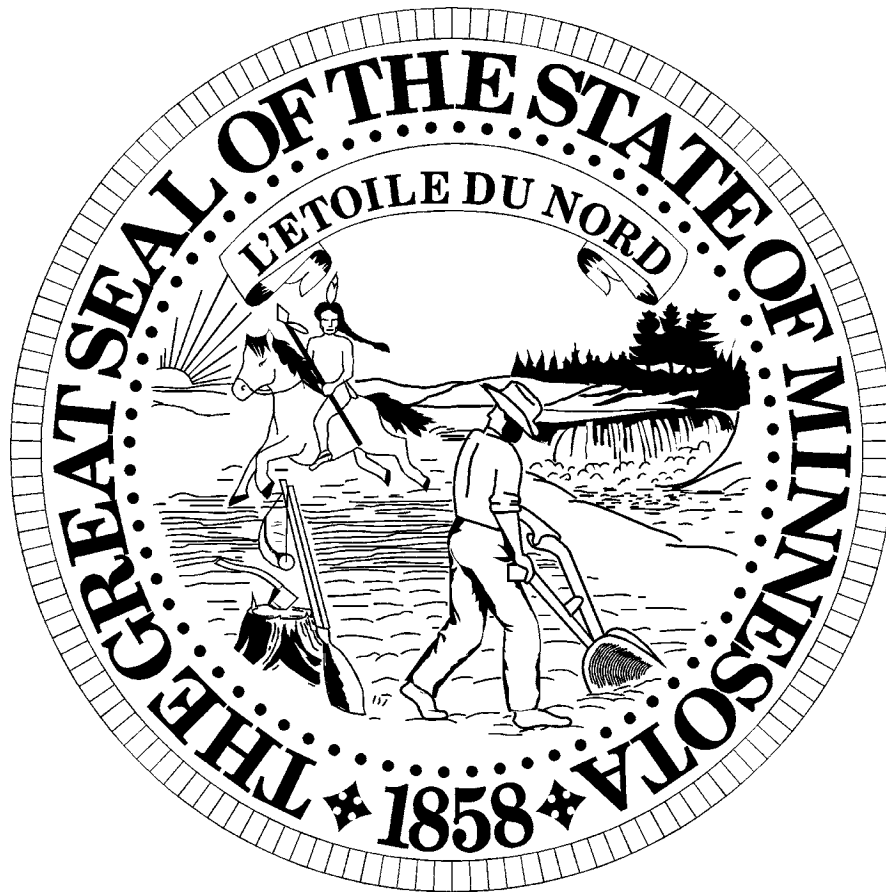


Minnesota State Register

Published every Monday (Tuesday when Monday is a holiday)



**Proposed, Adopted, Emergency, Expedited, Withdrawn, Vetoed Rules;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

**Monday 15 March 2021
Volume 45, Number 37
Pages 963 - 1002**

Minnesota State Register

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

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

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- Withdrawn Rules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

Printing Schedule and Submission Deadlines

Vol. 45 Issue Number	Publish Date	Deadline for: all Short Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical- Consulting Contracts, Non-State Bids and Public Contracts	Deadline for LONG, Complicated Rules (contact the editor to negotiate a deadline)
#38	Monday 22 March	Noon Tuesday 16 March	Noon Thursday 11 March
#39	Monday 29 March	Noon Tuesday 23 March	Noon Thursday 18 March
#40	Monday 5 April	Noon Tuesday 30 March	Noon Thursday 25 March
#41	Monday 12 April	Noon Tuesday 6 April	Noon Thursday 1 April

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

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<https://www.senate.mn/>

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Federal Register

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U.S. Government Printing Office – Fax: (202) 512-1262
<https://www.federalregister.gov/>

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

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

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

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

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

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

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

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

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

Minnesota Racing Commission

Proposed Permanent Rules Relating to Licensing; Medications; Conduct of Races; and Other Miscellaneous Subjects; Notice of Intent to Adopt Rules without a Public Hearing

Revisor’s ID Number RD-04687
OAH Docket No. 71-9011-37101

Minnesota Rules, Parts 7869 Definitions; 7870 Licensure; 7876 Horse Stabling; 7877 Class C Licenses; 7884 Harness Races; 7890 Horse Medication; 7892 Medical Testing; 7897 Prohibited Acts.

Introduction. The Minnesota Racing Commission intends to adopt rules without a public hearing following the procedures in the rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310, and the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. You may submit written comments on the proposed rules and may also submit a written request that a hearing be held on the rules **until 4:30 p.m. April 15, 2021.**

Agency Contact Person. You must submit comments or questions on the rules and written requests for a public hearing to the agency contact person. The agency contact person is:

Proposed Rules

E. Joseph Newton
Minnesota Racing Commission
15201 Zurich Street, Suite 212
Columbus, MN 55025

Phone 651-356-1200
FAX 651-925-3953
E-mail joseph.newton@state.mn.us

TTY users may call the Racing Commission at 800-627-3529.

You may also review the rules and the Statement of Need and Reasonableness, and submit written comments, on the Office of Administrative Hearings Rulemaking e-comments website at <https://minnesotaoah.granicusideas.com/>.

Subject of Rules. The Minnesota Racing Commission is seeking to adopt amendments that will update, simplify and clarify existing rules. Amendments will also make the commission's rules more consistent with those in other racing jurisdictions and national model rules. There are several purely technical amendments.

New rule language will update and modernize definitions, licensure, stabling, licensing, harness racing, horse medication, medical testing and prohibited acts.

A copy of the proposed rules is published in the State Register and is attached to this notice as mailed. A free copy of the rules is available upon request from the agency contact person listed above.

Following is a detailed summary of the proposed rules:

7869.0100, Subp. 9a. **Definitions.**

This rule part is being added to define "break off a qualifier" which is used elsewhere in this document.

7869.0100, Subp. 9b. **Definitions.**

This definition is being added to define "breath analyzer" which is used elsewhere in this document.

7869.0100, Subp. 51a. **Definitions.**

This definition is being amended to require a specific number of horse races be conducted to constitute a "racing day."

7870.0500, Subp.1 **Contract Approval**

This rule is being amended to include the review of contracts entered into during non-live racing and to include contracts that pertain to the cardrooms. Changes to the formatting were also made for clarity.

7870.0500, Subp. 3. **Information required.**

This rule is being amended reframes the rule and clarifies what information is necessary.

7870.0500, Subp. 4. **Basis for Commission Approval.**

This amendment adds pari-mutuel wagering and card playing activity to contract approval items.

7876.0100, Subp. 10. **Original certificate of veterinarian inspection.**

This rule is amended to require an inspection date and EHV-1 product name on the certificate of veterinary inspection for on-track stabling.

7876.0110, Subp. 4. **Original certificate of veterinarian inspection.**

This rule is amended to require an inspection date and EHV-1 product name on the certificate of veterinary inspection for off-track stabling.

Proposed Rules

7876.0120, Subp. 1. **Certificate of veterinarian inspection.**

This rule is amended to require an inspection date and EHV-1 product name on the certificate of veterinary inspection for on-track and off-track stabling.

7877.0110, Subp. 4. **Racing Officials.**

This amendment eliminates the term “association veterinarian” as there is no such position and it is unnecessary to include it.

7877.0120, Subp. 1. **Fees.**

This rule separates out an “animal chiropractor” from a veterinarian for licensing fees and also removes the multiple, corporate, partnership licensing requirement as it has been removed elsewhere in the rules.

7877.0130, Subp. 2 **Stable Name**

This subpart removes multiple owners, corporate, or partnerships from the fee structure as they are eliminated elsewhere in this document. It also separates out an animal chiropractor from a veterinarian in the fee structure.

This amendment changes the title of the subpart and clarifies what constitutes ownership under a stable name.

7877.0130, Subp. 9b. **Animal Chiropractor.**

This subpart is being added to reflect the separate classification of an animal chiropractor and specifies the standards for licensure.

7877.0130, Subp. 14 **Authorized Agents**

This subpart removes the multiple owner license requirement as it is removed elsewhere in the rules.

7877.0170, Subp. 2. **Trainers.**

There are several parts to this rule change. Part 1 provides a new location for an equine infectious anemia certificate as many horses no longer have hard copies of foal registration papers. Part 2 requires an inspection date on a health certificate. Part 3 requires reporting when a trainer receives a horse from a second trainer.

7877.0170, Subp. 9. **Veterinarians.**

This subpart is added to ensure that all horses working in front of a commission veterinarian are sound enough to do so and have no underlying musculoskeletal or health related medical problems.

7877.0170, Subp. 9c. **Animal Chiropractor.**

This subpart is being added to reflect the new and separate classification of an animal chiropractor and specifies the duties of and responsibilities of a licensee.

7877.0170 Subp. 10. **Pony riders.**

This change specifies certain health requirements and reporting for a pony horse brought on to association grounds.

7877.0175, Subp. 4a. **Paddock judge responsibilities for harness races.**

This amendment would require the paddock judge to not only inspect horses for equipment changes but also require reporting any changes to the judges. It also deletes obsolete horse identification practices and removes the reference to an “association veterinarian.” This also relabels subsequent parts.

7877.0175, Subp. 9. **Patrol judge.**

This change eliminates the requirement that the paddock judge report lameness of a horse as that is more properly reported by a veterinarian. This also relabels subsequent parts.

7877.0180, Subp. 1a. **Other employees.**

This change eliminates “association veterinarian” from the conflict of interest rule as the term is being eliminated as there is no association veterinarian.

Proposed Rules

7877.0180, Subp. 2 and 2a. **Veterinarians, veterinary assistant, equine masseuse, animal chiropractor.**

This amendment adds animal chiropractors to the list of licensees that are prohibited from participating in pari-mutuel wagering and changes the title of the subpart. It also creates a subpart that separates the pari-mutuel wagering prohibition from the other proscribed actions of a veterinarian and clarifies the “commission” as the “racing commission.”

7877.0180, Subp. 3. **Wagering by owners, trainers, drivers, or jockeys.**

This amendment expands the type of wagers owners, trainers, drivers and jockeys may not place and adds the words “wagering by” to the title of the rule. It also requires that owners, trainers, drivers and jockeys retain certain documentation on wagers that they are able to place. It is being renumbered as well.

7884.0170, Subp. 4. **Scratched as unsound.**

The change clarifies that a horse scratched as “unsound” during a warmup for a race in which it is entered must compete in a qualifying race prior to reentry. It also clarifies that a horse scratched at other times may require a qualifying race prior to reentry.

7884.0190, Subp. 2a. **Horse required to compete in qualifying races regardless of duration of meet.**

This change would require a horse breaking in the first race after qualifying to requalify.

7884.0190, Subp. 8. **Medications.**

The rule change allows for testing of horses that are competing in qualifying races and requires a negative result before entry into a race.

7884.0210. **Claiming races.**

This amendment adds a subparagraph to the rule that would allow a successful claimant to scratch the claimed horse in the first race in which it was entered after being claimed.

