open 8 a.m. - 5 p.m. Monday - Friday, 660 Olive Street, St. Paul
- ♦ **Phone** (credit cards): 8 a.m. - 5 p.m. Monday - Friday, 651.297.3000 (Twin Cities) or 1.800.657.3757 (nationwide toll-free)
- ♦ **On-line orders:** [www.minnesotasbookstore.com](http://www.minnesotasbookstore.com)
- ♦ **Minnesota Relay Service:** 8 a.m. - 5 p.m. Monday - Friday, 1.800.627.3529 (nationwide toll-free)
- ♦ **Fax** (credit cards): 651.215.5733 (fax line available 24 hours/day)
- ♦ **Mail orders:** Orders can be sent to Minnesota's Bookstore, 660 Olive Street, St. Paul, MN 55155

**PREPAYMENT REQUIRED. Prices and availability subject to change.**

**Fax and phone orders:** Credit card purchases **ONLY** (American Express/Discover/MasterCard/VISA). Please allow 1-2 weeks for delivery. **Mail orders:** Complete order blank and send to address above. Enclose check or include credit card information. Please allow 4-6 weeks for delivery. Please make checks payable to "Minnesota's Bookstore." A \$20.00 fee will be charged for returned checks.

Stock No.	Title	Quantity	Unit Price	Total

Send my order to:

Company

Name

Street Address (Not deliverable to P.O. boxes)

City ( ) State Zip

Daytime phone (In case we have a question about your order)

#### Shipping Charges

If Product	Please
Subtotal is:	Add:
Up to \$15.00	\$ 5.00
\$15.01-\$25.00	\$ 6.00
\$25.01-\$50.00	\$ 9.00
\$50.01-\$100.00	\$ 14.00
\$100.01-\$1,000	\$ 17.00*
* \$17 to an address in MN, WI, SD, ND, IA. If delivered to an address in other states, Canada or internationally, we will contact you if there are additional charges.	
More than \$1,000	Call

Product Subtotal

Shipping

Subtotal

Sales tax

(6.875% sales tax  
if shipped to MN  
address, 7.625% if  
shipped to St. Paul  
address. 7.125% MN  
transit tax or other local  
sales tax if applicable)

**TOTAL**

Credit card number:

Expiration date: Signature:

If tax exempt, please provide ES number  
or completed exemption form.  
ES#