

State of Minnesota

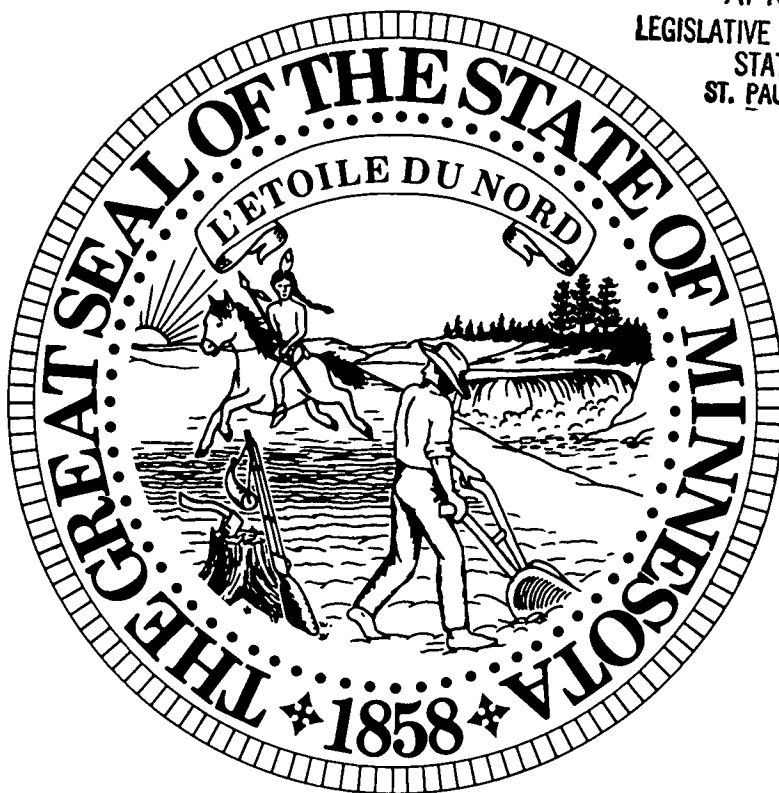
STATE REGISTER

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Department of Administration—Documents Division

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STATE REGISTER

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

The *State Register* is the official publication of the State of Minnesota, containing executive orders of the governor, proposed and adopted rules of state agencies, official notices to the public, state and non-state public contracts, grants, supreme court and tax court decisions, and a monthly calendar of cases to be heard by the state supreme court.

Volume 12 Printing Schedule and Submission Deadlines

Vol. 12 Issue Number	*Submission deadline for Executive Orders, Adopted Rules and **Proposed Rules	*Submission deadline for State Contract Notices and other **Official Notices	Issue Date
42	Monday 4 April	Monday 11 April	Monday 18 April
43	Monday 11 April	Monday 18 April	Monday 25 April
44	Monday 18 April	Monday 25 April	Monday 2 May
45	Monday 25 April	Monday 2 May	Monday 9 May

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

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

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

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

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**Sandra J. Hale, Commissioner
Department of Administration**

**Stephen A. Ordahl, Director
Minnesota Documents Division**

Robin PanLener, Editor

Paul Hoffman, Assistant Editor

Debbie Kobold, Circulation Manager

Bonita Karels, Staff Assistant

FOR LEGISLATIVE NEWS

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

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

Perspectives—Publication about the Senate.

Session Review—Summarizes actions of the Minnesota Senate.

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

HOUSE

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

This Week—weekly interim bulletin of the House.

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

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

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

The *State Register* is the official source, and only complete listing, for all state agency rulemaking in its various stages. State agencies are required to publish notice of their rulemaking action in the *State Register*. Published every Monday, the *State Register* makes it easy to follow and participate in the important rulemaking process. Approximately 75 state agencies have the authority to issue rules. Each agency is assigned specific *Minnesota Rule* chapter numbers. Every odd-numbered year the *Minnesota Rules* are published. This is a ten-volume bound collection of all adopted rules in effect at the time. Supplements are published to update this set of rules. Proposed and adopted emergency rules do not appear in this set because of their short-term nature, but are published in the *State Register*.