7884.0220, Subp. 2. **Driver to register.**

The amendment requires breath alcohol detection testing when they report to the paddock prior to a race and prohibits the driver from leaving the paddock or drivers’ lounge after registering with the paddock judge.

7884.0230, Subp. 8. **Number pads.**

The amendment would require number pads be returned immediately after a warmup or race and without damage.

7884.0260, Subp. 2. **Conduct after word “go” is given.**

This change limits use of the whip on the horse.

7890.0100, Subp. 3a. **Animal Chiropractor.**

This adds a definition for animal chiropractor and renumbers subsequent affected subparts.

7890.0100, Subp.13. **Medication.**

This change eliminates a rule on electrolytes as a similar rule is already present.

7890.0100, Subp. 14e. **Out of competition testing.**

This add as definition for out of competition testing renumbers subsequent affected subparts.

7890.0100, Subp. 14g. **Prescription Number.**

This adds a definition of prescription number.

7890.0110, Subp. 7b. **Thyroid supplements.**

This amendment allows for thyroid supplements in certain horses and specifies the requirements, limits and reporting thereon.

Proposed Rules

7890.0110, Subp. 7c. **Clenbuterol.**

This amendment prohibits the use and administration of clenbuterol during racing and training unless specific conditions are met. The rule change also adds the conditions and restrictions for the use of clenbuterol.

7890.0110, Subp. 8a. **Intra-articular injections.**

This change prohibits the use of any intra-articular injection within 7 days of a race that the horse is entered in.

7890.0110, Subp. 10. **Medications.**

This rule, which requires that only certain medications be present in a horse during a post-race test, is expanded to include out of competition testing.

7890.0110, Subp. 11. **Medical labeling.**

The rule requires that all drugs and medications kept on association grounds must be validly prescribed and properly labeled. The amendment adds the prescription number and date dispensed to items on the label.

7890.0120, Subp. 1a. **Animal chiropractors must keep records.**

This adds a subpart to existing rule and requires the animal chiropractor must maintain records and submit them daily to the Commission Veterinarian. The rule also specifies the contents needed on the report.

7890.0130, Subp. 1, **Prima facie evidence.**

This change adds out of competition testing to the prima facie standard already contained in the rule. It also adds clenbuterol to the prohibited administrations of medications.

7890.0130, Subp. 2. **Distribution of purse money.**

This change adds clenbuterol to the list of prohibited substances when determining redistribution of the purse money based on a positive test.

7890.0140, Subp. 6. **Furosemide may be permitted.**

This amendment would limit the use of furosemide to horses that are older than three (3) years old.

7890.0160. **Responsibility of veterinarian.**

This amendment adds the veterinary assistant, equine masseuse and animal chiropractor to the list of individuals prohibited from entering a horse stall and specifies that this prohibition starts 24 hours prior to a race in which the horse is entered.

7892.0120, Subp. 1. **Horses tested.**

This change expands out of competition testing to include any horse on the grounds of a racetrack licensed by the Commission.

7897.0100, Subp. 21. **Pregnant mare or filly.**

This changes the number of days in foal that a pregnant mare or filly may race.

7897.0100, Subp. 24. **Security and surveillance equipment.**

This change adds a prohibition of tampering with security or surveillance equipment used by the Commission or the association.

7897.0150, Subp. 2. **Penalties imposed by stewards.**

This change increases the penalties the stewards may impose to be consistent with statutory changes.

Comments. You have **until 4:30 p.m. on April 15, 2021**, to submit written comments in support of or in opposition to the proposed rules and any part or subpart of the rules. Your comments must be in writing and the agency contact person must receive them by the due date. The Minnesota Racing Commission encourages comment. Your comment should identify the portion of the proposed rules addressed and the reason for the comment. You are encouraged to propose any change desired. Any comments that you have about the legality of the proposed rules must also be

Proposed Rules

made during this comment period. You may also submit written comments on the Office of Administrative Hearings Rulemaking e-comments website at <https://minnesotaoah.granicusideas.com/>.

Request for a Hearing. In addition to submitting comments, you may also request that the Minnesota Racing Commission hold a public hearing on the rules. Your request must be in writing and the agency contact person must receive it by **4:30 p.m. on April 15, 2021**. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rules that you object to or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and the agency cannot count it when determining whether it must hold a public hearing. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

Withdrawal of Requests. If 25 or more persons submit a valid written request for a hearing, the Minnesota Racing Commission will hold a public hearing unless a sufficient number withdraw their requests in writing. If enough requests for hearing are withdrawn to reduce the number below 25, the agency must give written notice of this to all persons who requested a hearing, explain the actions the agency took to effect the withdrawal, and ask for written comments on this action. If a public hearing is required, the agency will follow the procedures in *Minnesota Statutes*, sections 14.131 to 14.20.

Alternative Format. 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.

Modifications. The Minnesota Racing Commission may modify the proposed rules as a result of public comment. The modifications must be supported by comments and information submitted to the agency, and the adopted rules may not be substantially different than these proposed rules, unless the agency follows the procedure under *Minnesota Rules*, part 1400.2110. If the proposed rules affect you in any way, the Minnesota Racing Commission encourages you to participate in the rulemaking process.

Statement of Need and Reasonableness. The Statement of Need and Reasonableness contains a summary of the justification for the proposed rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. It is now available from the agency contact person. You may review it or obtain copies for the cost of reproduction by contacting the agency contact person. You may also review the Statement of Need and Reasonableness on the Office of Administrative Hearings Rulemaking e-comments website at <https://minnesotaoah.granicusideas.com/>.

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

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

March 9, 2021

Steve May
Executive Director

Proposed Rules

7869.0100 DEFINITIONS.

[For text of subparts 1 to 9, see Minnesota Rules]

Subp. 9a. **Break off a qualifier.** “Break off a qualifier” means a break that is made in the first start after qualifying.

Subp. 9b. **Breath analyzer.** “Breath analyzer” is an instrument used to measure a person’s blood alcohol level.

[For text of subparts 10 to 51, see Minnesota Rules]

Subp. 51a. **Racing day.** “Racing day” means a day assigned by the commission on which racing is conducted and shall include no fewer than eight live races and no more than 14 live races unless approved by the stewards and the executive director. Racing day includes a televised racing day.

[For text of subparts 52 to 69, see Minnesota Rules]

7870.0500 CONTRACT APPROVAL.

Subpart 1. Contracts and subcontracts subject to prior commission approval.

A. All contracts entered into, renewed, or extended by Class A, B, and D licensees and their contractors for goods, services, and events occurring during the live race meeting are subject to prior approval by the commission. ~~Licensees must submit contracts to the commission not less than seven days prior to a commission meeting.~~

B. Contracts must include a current Certificate of Compliance, if applicable, issued by the Minnesota Department of Human Rights. Contracts must include a statement by the contractor affirming compliance with the ADA, if applicable.

C. All Class A, B, and D licensees must submit as soon as practicable to the commission the name and the address of the contractor or subcontractor, amount and duration of the contract or subcontract, and a description of the ~~good goods~~ or ~~service services~~ provided.

D. The commission shall determine whether the contract or subcontract may affect the integrity of pari-mutuel racing or card playing, and the commission shall notify the licensee whether the commission intends to review and approve or disapprove the contract or subcontract.

E. In making a determination that a contract or subcontract may affect the integrity of racing, the commission shall consider:

(1) the amount and duration of the contract;

(2) the extent to which the contractor or subcontractor will be on the premises of the licensee;

(3) the relationship of the contract or subcontract to security;

(4) opportunity for contact between the contractor or subcontractor and horses, horsepersons, ~~or patrons~~, pari-mutuel wagering operations, card playing operations, or the information technology operations of the licensee;

(5) opportunity for the contractor or subcontractor to influence the management and conduct of pari-mutuel racing or card playing;

(6) contact with admission, pari-mutuel, concession, ~~or purse~~, or card-playing money; and

(7) whether the commission has reason to believe that the contractor or subcontractor is incompetent, financially irresponsible, or not of good character.

F. If notified of the commission’s intention to review and approve or disapprove a contract or subcontract, the licensee shall promptly submit to the commission copies of any written contracts or subcontracts as well as any

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documentation, records, or information the commission may request with regard to the contract. If the commission notifies a licensee of the commission's intention to review and approve or disapprove a contract or subcontract, the contract or subcontract is not valid, nor is either of the parties bound by the contract until it has been approved by the commission.

G. The commission shall approve or disapprove contracts and subcontracts within 30 days, as computed pursuant to Minnesota Statutes, section 645.15, after submission.

[For text of subpart 2, see Minnesota Rules]

Subp. 3. **Information required.** If the commission notifies a licensee of its intention to review and approve or disapprove a contract or subcontract, and the contract or subcontract is in an amount more than \$100,000 or of a duration longer than 30 days, a Class A, B, or D licensee also must submit to the commission:

[For text of items A to F, see Minnesota Rules]

G. The licensee must make its best effort to notify the commission promptly of any change in the information required by items A, B, C, D, and E; ~~and F~~ before performance is completed.

Subp. 4. **Basis for commission approval.** The commission shall approve the contract or subcontract if it determines that approval will not adversely affect racing, pari-mutuel wagering, card playing, or the public interest, is in accordance with applicable laws and rules, and will not adversely affect the public health, safety, and welfare. In making that determination, the commission must consider the contractor or subcontractor's competence, experience, reputation, record of law abidance, and financial responsibility.

[For text of subparts 5 to 10, see Minnesota Rules]

7876.0100 ON-TRACK STABLING.

[For text of subparts 1 to 9, see Minnesota Rules]

Subp. 10. **Original certificate of veterinary inspection.** Each horse arriving on the grounds of a licensed racetrack must be accompanied by an original certificate of veterinary inspection ~~issued not~~. The certificate must include the date of inspection and date of issuance, both of which must be dated no more than ten days prior to arrival. The certificate of veterinary inspection must be completed by an accredited veterinarian and must contain complete equine infectious anemia (EIA) test results, including the date, laboratory, and accession number of the most recent negative EIA test results. The certificate must also contain rectal temperature and product name and date of most recent vaccination with a Food and Drug Administration-approved modified live or killed vaccine specific for EHV-1. The certificate of veterinary inspection must be surrendered to the stable gate personnel for immediate transmittal to the commission veterinarian. The certificate of veterinary inspection will remain valid for 30 days from the date of issue, with the date of issue counted as day one. Horses leaving the facility and returning during this 30-day period do not have to be accompanied by a new certificate of veterinary inspection. Horses leaving and returning after the 30-day period will need to be accompanied by a new original ~~health~~ certificate ~~issued not~~. The certificate must include the date of inspection and date of issuance, both of which must be dated no more than ten days prior to arrival.

[For text of subparts 10a to 12, see Minnesota Rules]

7876.0110 OFF-TRACK STABLING.

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

Subp. 4. **Original certificate of veterinary inspection.** Any horse arriving on the grounds of a licensed racetrack must be accompanied by an original certificate of veterinary inspection ~~issued not~~. The certificate must include the date of inspection and date of issuance, both of which must be dated no more than ten days prior to arrival. The certificate of veterinary inspection must be completed by an accredited veterinarian and must contain complete equine infectious anemia (EIA) test results, including the date, laboratory, and accession number of the most recent negative EIA test. The certificate must also contain rectal temperature and product name and date of most recent vaccination with a Food and Drug Administration-approved modified live or killed vaccine specific for EHV-1. The certificate of veterinary inspection must be surrendered to the stable gate personnel for immediate transmittal to the commission veterinarian. The certificate of veterinary inspection will remain valid for 30 days from the date of issue, with the date of issue counted as day one.

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Horses leaving the facility and returning during this 30-day period do not have to be accompanied by a new certificate of veterinary inspection. Horses leaving and returning after the 30-day period will need to be accompanied by a new original certificate of veterinary inspection ~~issued not~~. The certificate must include the date of inspection and date of issuance, both of which must be dated no more than ten days prior to arrival.

[For text of subparts 4a to 6, see Minnesota Rules]

7876.0120 ON- AND OFF-TRACK STABLING OF NONRACING HORSES.

Subpart 1. **Certificate of veterinary inspection.** Any horse arriving on the grounds of a licensed racetrack must be accompanied by an original certificate of veterinary inspection ~~issued not~~. The certificate must include the date of inspection and date of issuance, both of which must be dated no more than ten days prior to the arrival. The certificate of veterinary inspection must be completed by an accredited veterinarian and must contain complete equine infectious anemia (EIA) test results, including the date, laboratory, and accession number of the most recent negative EIA test. The certificate must also contain rectal temperature and product name and date of most recent vaccination with a Food and Drug Administration-approved modified live or killed vaccine specific for EHV-1. ~~The certificates~~ certificate of veterinary inspection must be surrendered to stable gate personnel for immediate transmittal to the commission veterinarian. The certificate of veterinary inspection will remain valid for 30 days from the date of issue, with the date of issue counted as day one. Horses leaving the facility and returning during this 30-day period do not have to be accompanied by a new certificate of veterinary inspection. Horses leaving and returning after the 30-day period will need to be accompanied by a new original certificate of veterinary inspection ~~issued not~~. The certificate must include the date of inspection and date of issuance, both of which must be dated no more than ten days prior to arrival. The horse must also have a negative equine piroplasmosis test as prescribed in part 7876.0100, subpart 11, or 7876.0110, subpart 5.

[For text of subparts 2 and 3, see Minnesota Rules]

7877.0110 PROCEDURE FOR OBTAINING CLASS C LICENSE.

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

Subp. 4. **Racing officials.** Each association shall submit to the commission for its approval or disapproval the names of all persons whom the association has selected as racing officials, and other employees whose duties relate to the actual running of races. The list shall include, where applicable, the following racing officials:

[For text of item A, see Minnesota Rules]

~~B.~~ association veterinarian;

~~C.~~ B. claims clerk (Thoroughbred, Quarter Horse, or Arabian);

~~D.~~ C. clerk of course (harness);

~~E.~~ D. clerk of scales (Thoroughbred, Quarter Horse, or Arabian);

~~F.~~ E. clocker (Thoroughbred, Quarter Horse, or Arabian);

~~G.~~ F. director of security;

~~H.~~ G. general manager;

~~I.~~ H. identifier;

~~J.~~ I. jockeys' or drivers' room custodian;

~~K.~~ J. mutuels manager;

~~L.~~ K. paddock judge;

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~~M.~~L. patrol judge;

~~N.~~M. placing judge;

~~Θ.~~N. program director (harness);

~~P.~~O. outrider;

~~Θ.~~P. racing secretary;

~~R.~~Q. starter;

~~S.~~R. steward;

~~T.~~S. timer;

~~U.~~T. track superintendent; and

~~V.~~U. any other official as designated by the commission. The list of racing officials' names shall be submitted to the commission in writing at least 30 days prior to the opening of each race meeting.

The association shall be responsible for filing a complete application for a Class C license, including a personal resume, with respect to each nominee who has not been previously licensed by the commission as a racing official.

The commission may request any person whose name is proposed as a racing official to submit to a physical examination and to forward the results of the examination to the commission. The request shall be made only where there is a reasonable basis for suggesting that the applicant's physical condition would hinder or prevent the applicant from performing the duties of a racing official.

The commission shall act on the association's list of officials at a meeting of the commission. If commission staff recommends disapproval of an official, the association shall be notified of that recommendation in advance of the commission's meeting.

Under no circumstances shall an identifier, placing judge, or patrol judge begin working in that capacity unless the person has provided the commission with documentation of having satisfactorily passed an optical examination within 90 days prior to beginning work. The documentation must show that the person has at least 20-20 vision (corrected) and the ability to distinguish colors.

7877.0120 FEES.

Subpart 1. **License fees.** Each application for a Class C license, or its renewal, shall be accompanied by the payment of an annual fee according to the following schedule:

[For text of items A to N, see Minnesota Rules]

O. owner, ~~multiple, corporate, partnership,~~ or stable, one-year, \$50; three-year, \$150;

[For text of items P to U, see Minnesota Rules]

V. veterinarian or animal chiropractor, \$100;

[For text of items W to HH, see Minnesota Rules]

[For text of subparts 2 to 4, see Minnesota Rules]

7877.0130 STANDARDS REQUIRED OF APPLICANTS FOR SPECIFIC LICENSES.

[For text of subpart 1, see Minnesota Rules]

Subp. 2. ~~Multiple owners~~ Stable name. Applicants for a ~~multiple owner's~~ stable name license must comply with

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subpart 1 and the following requirements.

A. A legally formed corporation, partnership, or trust, or any combination of two or more individuals except spouses, which owns or leases a horse eligible to race in Minnesota (hereinafter referred to as “multiple owner”) must obtain a Class C multiple owner license issued by the commission. A stable is defined as any ownership operating under a name other than the ownership’s own name and must be registered with the commission by filing an application on a form prescribed by the commission. No person may use the real name of another owner of race horses as a stable name. A stable name that has already been registered may not be registered by another owner. The granting of a stable name registration by the commission shall not relieve any person from the obligation to file or register a fictitious name as provided by the laws of Minnesota. The registration of a stable name must reflect all actual ownership interests. The stable name and the name of the owner shall be published in the program. If the stable name consists of more than one person, the program shall list the name of the managing owner along with the phrase “et al.”

B. Directors, officers, general partners, policymakers, and all holders of direct or indirect record or beneficial ownership or other voting interests or control, whether absolute or contingent, of five percent or more in a multiple owner also must obtain Class C licenses issued by the commission. The applicant must give consent for the commission to share the following data on each such horse registered with The Jockey Club:

[For text of subitems (1) and (2), see Minnesota Rules]

C. Individuals or entities required by items A and B to obtain a Class C license must make their best effort, as defined in part 7870.0030, item E, to disclose to the commission in writing at the time of each Class C license application and renewal request, any interest in a race horse other than horses owned or leased by the multiple owner, and any agreement or understanding entered into regarding the racing of horses owned or leased by the multiple owner or the distribution of the benefits of racing the horses.

D. A multiple owner must make its best effort, as defined in part 7870.0030, item E, to disclose to the commission in writing at the time of each Class C license application and renewal request, the nature and extent of every direct or indirect record of beneficial ownership or other voting interest or control, whether absolute or contingent, in the multiple owner. The disclosure shall include the names and addresses of every individual and other entity. The individuals and other entities identified, except those required to be licensed pursuant to item B, shall not be licensed and shall not have access to restricted areas at racetracks.

E. A multiple owner must file with the commission, at the time of application for a Class C license, a notarized statement signed by one or more individuals agreeing to represent the entire ownership and be responsible for the multiple owner’s horses and all racing matters.

F. A stable is defined as any ownership operating under a name other than their own name and must be registered with the commission by filing an application on a form prescribed by the commission. No person may use the real name of another owner of race horses as a stable name. A stable name which has already been registered may not be registered by another owner. The granting of a stable name registration by the commission shall not relieve any person from the obligation to file or register a fictitious name as provided by the laws of Minnesota. The registration of a stable name must reflect all actual ownership interests. The stable name and the name of the owner shall be published in the program. If the stable name consists of more than one person, the program shall list the name of the managing owner along with the phrase “et al.”

[For text of subparts 3 to 9a, see Minnesota Rules]

Subp. 9b. Animal chiropractor. An applicant for an animal chiropractor license must:

- A. be currently licensed by the Minnesota Board of Chiropractic Examiners as a human chiropractor;
- B. provide documentation that the applicant has completed the necessary training and is registered with the Minnesota Board of Chiropractic Examiners as an animal chiropractor; and
- C. demonstrate to the commission’s veterinarian that the applicant is familiar with current equine medical

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practices and possesses knowledge of the commission's rules as they relate to the practice of animal chiropractic.

[For text of subparts 10 to 13, see Minnesota Rules]

Subp. 14. **Authorized agents.** To be appointed an authorized agent, the appointee must be licensed as an individual owner, a trainer, or an assistant trainer. A written agency appointment authorizing the authorized agent to act on behalf of a licensed individual owner ~~or licensed multiple owner~~, or licensed trainer in racing matters not directly related to the care and training of horses must accompany the appointment. The authorization shall be on a form provided by the commission and shall define the powers, limits, and terms of the agency agreement. The authorization must be signed by the individual principals ~~or the multiple owner designated representative~~ and notarized.

A separate notarized agency appointment is required for each principal an authorized agent intends to represent. All such agencies shall remain in effect for the duration of the current race meeting unless written notice of revocation is submitted to the stewards at the meeting where the principal is racing.

[For text of subparts 15 to 17, see Minnesota Rules]

7877.0170 DUTIES AND RESPONSIBILITIES OF CLASS C LICENSEES.

[For text of subpart 1, see Minnesota Rules]

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

[For text of items A to N, see Minnesota Rules]

O. A trainer is responsible for having each horse in the trainer's charge that is racing in Minnesota or stabled on the grounds of an association tested for equine infectious anemia (EIA) once every 12 months. The tests shall be performed by a laboratory approved by the United States Department of Agriculture. A copy of each horse's negative EIA test results must be attached to the horse's foal registration certificate or provided to the racing secretary by 9:00 a.m. on the first day of the meet in which the horse is scheduled to race. The EIA test certificates must be dated within a 12-month period prior to the date of entry, and must be renewed ~~or and~~ replaced on the foal registration certificate or provided to the racing secretary no later than 48 hours following the date of expiration.