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

The *State Register* features partial and cumulative listings of rules in this section on the following schedule: issues 1-13 inclusive; issues 14-25 inclusive; issue 26, cumulative for issues 1-26; issues 27-38 inclusive; issue 39, cumulative for 1-39; issues 40-51 inclusive; and issue 52, cumulative for 1-52. An annual subject matter index for rules appears in August. For copies of the *State Register*, a subscription, the annual index, the *Minnesota Rules* or the *Minnesota Guidebook to State Agency Services*, contact the Minnesota Documents Division, 117 University Avenue, St. Paul, MN 55155 (612) 297-3000 or toll-free in Minnesota 1-800-652-9747 and ask for "Documents."

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Proposed Rules

Pursuant to Minn. Stat. of 1982, §§ 14.22, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing, as long as the agency determines that the rules will be noncontroversial in nature. The agency must first publish a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register*. The notice must advise the public:

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

If, during the 30-day comment period, 25 or more persons submit to the agency a written request for a hearing of the proposed rules, the agency must proceed under the provisions of §§ 14.14-14.20, which state that if an agency decides to hold a public hearing, it must publish a notice of intent in the *State Register*.

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

Department of Agriculture

Proposed Permanent Rules Relating to Pesticide Chemigation Safety

Notice of Intent to Adopt a Rule Without a Public Hearing

Notice is hereby given that the Minnesota Department of Agriculture intends to adopt the above-entitled rule without a public hearing, following the procedures set forth in the Administrative Procedures Act for adopting rules without a public hearing in *Minnesota Statutes*, Sections 14.22-14.28. The statutory authority to adopt this rule is *Minnesota Statutes*, Section 18B.08.

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

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

Comments or written requests for a public hearing must be submitted to: Carol Milligan, Minnesota Department of Agriculture, 90 West Plato Boulevard, St. Paul, MN 55107, (612) 296-6906.

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

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

A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rule has been prepared and is available upon request from Ms. Milligan.

The proposed rule applies to and would have an impact on farms that chemigate and are small businesses as defined by *Minnesota Statutes* section 14.115. The proposed rule is necessary to ensure groundwater protection during chemigation and must apply to large or small businesses.

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

Dated: 23 February 1988

Jim Nichols, Commissioner
Department of Agriculture

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

Proposed Rules

Rules as Proposed (all new material)

1505.2000 DEFINITIONS.

Subpart 1. **Scope.** The definitions in this part and Minnesota Statutes, section 18B.01 apply to parts 1505.2000 to 1505.2070.

Subp. 2. **Anti-pollution device.** "Anti-pollution device" means mechanical equipment used to reduce the hazard to the environment because of chemigation and includes, but is not limited to, interlock, check valve, flow interrupter, vacuum relief device, automatic low pressure drain, and reduced pressure zone backflow preventer.

Subp. 3. **Automatic low pressure drain valve.** "Automatic low pressure drain valve" means a self-activating device effectively designed and constructed to drain that portion of an irrigation pipeline or conduit whose contents could potentially enter the water supply when operation of the irrigation system pumping plant fails or is shut down.

Subp. 4. **Calibration device.** "Calibration device" means equipment designed to determine the rate of chemical injection into the irrigation system.

Subp. 5. **Check valve.** "Check valve" means a device effectively designed and constructed to provide a positive (absolute) closure of an irrigation pipeline or conduit or pesticide injection line that effectively prohibits the flow of material or liquid in the opposite direction from that desired when operation of the irrigation system pumping plant or pesticide injection unit fails or is shut down.

Subp. 6. **Chemigation.** "Chemigation" means the process of applying pesticides to land or crops including, but not limited to, agricultural, nursery, turf, golf course, or greenhouse sites in or with irrigation water obtained from any source of ground or surface water during the irrigation process.