P. Except as provided in part 7876.0130, a trainer must ensure that at the time of arrival at a licensed racetrack, each horse in the trainer's care is accompanied by an original ~~health~~ certificate ~~issued not~~. The certificate must include the date of inspection and date of issuance, both of which must be dated no more than ten days prior to the arrival. The health certificate must be completed by an accredited veterinarian and must contain complete equine infectious anemia (EIA) test results, including the date, laboratory, and accession number of the most recent negative EIA test. The health certificate must also contain rectal temperature and product name and date of most recent vaccination with a Food and Drug Administration-approved modified live or killed vaccine specific for EHV-1. The health certificates certificate must be surrendered to stable gate personnel for immediate transmittal to the commission veterinarian. The horse must also have a negative equine piroplasmiasis test as prescribed in part 7876.0100, subpart 11, or 7876.0110, subpart 5.

[For text of items Q to V, see Minnesota Rules]

W. A trainer accepting a horse from another trainer must notify the stewards in writing within 24 hours that such a transfer has been made.

[For text of subparts 2a to 8, see Minnesota Rules]

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

[For text of items A to I, see Minnesota Rules]

J. Veterinarians must examine each horse in their care that is scheduled for an official timed workout in front of a commission veterinarian and submit a statement on a form prescribed by the commission that the veterinarian has examined the horse and found it sound to work. The form must be submitted to a commission veterinarian at least 48 hours in advance of the scheduled work.

[For text of subparts 9a and 9b, see Minnesota Rules]

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Subp. 9c. **Animal chiropractor.** Animal chiropractors licensed by the commission must:

- A. not be negligent in the performance of their duties with respect to the health and welfare of the horse;
- B. have a referral from a commission-licensed veterinarian prior to performing chiropractic and provide written notes, if requested by the owner to the veterinarian; and
- C. not be in the stall with an entered horse at any time within 24 hours prior to the race in which the horse is entered.

Subp. 10. **Pony riders.** The following applies to pony riders licensed by the commission:

[For text of items A and B, see Minnesota Rules]

C. Anyone bringing any pony horse onto the grounds of the association must provide to stable gate personnel the accurate name of the animal. Each pony horse must be accompanied by an original certificate of veterinary inspection completed by an accredited veterinarian and ~~issued not~~. The certificate must include the date of inspection and date of issuance, both of which must be dated no more than ten days prior to arrival. It must contain complete equine infectious anemia test results, including the date, laboratory, and accession number of the most recent negative EIA test. The certificate must also contain rectal temperature and product name and date of the most recent vaccination with a Food and Drug Administration-approved modified live or killed vaccine specific for EHV-1. The horse must also have a negative equine piroplasmosis test as prescribed in part 7876.0100, subpart 11, or 7876.0110, subpart 5. The certificate of veterinary inspection must be surrendered to stable gate personnel for immediate transmittal to the commission veterinarian. The certificate of veterinary inspection for horses leaving and returning on an ongoing basis throughout the meet must be renewed within the first five days of each month.

[For text of items D and E, see Minnesota Rules]

[For text of subpart 11, see Minnesota Rules]

7877.0175 DUTIES AND RESPONSIBILITIES OF RACING OFFICIALS.

[For text of subparts 1 to 4, see Minnesota Rules]

Subp. 4a. **Paddock judge responsibilities for harness races.** Under the direction and supervision of the stewards, the paddock judge will have complete charge of the paddock activities. The paddock judge is responsible for:

- A. getting the field on the track for post parades in accordance with the schedule given by the stewards;
- B. inspection of horses for changes in equipment, nonrecognized racing equipment, broken or faulty equipment, head numbers, or saddle pads: and reporting any equipment changes to the presiding steward;
- C. supervision of paddock gate persons;
- ~~D. Proper check-in and check-out of horses and drivers and checking the identification of all horses coming into the paddock including the tattoo, freeze brand, digital tattoo, or microchip number.~~
- ~~E. D.~~ directing the activities of the paddock blacksmith;
- ~~F. E.~~ immediately notifying the stewards of anything that could in any way change, delay, or otherwise affect the racing program. The paddock judge will report to the stewards any cruelty to any horse that the paddock judge observes;
- ~~G. F.~~ ensuring that only authorized persons are permitted in the paddock and notifying the stewards of any apparent rule violation occurring in the paddock; and
- ~~H. G.~~ immediately reporting to the commission veterinarian ~~or the association veterinarian~~ the suspected infirmity or unsoundness of any horse.

[For text of subparts 5 to 8a, see Minnesota Rules]

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Subp. 9. **Patrol judge.** Patrol judges may observe the running of each race. In the case of harness racing, a patrol judge may serve as a roving patrol judge by riding in the starting gate and observing activity on the race course at all times during a race program.

Patrol judges shall be in communication with the stewards during every race, and shall immediately notify the stewards of:

[For text of items A to C, see Minnesota Rules]

~~D. the lameness or unfitness of any horse;~~

~~E. D.~~ any lack of or broken racing equipment; and

~~F. E.~~ any unusual or illegal behavior of horses, jockeys, or drivers.

When instructed by the stewards, patrol judges shall be present at video reviews of races to confirm or to clarify reported observations.

[For text of subparts 10 to 15, see Minnesota Rules]

7877.0180 CONFLICTS.

[For text of subpart 1, see Minnesota Rules]

Subp. 1a. **Other employees.** No detention barn employee, commission staff, assistant starter, claims clerk, outrider, ~~association veterinarian~~, or track superintendent shall request or accept any remuneration or honorarium in payment or kind from any owner, trainer, or other person licensed by the commission.

Subp. 2. ~~Veterinarians~~ **Veterinarian, veterinary assistant, equine masseuse, animal chiropractor.** No veterinarian, ~~equine masseuse~~, or veterinary assistant, ~~equine masseuse~~, or ~~animal chiropractor~~ may participate in pari-mutuel wagering while licensed by the commission.

Subp. 2a. **Veterinarian designated as an official.** No veterinarian designated as an official at a race meeting shall treat or prescribe treatment for a horse racing at that meeting, except in emergencies or if no other veterinarian licensed by the commission is on the grounds of the association. In that case, the official veterinarian shall notify the commission of any compensation received.

Subp. 3. **Wagering by owners, trainers, drivers, or jockeys.**

A. No owner, trainer, driver, or jockey shall:

(1) place a win wager to win on any horse except his or her own in a race in which he or she competes;

(2) place a place or show wager on his or her own horse in a race unless also betting the same or higher amount as a win wager;

(3) wager on any other horse to finish better than his or her own in an exacta, trifecta, superfecta, or super high five wager; or

(4) wager on any other horse except his or her own in any leg of a daily double, Pick 3, or Pick (n) wager in which he or she has a horse competing.

7884.0170 SCRATCHES.

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

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Subp. 4. **Scratched as unsound.** Any horse that is scratched by the stewards as unsound during warmup for a race in which the horse is entered must compete in a qualifying race prior to reentry. ~~Horses competing in qualifying races may be selected for random postrace drug testing under chapter 7892, and if so selected, negative test results must be returned~~ scratched at other times, dependent upon placement on the official veterinarian's list, may requalify prior to reentry.

[For text of subpart 5, see Minnesota Rules]

7884.0190 QUALIFYING RACES.

[For text of subparts 1 and 2, see Minnesota Rules]

Subp. 2a. **Horses required to compete in qualifying races regardless of duration of meet.** The following horses shall not be eligible to enter any race until they have competed in qualifying races:

[For text of items A and B, see Minnesota Rules]

C. A horse finishing first, second, or third on a "fast" track and making a break in the race ~~would~~ does not have that break counted against it in terms of eligibility for future entries unless it was a break off a qualifier. However, For these horses, when the break occurs in the first start after the horse qualified, the horse must requalify regardless of its finishing position. Any horse making breaks in ~~three~~ two consecutive races over fast tracks would still be required to qualify regardless of finishing position.

[For text of item D, see Minnesota Rules]

[For text of subparts 3 to 7, see Minnesota Rules]

Subp. 8. **Medications.** All horses racing in qualifying races must participate under the same medication requirements as those for race days. Horses competing in qualifying races may be selected for random postrace drug testing under chapter 7892, and if so selected, negative test results must be returned prior to reentry.

7884.0210 CLAIMING RACES.

[For text of items A to E, see Minnesota Rules]

F. If a horse that is drawn to start in a claiming race has been declared to start in a subsequent claiming race, a successful claimant, if any, of the horse in the first race shall have the option of scratching the horse from the subsequent race.

F. G. Postrace testing on all claimed horses shall be performed as set forth in chapter 7892. Upon receipt of notification from the commission veterinarian that the initial forensic analysis demonstrates a medication violation under chapter 7890, the stewards shall immediately notify the successful claimant, who shall then have 72 hours to decide whether to keep the horse or request that the claim be voided. In that case, the following provisions shall apply.

[For text of subitems (1) and (2), see Minnesota Rules]

7884.0220 PADDOCK PROCEDURES.

[For text of subpart 1, see Minnesota Rules]

Subp. 2. **Driver to register.** Drivers shall report to the paddock judge and sign the drivers' register at least one hour before post time of any race in which they are programmed to drive. All drivers must undergo breath analyzer testing when they sign in and be retested if they leave the paddock or drivers' room. After signing the drivers' register, no driver shall leave the paddock or drivers' room, except to drive in a race or to view the races from a point approved by the stewards, until all his or her driving engagements for the day have been fulfilled.

[For text of subparts 3 to 5, see Minnesota Rules]

7884.0230 RACING EQUIPMENT.

[For text of subparts 1 to 7, see Minnesota Rules]

Subp. 8. **Number pads.** Number pads must be returned to the paddock immediately after each warmup and race with no apparent damage or destruction.

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7884.0260 DRIVING RULES.

[For text of subpart 1, see Minnesota Rules]

Subp. 2. **Conduct after word “go” is given.** After the word “go” is given no driver shall:

[For text of items A to S, see Minnesota Rules]

T. use a whip exceeding four feet in length or a snapper longer than six inches in length, or use unreasonable or unnecessary force in the whipping of a horse, nor whip any horse causing visible injury, nor whip any horse about the head including but not limited to trailing horses, nor whip any horse after the finish line has been crossed except when it has been deemed by the board of judges necessary to control the horse. The driver is permitted to encourage the horse with the whip only one time from the start to the 3/4 mile marker, and no more than four times, if the horse is advancing, from the 3/4 mile marker to the finish line. The board of judges will notify the commission veterinarian to conduct any postrace examination on any horse deemed to have been subject to unreasonable or unnecessary force. The following actions shall be considered indiscriminate, unreasonable, or unnecessary uses of the whip:

[For text of subitems (1) to (5), see Minnesota Rules]

[For text of items U to X, see Minnesota Rules]

[For text of subparts 3 to 11, see Minnesota Rules]

7890.0100 DEFINITIONS.

[For text of subparts 1 to 2a, see Minnesota Rules]

Subp. 2b. **Animal chiropractor.** “Animal chiropractor” means a Doctor of Chiropractic who is licensed under Minnesota Statutes, sections 148.01 to 148.108, and registered with the Minnesota Board of Chiropractic Examiners under parts 2500.7010 to 2500.7080 to perform services on animals.

[For text of subparts 3 to 12b, see Minnesota Rules]

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. Medication includes all alkalizing agents, analgesics, anesthetics, depressants, narcotics, stimulants, tranquilizers, and other classifications of medications. Nothing herein shall be deemed to include:

[For text of items A to D, see Minnesota Rules]

~~E. Electrolytes except those containing sodium bicarbonate or other alkalizing agents.~~

[For text of subparts 13a to 14e, see Minnesota Rules]

Subp. 14f. **Out of competition testing.** “Out of competition testing” is the taking of blood, urine, or another biological sample from a horse at any time other than race day.

Subp. 14g. **Prescription number.** “Prescription number” means the unique identification number assigned by the veterinarian, pharmacist, or other supplier to the prescription.

[For text of subparts 15 to 21, see Minnesota Rules]

7890.0110 MEDICATIONS AND PRACTICES PROHIBITED.

[For text of subparts 1 to 7a, see Minnesota Rules]

Subp. 7b. **Thyroid supplements.**

A. The use of a thyroid supplement is limited to a hypothyroid horse diagnosed with a thyroid releasing hormone (TRH) stimulation test.

B. Results of the TRH test must be submitted to the commission veterinarian and approved prior to the horse

receiving a thyroid supplement.

C. If a horse is currently receiving a thyroid supplement, TRH test results must be provided to the commission veterinarian or thyroid supplement administration discontinued and TRH testing completed after a 30-day washout period.

Subp. 7c. **Clenbuterol.** Clenbuterol use is prohibited in the racing and training of a Quarter Horse and only permitted in the racing and training of other breeds if the following conditions are met:

A. Clenbuterol is prescribed by a licensed veterinarian for a specifically named horse, stating the diagnosis, the recommended dosage levels, and duration of clenbuterol treatment, not to exceed 30 days. The required information must be submitted to the commission veterinarian on a form and by a deadline established by the commission.

B. Trainers must notify a commission veterinarian daily of all horses in their custody having been administered clenbuterol. Notification shall be made on a form and by a deadline established by the commission.

C. A horse administered clenbuterol shall be placed on the official veterinarian's list and remains on the list until all conditions for removal have been met including an official timed workout with reports of negative clenbuterol blood and urine sampling.

D. A horse may not be entered to race until the horse has completed all requirements in item C.

[For text of subpart 8, see Minnesota Rules]

Subp. 8a. **Intra-articular injections.** The use of any intra-articular injection within seven days of the race in which the horse is entered is prohibited.

[For text of subpart 9, see Minnesota Rules]

Subp. 10. **Medications.** No medications other than those specifically permitted under this chapter shall be allowed in the post-race or out of competition test sample of a horse. Serum or urine thresholds on permitted controlled therapeutic medications shall not exceed those found in the Association of Racing Commissioners International Controlled Therapeutic Medication Schedule for Horses, which is incorporated by reference.

Subp. 11. **Medical labeling.**

[For text of item A, see Minnesota Rules]

B. Any drug or medication that is used or kept on association grounds and that, by federal or state law, requires a prescription must have been validly prescribed by a duly licensed veterinarian, and in compliance with the applicable state statutes. All allowable medications must be labeled in accordance with state and federal laws and shall have a prescription label that is securely attached and clearly ascribed to show the following:

(1) the prescription number that is recorded by the dispensing veterinarian or pharmacist and kept in the animal's medical record;

(2) the date the prescription was dispensed;

(+)(3) the name, address, and telephone number of the company manufacturing the medication;

(2)(4) the lot number and expiration date of the medication;

(3)(5) the name, address, and telephone number of the veterinarian prescribing or dispensing the medication;

(4)(6) the name of each patient (horse) for whom the medication is prescribed or dispensed;

(5)(7) the name of the person (trainer) to whom the medication was dispensed;

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(6)(8) the name, active ingredient, and quantity of the medication prescribed;

(7)(9) the dose, dosage, route of administration, and duration of treatment; and

(8)(10) cautionary statements as needed.

Possession of an expired prescription medication is considered a violation of the rule.

[For text of subparts 12 and 13, see Minnesota Rules]

7890.0120 REPORTING PROCEDURES.

[For text of subpart 1, see Minnesota Rules]

Subp. 1a. **Animal chiropractors must keep records.** Animal chiropractors must submit daily to the commission veterinarian, in writing or electronically, on a prescribed form a report of all the horses treated at a licensed racetrack. The form shall contain the date and time, name of horse treated, trainer of horse, and procedures administered, for horses registered at a current race meeting, and any other information requested by the commission veterinarian. The form must be filed by the animal chiropractor not later than noon on the day following treatment. The form shall be signed by hand or digitally by the animal chiropractor. The form is considered private and its content shall not be disclosed except in the course of an investigation of a possible violation of chapters 7869 to 7899, or in a proceeding before the stewards or commission, or to the trainer or owner of record at the time of treatment. A timely and accurate filing of the form that is consistent with the analytical results of a positive test is a mitigating factor in determining the nature and extent, if any, of a rules violation.

[For text of subparts 2 and 3, see Minnesota Rules]

7890.0130 FINDINGS OF CHEMIST.

Subpart 1. **Prima facie evidence.**

A. A finding by a chemist of any positive test or overage in the test sample of a horse taken after a race, or official timed workout, or an out-of-competition test shall be considered prima facie evidence that the medication or metabolite, androgenic anabolic steroid, substance foreign to the natural horse, or endogenous, dietary, or environmental substance, NSAID, or clenbuterol, venom, blood doping agent, or furosemide was administered to the horse prior to the race or official timed workout and carried in the body of the horse while participating in the race or official timed workout. A horse racing on furosemide must show a detectable concentration of the drug or metabolites in the post-race serum or plasma 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 or official timed workout and carried in the body of the horse while participating in a race or official timed workout.

B. A finding by a chemist of a level of TCO_2 greater than 37 millimoles per liter of blood in the test sample of a horse shall be considered prima facie evidence that an alkalizing agent was administered to the horse prior to the race or official timed workout after which the test sample was taken.

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, clenbuterol, 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 subparts 1 to 5, see Minnesota Rules]

Subp. 6. **Furosemide may be permitted.** A horse three years of age and older 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. Once a horse has raced with furosemide, it must continue to race with furosemide in all subsequent races

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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 or the horse is claimed or transferred to a different licensed trainer. A horse that is claimed or transferred to a different licensed trainer is eligible to race with furosemide if the new trainer and a licensed veterinarian employed by the new owner or trainer determine that it would be in the horse's best interest to race with furosemide. Requests for the use of or discontinuance of furosemide must be made to the commission veterinarian by the horse's current 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 subparts 7 to 10, see Minnesota Rules]

7890.0160 RESPONSIBILITY OF VETERINARIAN.

No veterinarian may administer a medication, alkalizing agent, blood doping agent, venom, or substance foreign to the natural horse to any horse that is scheduled to race within 48 hours, except as permitted in part 7890.0100, subpart 13, or in the case of a medical emergency requiring immediate treatment, without the prior permission of the commission veterinarian. No veterinarian may place a nasogastric tube in a horse that is scheduled to race within 48 hours, except in the case of a medical emergency requiring immediate treatment. No veterinarian, veterinary assistant, equine masseuse, or animal chiropractor may enter the stall of or otherwise handle a horse ~~that is scheduled to race on race day at any time within 24 hours of the race in which the horse is entered~~, except as permitted by part 7890.140, subpart 7a, or in the case of a medical emergency requiring immediate treatment without the prior permission of the commission veterinarian. In emergency cases it is the responsibility of the attending veterinarian to notify the commission veterinarian of the nature of the emergency and the exact treatment provided. The notification must be made as soon as practical (within one-half hour of an emergency that occurs during training or racing hours or by 8:00 a.m. on the morning following an emergency which occurred during evening or night hours) and on a form prescribed by the commission. At the request of the commission veterinarian, the veterinarian must provide radiographs, laboratory tests, and results of other diagnostic procedures within 24 hours.

7892.0120 TAKING OF SAMPLES.

Subpart 1. Horses tested.

[For text of items A and B, see Minnesota Rules]

C. Out-of-competition testing for prohibited substances, blood doping agents, gene doping agents, growth hormone, exogenous anabolic steroids, and clenbuterol may be performed at the request and under the direction of the stewards or the commission veterinarian on any horse present on the grounds of a racetrack licensed by the commission or nominated for stakes or specific racing series. Horses to be tested may be selected at random or as otherwise reasonably determined by the stewards or commission veterinarian. Split samples shall be collected in accordance with subpart 5. A positive test shall result in the horse being placed on the commission veterinarian's list under part 7877.0175, subpart 8.

[For text of items D to F, see Minnesota Rules]

[For text of subparts 2 to 6, see Minnesota Rules]

7897.0100 PROHIBITED ACTS.

[For text of subparts 1 to 20, see Minnesota Rules]

Subp. 21. **Pregnant filly or mare.** No filly or mare over ~~150~~ 120 days gestation may be entered to race.

[For text of subparts 22 and 23, see Minnesota Rules]

Subp. 24. **Security and surveillance equipment.** No person shall tamper with or alter in any manner security or surveillance equipment used by the commission or an association without the prior approval of the commission.

7897.0150 DISCIPLINARY PROCEDURES.

[For text of subpart 1, see Minnesota Rules]

Subp. 2. **Penalties imposed by stewards.** The stewards may suspend a license up to ~~90 days~~ one year or impose a

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fine of up to ~~\$5,000~~ \$10,000 in accordance with the schedule of fines in part 7897.0130 or both; in addition, they may order any other appropriate disciplinary or corrective action. The stewards may also make recommendations to the commission for penalties in excess of their authority.

[For text of subparts 3 to 10, see Minnesota Rules]

RENUMBERING INSTRUCTION. Renumber Minnesota Rules, part 7890.0100, subparts 1 to 21, in alphabetical order and change reference numbers in Minnesota Rules, parts 7877.0170, 7890.0110, 7890.0120, and 7890.0160, to agree with renumbered subparts.

Adopted Rules

A rule becomes effective after the requirements of *Minnesota Statutes* §§ 14.05-14.28 have been met and five working days after the rule is published in the *State Register*, unless a later date is required by statutes or specified in the rule. If an adopted rule is identical to its proposed form as previously published, a notice of adoption and a citation to its previous *State Register* publication will be printed. If an adopted rule differs from its proposed form, language which has been deleted will be printed with strikeouts and new language will be underlined. The rule's previous *State Register* publication will be cited.

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.

Department of Health

Adopted Permanent Rules Governing Wells and Borings

The rules proposed and published at State Register, Volume 44, Number 53, pages 1527-1543, June 29, 2020 (44 SR 1527), are adopted with the following modifications:

4725.0100 DEFINITIONS.

Subp. 1a. **Absorption area.** "Absorption area" has the meaning given in part 7080.1100, subpart 2, and includes the area of soil designed to absorb sewage effluent.

4725.0150 INCORPORATIONS BY REFERENCE AND ABBREVIATIONS.

This part indicates documents, specifications, and standards that are incorporated by reference in this chapter. This material is not subject to frequent change and is available from the source listed, for loan or inspection from the Minnesota Department of Health, or through the Minnetex interlibrary loan system. To borrow or inspect a reference, e-mail the Minnesota Department of Health Well Management section at health.wells@state.mn.us, or go to Search Minnesota Department of Health Library and Beyond (www.minnesotadepartmentofhealthlibrary.on.worldcat.org/discovery). The abbreviations listed in parenthesis after the source name are used in this chapter.

E. ~~American Society for Testing and Materials (ASTM) International~~, 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959.

(12) ASTM F876-~~15a~~ F876-20, "Standard Specification for Crosslinked Polyethylene (PEX) Tubing."

(13) ASTM F877-~~11a~~ F877-20, "Standard Specification for Crosslinked Polyethylene (PEX) Hot- and Cold-Water Distribution Systems."

(15) ASTM F1807-19b, "Standard Specification for Metal Insert Fittings Utilizing a Copper Crimp Ring, or

Alternate Stainless Steel Clamps, for SDR9 Cross-linked Polyethylene (PEX) Tubing and SDR9 Polyethylene of Raised Temperature (PE-RT) Tubing.”

(16) ASTM F1960-19a, “Standard Specification for Cold Expansion Fittings with PEX Reinforcing Rings for Use with Cross-linked Polyethylene (PEX) and Polyethylene of Raised Temperature (PE-RT) Tubing.”

(15) (17) ASTM F2080-16 F2080-19, “Standard Specification for Cold-Expansion Fittings with Metal Compression-Sleeves for Crosslinked Polyethylene (PEX) Pipe and SDR9 Polyethylene of Raised Temperature (PE-RT) Pipe.”

(16) (18) ASTM F2620-13 F2620-19, “Standard Practice for Heat Fusion Joining of Polyethylene Pipe and Fittings.”

H. NSF International, 789 Dixboro Road, P.O. Box 130140, Ann Arbor, Michigan 48113.

(2) ANSI/NSF 60-2016 60-2018, “Drinking Water Treatment Chemicals - Health Effects.”

4725.0650 EXPERIENCE REQUIREMENTS; CERTIFIED REPRESENTATIVE AND INDIVIDUAL WELL CONTRACTOR.

Subp. 7a. **Limited well/boring contractor certified representative; bored geothermal heat exchanger.** Anyone applying to be certified as a representative for a limited well/boring contractor licensed to construct, repair, or seal bored geothermal heat exchangers must meet the requirements in item A or B.

A. The applicant must have three years of experience constructing, repairing, and sealing bored geothermal heat exchangers. A year of experience is a year in which the applicant:

(3) worked at least 500 hours designing, constructing, or field supervising the construction, repair, or sealing of bored geothermal heat exchangers.

Experience must be obtained under the supervision of a licensed well contractor or licensed bored geothermal heat exchanger contractor, unless that experience was obtained during directionally drilling bored geothermal heat exchanger systems that were not regulated by this chapter at the time of construction. Experience on unregulated systems ~~shall be counted~~ counts toward an applicant’s experience, whether or not the ~~work experience~~ was done obtained under the supervision of a licensed well contractor or licensed bored geothermal heat exchanger contractor.

4725.1675 CRITERIA FOR CONTINUING EDUCATION.

~~A~~ Continuing education ~~activity~~ must meet the criteria in items A to E for credit to be given.

A. ~~The activity~~ Continuing education must be related to wells or borings, drilling technology, groundwater contamination, health aspects of water quality, groundwater monitoring, geology, hydrology, well or boring construction or sealing, water systems or treatment, geothermal systems, dewatering, or elevator borings, ~~or other subjects approved by the commissioner.~~ Any other continuing education topic must be approved by the commissioner.

4725.1833 BORED GEOTHERMAL HEAT EXCHANGER CONSTRUCTION PERMITS.

This part applies to the construction of bored geothermal heat exchangers, including bored geothermal heat exchanger piping installed in a boring for thermal conductivity testing.

C. The well contractor or bored geothermal heat exchanger contractor must inform the commissioner of the proposed construction starting time 24 hours before starting construction of bored geothermal heat exchanger borings. The information must be reported by telephone, facsimile, electronically, or in person between ~~the hours of~~ 8:00 a.m. and 4:30 p.m., Monday through Friday, excluding holidays.

Adopted Rules

4725.5825 PUBLIC WATER-SUPPLY WELLS.

Subp. 2. **Notification of drilling required.** The licensee must notify the commissioner of the proposed construction starting time of a community or noncommunity public water-supply well 24 hours in advance of beginning construction. The information may be placed on the notification form required in part 4725.1820 or may be reported by telephone, facsimile, or in person. The notification must be made between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, excluding holidays.

4725.7050 BORED GEOTHERMAL HEAT EXCHANGERS.

Subpart 1. **Construction.** A bored geothermal heat exchanger must be constructed according to the construction standards in this part and the general construction standards in parts 4725.2010 to 4725.3875.

A. Bored geothermal heat exchanger piping must be high-density polyethylene or cross-linked polyethylene that meets the following requirements:

(1) for high-density polyethylene:

(c) ~~pipe connections must be made with socket fusion; and butt fusion; or electrofusion joining methods that meet~~ connections must be made in accordance with ASTM Standard F2620-13 or F2620-19, and electrofusion connections must be made in accordance with ASTM Standard F1055-16; and

(d) socket fittings must be manufactured in accordance with ASTM Standard D2683-14;

(2) for cross-linked polyethylene:

(b) ~~pipe must meet ASTM Standard F876-15a and ASTM Standard F877-11a~~ F876-20;

(e) ~~fittings must meet ASTM Standard F1807-19b, ASTM Standard F1960-19a, or ASTM Standard F2080-16, and ASTM Standard F877-20; and~~

(3) high-density polyethylene and cross-linked polyethylene pipe must have a minimum pressure rating of 160 psi at 73 degrees Fahrenheit.

D. Heat transfer fluids must be propylene glycol or ethanol that meets the following requirements:

(2) ~~a propylene glycol with additives, including corrosion inhibitors and dyes, shall be approved by the commissioner if documentation is provided to the commissioner verifying that all ingredients are food grade or USP-grade, and that the product is listed in the NSF White Book™ listing of nonfood compounds~~ must be certified as meeting the NSF Category Code HT1 for heat transfer fluids;

Subp. 3. **Marking locations.** The locations of all buried bored geothermal heat exchanger piping from the point where the pipe loop exits the bore hole to the point where the pipe is exposed above the ground surface or floor of a building must be marked by ~~one of the following methods:~~

Subp. 4. **Separation under buildings.** A bored geothermal heat exchanger boring installed using directional drilling technology that extends under a building or within three feet horizontally of the farthest exterior projection of the building must be located ~~a minimum of at least~~ ten feet below the lowest part of the building, including the foundation and footings. Supply-return piping that is plumbed through the building wall or floor is exempt from this requirement.

Official Notices

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

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

Minnesota Department of Agriculture Pesticide and Fertilizer Management Division Chlorpyrifos Special Registration Review Scoping Document Finalized

NOTICE IS HEREBY GIVEN that public comments have been received and the scoping document for the special registration review of chlorpyrifos has been modified.

The Minnesota Department of Agriculture (MDA) is the lead state agency for pesticide and fertilizer environmental and regulatory functions in Minnesota. In response to a Minnesota Legislative Auditor's report in 2006, the MDA broadened state-level reviews of pesticide registrations in a process called special registration reviews. Special registration reviews result in a greater understanding of potential unreasonable adverse effects of pesticides on the environment or human health in Minnesota and describe a variety of opportunities for state-specific actions. The scope of the reviews varies depending on the potential education, outreach, and enforcement needs identified by the MDA. Previously, the MDA completed in-depth special registration reviews for several pesticides.

Chlorpyrifos is a pesticide widely used in Minnesota to manage a variety of arthropod pests. Chlorpyrifos is also a source of contamination in multiple surface water bodies in Minnesota and can pose a substantial risk to human health and the environment. As of June 2020, 13 surface water bodies in Minnesota were proposed for designation by the Minnesota Pollution Control Agency (MPCA) or designated as impaired by the EPA due to chlorpyrifos water quality standard violations. In 2012, the Commissioner of Agriculture designated chlorpyrifos as a "surface water pesticide of concern." Chlorpyrifos exposure can lead to acetylcholinesterase (AChE) inhibition and neurodevelopmental effects in humans. Thus, the Commissioner of Agriculture has directed the Pesticide and Fertilizer Management Division to conduct an in-depth special registration review of chlorpyrifos.

A draft scoping document was written in collaboration with the MPCA, Minnesota Department of Health, and the University of Minnesota to define the focus and topics for consideration of the special registration review. This document was made available for a 60-day public comment period (from July 20 to September 17, 2020). The MDA received responses from 11 groups or individuals. Comments were thoroughly reviewed, and minor revisions were made to the scoping document. The revised scoping document will be used to guide the review. The revised, final, scoping document and the MDA's response to comments can be found here on the MDA's website (www.mda.state.mn.us/pesticide-special-registration-reviews).

Questions regarding the chlorpyrifos special registration review may be sent by email to:

Theresa Cira (Theresa.Cira@state.mn.us), or
Raj Mann (Rajinder.Mann@state.mn.us)
MDA Pesticide and Fertilizer Management Division

Official Notices

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

The Minnesota State Agricultural Society board of managers will meet at 10 a.m. Tuesday, March 16 virtually via a Zoom conference call. The session will be a general business meeting. The Society is the governing body of the Minnesota State Fair. Please email fairinfo@mnstatefair.org with questions.

The 2021 Minnesota State Fair runs Aug. 26 - Labor Day, Sept. 6.

Department of Human Services

Child Care Services Division

Notice of Public Hearings for 2022-2024 Federal Child Care and Development Fund (CCDF) Plan

The State of Minnesota invites input and feedback on the proposed 2022-2024 Child Care and Development Fund Plan. The plan describes how state and federal funds will be used to improve the quality of child care and development and help families with low incomes access care for their children. There are several ways to learn more about Minnesota's proposed Child Care and Development Fund Plan and provide feedback.

On April 20 and 22, 2021, the state will hold public hearings on the Child Care and Development Fund Plan in a virtual format via WebEx. Both hearings will be recorded, and the recordings will be posted on the department's public website by **April 26, 2021**. They will remain available online for 60 consecutive days.

Minnesota Department of Human Services public website:

Information about the Child Care and Development Fund Plan is found at: *Child Care and Development Fund Plan Website*

Public hearing dates and location:

Tuesday, April 20, 2021, from 9 a.m. to noon; via WebEx

Thursday, April 22, 2021, from 6:00 p.m. to 9:00 p.m.; via WebEx

WebEx links for both dates will be published to the public website on **April 19, 2021**.

The Minnesota Department of Human Services will post the proposed 2022-2024 Child Care and Development Fund Plan on the Minnesota Department of Human Services website (link above) by April 6, 2021. The department will continue to accept comments and feedback on the proposed plan until close of business on June 7, 2021.

Comments and questions about the proposed plan may be emailed to dhs.CCDFPlan@state.mn.us or mailed to CCDF Plan Public Comments, Child Development Services, Minnesota Department of Human Services; P.O. Box 64962; Saint Paul, MN 55164-0962. Hard copies of the CCDF Plan can be obtained by calling Cindy Schneider at 651-431-3864 or cindy.schneider@state.mn.us.

The state will consider any comments from individuals or groups received in writing or at public hearings. The 2022-2024 CCDF Plan will be submitted to the U.S. Administration for Children and Families no later than June 30, 2021.

Department of Transportation (MnDOT)

Modal Planning and Program Management Division Office of Transportation System Management

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

NOTICE IS HEREBY GIVEN that the public is invited to review and provide comments through April 29 on the revised Public Participation Plan for the Statewide Multimodal Transportation Plan. The Statewide Multimodal Transportation Plan provides policy guidance for all modes of travel and for all transportation partners. The SMTP shares objectives, performance measures and strategies for transportation decisions over the next two decades. Following the Statewide Multimodal Transportation Plan, updates to MnDOT's plans for highways, rail, aviation, transit, freight and non-motorized transportation (walking, bicycling and rolling) answer what the Minnesota GO vision and the Statewide Multimodal Transportation Plan mean for each type of transportation.

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

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

Written comments will be accepted through April 29 and should be addressed to:

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

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

State Grants & Loans

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

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

Department of Employment and Economic Development (DEED)

Notice of Grant Opportunity

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

State Grants & Loans

Department of Human Services

State Operated Community Services Division

Notice of Request for Information about Home and Community Based Service agencies Interested in Providing Services at Licensed Community Residential Settings Located throughout the State of Minnesota

The Minnesota Department of Human Services (DHS or State) is requesting proposals to solicit interest from Home and Community Based Service (HCBS) agencies interested in providing services at licensed Community Residential Settings (CRS) located throughout the State of Minnesota.

For more information contact:

Cassandra Birkeland, Project Manager
Department of Human Services
Community Based Services
3200 Labore Rd, Suite 104
Vadnais Heights, MN 55110
Phone: (651) 238-8351
cassandra.birkeland@state.mn.us

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

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

Proposals submitted in response to this Request for Information (RFI) must be received through our online application portal at listed in the RFI no later than **4:00 p.m., Central Time, on Friday, April 23, 2021. Late proposals will not be considered.** Proposals received via other methods will not be considered.

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

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

State Contracts

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

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

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

Department of Administration

Notice of Availability of Request for Proposal (RFP) for Designer Selection for: University of Minnesota Duluth (UMD) Science Building Renewal Project (SDSB Project # 21-04)

The State of Minnesota, acting through University of Minnesota, through the State Designer Selection Board, is soliciting proposals from interested, qualified consultants for architectural and engineering design services for the above referenced project.

A full Request for Proposals is available on the Minnesota Department of Administration's website at <https://mn.gov/admin/government/construction-projects/sdsb/projects/> (click SDSB Project #21-04).

A mandatory informational meeting is scheduled for **Monday, March 15, 2021 at 1:00pm CT at the Darland Administration Building Lobby (1049 University Drive, Duluth, Mn. 55812)**. The meeting will include a tour of the proposed project areas. *Due to the ongoing COVID 19 pandemic, facemasks must be worn for the entirety of the on-site walkthrough and please follow recommended safety protocols as outlined by CDC Guidelines.*

Any questions should be directed to **Amanda Aspenson** at aspenson@umn.edu. Project questions will be taken by this individual only. Questions regarding this RFP must be received by **Friday, March 19, 2021 no later than 12:00pm Central Time**.

Proposals must be delivered to SDSB.Proposals.ADM@state.mn.us not later than **Monday March 29, by 12:00 noon CT**. Late responses will not be considered.

The University of Minnesota is not obligated to complete the proposed project and reserves the right to cancel the solicitation if it is considered to be in its best interest.

Department of Administration

Notice of Availability of Request for Proposal (RFP) for Designer Selection for: Construction of Minnesota Military and Veteran Museum, Little Falls, MN (DMA Project No. 21135) (SDSB Project # 21-05)

The State of Minnesota, acting through Department of Military Affairs through the State Designer Selection Board, is soliciting proposals from interested, qualified consultants for architectural and engineering design services for the above

State Contracts

referenced project.

A full Request for Proposals is available on the Minnesota Department of Administration's website at <https://mn.gov/admin/government/construction-projects/sdsb/projects/> (click SDSB Project #21-05).

A **NON-Mandatory** informational meeting will be held on **March 17, 2021 at 1:00pm CT** at the Town Hall, Camp Ripley, Little Falls, Minnesota. The meeting will include a tour of the proposed project areas and a review of the scope of work.

The Project Informational meeting format will adhere to social distancing and other guidance provided by the Minnesota Department of Health (MDH) and Centers for Disease Control and Prevention (CDC) in an effort to reduce the spread of COVID-19. www.health.state.mn.us/diseases/coronavirus/index.html. Face coverings are required per Executive Order 20-81. Attendees are responsible to bring their own face coverings. Prospective attendees exhibiting any cold or flu-like symptoms are asked not to attend.

Any questions should be directed to Justin Skoglund at Justin.a.Skoglund2.nfg@mail.mn. Project questions will be taken by this individual only. Questions regarding this RFP must be received by **March 19, 2021, no later than 4:30pm Central Time**.

Proposals must be delivered to SDSB.Proposals.ADM@state.mn.us not later than **Monday, March 29, 2021, by 12:00 noon CT**. Late responses will not be considered.

Department of Military Affairs is not obligated to complete the proposed project and reserves the right to cancel the solicitation if it is considered to be in its best interest.

Department of Administration

MMCAP Infuse

Notice of Request for Proposals for Invoice Auditing Services

MMCAP Infuse, is requesting proposals from vendors for **Invoice Auditing Services**. MMCAP Infuse is a government-run healthcare product and service group purchasing organization serving governmental entities.

For more information on MMCAP Infuse visit <https://infuse-mn.gov/>

To obtain a copy of the RFP go to <https://infuse-mn.gov/partners/suppliersandrfps/openrfp.jsp>

Proposals submitted in response to the Request for Proposals in this notice must be received according to the specifications in the Request for Proposal. **RFP Due Date is April 16, 2021, 2:00 p.m. Central Time**.

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 State Colleges and Universities (Minnesota State)

Non-Construction Related Bid and Contracting Opportunities

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

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

Minnesota State Colleges and Universities (Minnesota State)

Lake Superior College

Request for Bid for Telephone System Upgrades

NOTICE IS HEREBY GIVEN that bids are being solicited for upgrades to the telephone system at Lake Superior College.

For additional information or to request a copy of the Request for Bid, please contact:

Mike Francisco, Purchasing
Lake Superior College
2101 Trinity Road, Duluth MN 55811
P: 218-733-5968 E: purchasing@lsc.edu

The RFB can also be found at <https://www.lsc.edu/rfp/>. Proposals are due at the Lake Superior College Business Office by 12:00pm CT on Friday, March 19th, 2021.

This notice and the Request for Bid do not obligate the State of Minnesota, Minnesota State Colleges and Universities or Lake Superior College to award a contract; and reserves its right to withdraw from the RFB if it is considered to be in its best interest.

Minnesota State Colleges and Universities (Minnesota State)

Winona State University

Request for Qualifications for Designer Selection for Comprehensive Resiliency Plan

The State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities, on behalf of Winona State University, Winona, Minnesota, is seeking a consulting team to assist the university in creating a resilience plan that addresses the future of learning and provides a comprehensive, integrated framework for an equitable, carbon positive, and regenerative campus. The planning process will create a living plan with a dynamic, future-focused platform and engaging user interface, rather than a traditional static document. The services for this RFQ will validate the campus strategic initiatives, examine the future of learning, align the operational approach, and define the equitable, inclusive, resilient, carbon positive, regenerative facilities required to make the plan's aspirations a reality.

A full Request for Qualifications (RFQ) is available on the Minnesota State website, <https://www.minnstate.edu/vendors/index.html>, under Facilities Opportunities.

A mandatory virtual informational meeting is scheduled for 10:00 AM, Tuesday, March 16, 2021. All firms interested in this meeting should contact the Campus Project Manager, Nathan Engstrom, Campus Sustainability Director at nengstrom@winona.edu to confirm attendance and obtain the virtual meeting login information.

Proposals must be received electronically through QuestCDN, per instructions included in the RFQ, not later than 2:00 PM, Friday, April 9, 2021. Late responses will not be considered.

Minnesota State Colleges and Universities is not obligated to complete the proposed project and reserves the right to cancel the solicitation if it is considered to be in its' best interest.

Department of Corrections

Notice of Contract Opportunity for Crisis Intervention Team (CIT) Training

PROJECT NAME: Crisis Intervention Team ("CIT") Training

DETAILS: ON Monday, March 15, 2021 the Minnesota Department of Corrections will be requesting proposals for the purpose of building on an existing CIT program in order to enhance security responses to incidents involving incarcerated people in crisis and/or with significant mental illnesses by training DOC staff in crisis intervention techniques.

State Contracts

Work is anticipated to start on or after July 1, 2021.

COPY REQUEST: To receive a copy of the Request for Proposals, please send a written request by email on or after **March 15, 2021** to christen.donley@state.mn.us or follow this link: <https://mn.gov/doc/staff-partners/doing-business-doc/request-proposals/>

PROPOSAL DEADLINE: Proposals in response to the Request for Proposals in this advertisement must be received via email not later than **4:30 pm, Central Time, Monday, April 26, 2021. Late proposals will not be considered.** Fax or mailed proposals will not be considered.

This request does not obligate the State of Minnesota to award a contract or complete the proposed program, and the State reserves the right to cancel this solicitation if it is considered in its best interest. All costs incurred in responding to this solicitation will be borne by the responder.

Department of Corrections

Notice of Contract Opportunity for Project Coordinator for the Minnesota Juvenile Justice and Mental Health Collaboration Program

PROJECT NAME: Project Coordinator for the Minnesota Juvenile Justice and Mental Health Collaboration Program.

DETAILS: The Juvenile Justice Reform Unit of Department of Corrections requests proposals for a contracted position of one full time Project Coordinator for the Minnesota Juvenile Justice and Mental Health Collaboration Program. The Project Coordinator will report to the Director of Juvenile Justice Reform on at least a weekly basis.

The Project Coordinator is responsible for planning, coordinating, and implementing the Minnesota Juvenile Justice and Mental Health Collaboration Program (MJJMHCPC). MJJMHCPC is an interagency and cross-system collaboration to improve responses and outcomes for youth with mental illness (MI) or co-occurring MI and substance abuse (CMISA) who encounter the juvenile justice system.

The goal of this program, through the work of the Program Coordinator is to support public safety efforts through partnerships with juvenile justice, mental health, and substance abuse agencies to enhance responses to justice-involved youth with MI and CMISA.

Work is anticipated to start on, or after, June 1, 2021

COPY REQUEST: To get a copy of the Request for Proposals, please send a written request, by email to jana.carr-weerts@state.mn.us or follow this link: <https://mn.gov/doc/staff-partners/doing-business-doc/request-proposals/>

PROPOSAL DEADLINE: Proposals submitted in response to the Request for Proposals in this advertisement must be received **via email** no later than **4:30 p.m. Central Standard Time, Monday, April 19, 2021. Proposals must be sent electronically, as mailed copies will not be accepted. Late 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.

Department of Health (MDH)

Request for Proposals for Technical Assistance for Implementation of Quasi-Experimental Design for Evaluation of Community Health Initiatives

DETAILS: The MDH Office of Statewide Health Improvement Initiatives (OSHII) seeks proposals for assistance in development of quasi-experimental evaluation design of a statewide community health program, the Statewide Health Improvement Partnership (SHIP) (<https://www.health.state.mn.us/ship>). By quasi-experimental designs, we mean

studies that examine the impact of interventions where intervention assignment is non-random. Work is anticipated to begin on as soon as possible upon a fully executed contract and completed by June 30, 2021.

COPY REQUEST: To receive a copy of the RFP, please send a request by email to the Office of Statewide Health Improvement Initiatives, Evaluation and Surveillance Unit, at: health.SHIP.eval@state.mn.us

PROPOSAL DEADLINE: Proposals in response to this RFP must be received by email not later than **3:30 p.m. Central Time, April 6, 2021**. Late proposals will not be considered. Faxed or mailed proposals will not be considered.

This request does not obligate the State of Minnesota to award a contract or complete the proposed program, and the State reserves the right to cancel this solicitation if it is considered in its best interest. All costs incurred in responding to this solicitation will be borne by the responder.

Minnesota Housing Request for Proposals for Quality Control Audit Software

Minnesota Housing requests proposals from vendors experienced in providing technology solutions for auditing mortgage loans. Minnesota Housing's Single-Family Division delivers over \$1 Billion in annual loan production reaching over 7,400 households across the state. A Quality Control Audit Software solution will be utilized by the Agency to help ensure compliance with applicable statutes, regulations, laws, and guidelines across our home mortgage programs, including down-payment assistance loans, affordable first mortgage loans, home improvement loans, and community development loans.

Proposals are due to Minnesota Housing on Thursday, April 15, 2021, no later than 12:00 p.m. (noon) CDT.

Product or Result:

A Quality Control Audit Solution that will efficiently and effectively manage a systematic review of mortgage lending activities and meet the Agency's business need to standardize processes, securely transfer documents and data, centralize communications, report results, set workflow automation, and provide security and administrative capabilities.

The Request for Proposal is available on Minnesota Housing's website at: www.mnhousing.gov

Questions about the Request for Proposal should be directed to:

Ben Landwehr
651.215.3961
ben.landwehr@state.mn.us

Minnesota Judicial Branch 9th Judicial District Request for Proposal – Chairs

The Ninth Judicial District, of the Minnesota Judicial Branch (MJB), is using a competitive selection process to obtain a list of vendors to provide specified chairs in various counties throughout the District.

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, via email, and received by the MJB no later than 4:00 pm CST, 03/22/2021. The proposals must be delivered to: wade.young@courts.state.mn.us

A complete copy of the Request for Proposal may be found on the Minnesota Judicial Branch website (found at: Get Connected/Public Notices/Request for Proposals) at www.mncourts.gov.

State Contracts

Minnesota Lottery

Request for Proposals for Event Booth Components/Updates - Remodel

Project Name: Event Booth Components RFP

Details: The Minnesota Lottery owns a custom built booth that is used during the State Fair and other events during the year to promote and advertise lottery games. The booth includes kiosks that are used to display information for the public, scratching posts for lottery players to use the countertops to scratch tickets and fill-out entry forms, and counters that are used to sell Lottery tickets. These components of our booth have been used for multiple years and events creating wear and tear. Instead of replacing each item we would like to request repairs and updates to the existing components.

Work is anticipated to start after April 12, 2021.

Copy Request: To receive a copy of the Request for Proposals, please send a written request by email to:

Kolby Sabrina
Buyer
purchasing@mnlottery.com

Proposal Deadline: Proposals in response to the Request for Proposals in this advertisement must be received via email to *purchasing@mnlottery.com* not later than 2 pm, Central Time, 4/6/21.

Late proposals will not be considered.

This request does not obligate the State of Minnesota to award a contract or complete the proposed program, and the State reserves the right to cancel this solicitation if it is considered in its best interest. All costs incurred in responding to this solicitation will be borne by the responder.

Minnesota Department of Transportation (MnDOT)

Engineering Services Division

Notices Regarding Professional/Technical (P/T) Contracting

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

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

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

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

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

Non-State Public Bids, Contracts & Grants

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

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

Metropolitan Airports Commission (MAC) Notice of Call for Bids for 2021 Miscellaneous Airfield Construction

Project Location: Minneapolis-St. Paul International Airport
Project Name: 2021 Miscellaneous Airfield Construction
MAC Contract No. 106-1-318
Bids Close At: 2:00 PM on April 13, 2021

Notice to Contractors: Sealed bid proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040 28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated. This project provides for grading and drainage improvements for a portion of Runway 17-35 and the removal and installation of airfield pavement markings. Site work includes traffic control and airport security; grading and drainage improvements; erosion control and turf establishment; and pavement marking.

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

Disadvantaged Business Enterprises (DBE): The goal of the MAC for the utilization of Disadvantaged Business Enterprises (DBE) on this project is 10%.

Bid Security: Each bid shall be accompanied by a "Bid-Security" in the form of a certified check made payable to the MAC in the amount of not less than five percent (5%) of the total bid, or a surety bond in the same amount, running to the MAC, with the surety company thereon duly authorized to do business in the State of Minnesota.

Availability of Construction Documents: Plans and specifications are on file for inspection at the office of TKDA, the Minnesota Builders Exchange, Dodge Data and Analytics, and NAMC-UM Plan Room. Digital copies of the drawings and specifications will also be available at www.questcdn.com. Documents may be downloaded for a non-refundable fee of \$50.00 by entering Quest Project No. 7625035 on the Project Search page. Please contact QuestCDN at (952) 233-1632 or info@questcdn.com for assistance and free membership registration. Hard copy drawings and specifications will not be made available to Bidders.

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids for this project will be available on March 15, 2021, at MAC's web address of <http://www.metroairports.org/airport-authority/business-opportunities/solicitations> (construction bids).

Non-State Public Bids, Contracts & Grants ==

Metropolitan Airports Commission (MAC)

Notice of Call for Bids for 2021 Runway 14/32 Replacement – Phase 3

Airport Location: Lake Elmo Airport
Project Name: 2021 Runway 14/32 Replacement – Phase 3
MAC Contract No.: 111-1-034
Bids Close At: 2:00 pm on April 13, 2021

Notice to Contractors: Sealed Bid Proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040-28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated. Major Work Items Include: Pavement removal, excavation and embankment, grading, geotextile fabric, granular borrow, P 208 aggregate base, P-401 bituminous pavement, culvert pipe installation, storm pond grading and mechanical evaporator installation, pavement markings, runway and taxiway lighting, airfield signage, precision approach path indicator (PAPI) installation, runway end identifier lights (REIL) installation, electrical vault building, and turf establishment.

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

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

Bid Security: Each bid shall be accompanied by a "Bid Security" in the form of a certified check made payable to the MAC in the amount of not less than five percent (5%) of the total bid, or a surety bond in the same amount, running to the MAC, with the surety company thereon duly authorized to do business in the State of Minnesota

Availability of Construction Documents: Plans and specifications are on file for inspection at the Minnesota Builders Exchange; Dodge Data and Analytics; and NAMC-UM Plan Room. Digital image copies of the Bidding Documents are available at <http://www.sehinc.com> for a fee of \$30. These documents may be downloaded by selecting this project from the PROJECT BID INFORMATION link and by entering eBidDocTM Number 7470425 on the SEARCH PROJECTS page. For assistance and free membership registration, contact QuestCDN at 952.233.1632 or info@questcdn.com. In addition to digital plans, Paper copies of the Bidding Documents may be obtained from Docunet Corp. located at 2435 Xenium Lane North, Plymouth, MN 55441 (763.475.9600) for a fee of \$125.

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids for this project will be available on March 15, 2021, at MAC's web address of <http://www.metroairports.org/airport-authority/business-opportunities/solicitations> (construction bids).

Metropolitan Airports Commission (MAC)

Notice of Call for Bids for 2021 Taxilanes Pavement Reconstruction

Airport Location: Anoka County – Blaine Airport
Project Name: 2021 Taxilanes Pavement Reconstruction
MAC Contract No.: 110-1-052
Bids Close At: 2:00 pm. on April 13, 2021

Notice to Contractors: Sealed Bid Proposals for the project listed above will be received by the MAC, a public corporation, at the office thereof located at 6040-28th Avenue South, Minneapolis, Minnesota 55450, until the date and hour indicated. Major Work Items Include: Pavement removal, excavation, geotextile fabric, P-208 aggregate base, P-401 bituminous pavement, pavement marking, casting adjustment and turf restoration.

Note: You can sign up on our Web site (www.metroairports.org) to receive email notifications of new business

— Non-State Public Bids, Contracts & Grants

opportunities or go directly to *MAC's E-News Subscription Service* and choose this and other topics about which you are interested.

Targeted Group Businesses (TGB): The goal of the MAC for the utilization of Targeted Group Businesses on this project is 13%.

Bid Security: Each bid shall be accompanied by a "Bid Security" in the form of a certified check made payable to the MAC in the amount of not less than five percent (5%) of the total bid, or a surety bond in the same amount, running to the MAC, with the surety company thereon duly authorized to do business in the State of Minnesota.

Availability of Construction Documents: Plans and specifications are on file for inspection at the Minnesota Builders Exchange; Dodge Data and Analytics; and NAMC-UM Plan Room.

Digital image copies of the Bidding Documents are available at <http://www.sehinc.com> for a fee of \$30. These documents may be downloaded by selecting this project from the PROJECT BID INFORMATION link and by entering eBidDocTM Number 7582660 on the SEARCH PROJECTS page. For assistance and free membership registration, contact QuestCDN at 952.233.1632 or info@questcdn.com. In addition to digital plans, Paper copies of the Bidding Documents may be obtained from Docunet Corp. located at 2435 Xenium Lane North, Plymouth, MN 55441 (763.475.9600) for a fee of \$125.

MAC Internet Access of Additional Information: A comprehensive Notice of Call for Bids for this project will be available on March 15, 2021, at MAC's web address of <http://www.metroairports.org/airport-authority/business-opportunities/solicitations> (construction bids).