Subp. 7. **Chemigation system.** "Chemigation system" means a device or combination of devices having a hose, pipe, or other conduit that connects directly to a source of ground or surface water, through which a mixture of water and pesticides are drawn and applied to land, crops, or plants. The term does not include a hand-held, hose-end sprayer or other similar device that is constructed so that an interruption of water flow automatically prevents or precludes backflow to the water source.

Subp. 8. **Flow interrupter.** "Flow interrupter" means a device effectively designed and constructed to provide positive (absolute) interruption or secession of material or liquid flow in either direction upon pesticide injection unit shutdown or failure.

Subp. 9. **Injection unit.** "Injection unit" means a chemical metering pump or device that withdraws the pesticide from a supply tank and injects the pesticide into the irrigation system during a chemigation operation and that is effectively designed and built of materials that are compatible with the pesticide and capable of being interlocked with the irrigation system.

Subp. 10. **Interlock.** "Interlock" means the arrangement or interconnection of irrigation pumps and pesticide injection units, other pumps, or supply tanks so that in the event of a component malfunction or failure, shutdown of all pumps will occur.

Subp. 11. **Irrigation.** "Irrigation" means the act of supplying water to land, crops, or plants by means of pipes, hoses, sprinklers, drippers, ditches, furrows, or other devices that are connected directly to a source of ground or surface water.

Subp. 12. **Operating chemigation equipment.** "Operating chemigation equipment" includes, but is not limited to:

- A. preparing the solution and filling the pesticide supply container;
- B. calibrating injection equipment;
- C. starting and stopping equipment when injection of chemicals is involved; and
- D. supervising the chemigation equipment to assure its safe operation.

Subp. 13. **Reduced pressure zone backflow preventer.** "Reduced pressure zone backflow preventer" means a device designed to prevent backflow consisting of two spring-loaded check valves with an intermediate reduced pressure zone that drains to the atmosphere by a relief valve, with a reduced pressure maintained in the intermediate zone by means of a pressure differential valve.

Subp. 14. **Supervision.** "Supervision" means the direct management of the chemigating system during its operation when chemicals are being applied.

Subp. 15. **Vacuum relief valve.** "Vacuum relief valve" means a device effectively designed and built to automatically relieve or break vacuum in an irrigation pipeline or conduit due to system failure or shutdown.

Subp. 16. **Water supply.** "Water supply" means a source of water that is connected to a single irrigation system such as a single well, group of wells, dug pit, lake, river, stream, or public water supply system.

1505.2010 REGISTRATION.

Subpart 1. **Permit required.** An owner or operator of a chemigation system shall obtain a chemigation permit before applying pesticides through the irrigation equipment. The commissioner has 45 days to review and approve the application or advise the applicant in writing of an unsatisfactory review and detail all necessary revisions.

Subp. 2. **Application.** An applicant for a chemigation permit shall submit an application on forms supplied by the commissioner. The application must include, but is not limited to:

- A. the name, address, private applicator certification number, and telephone number of the owner or operator to whom a permit is to be issued;
- B. a diagram or description for the irrigation system showing the use of anti-pollution devices;
- C. a diagram showing devices and practices for preventing surface runoff and handling accumulations due to runoff;
- D. a plan for use of containment relating to pesticide storage sites and supply tanks at the chemigation site, to be reviewed and approved by the commissioner;
- E. the number and location, by legal description, of well heads that may be involved in the chemigation process, the location of surface water supply withdrawal points, and the location of the public water supply;
- F. a copy of the owner's or operator's Department of Natural Resources water appropriation permit; and
- G. a time table for the routine inspection planned for the chemigation system.

Subp. 3. **Permit term; fee.** The application fee for an initial chemigation user's permit established by Minnesota Statutes, section 18B.08, subdivision 4, must be submitted with the initial application. A chemigation user's permit must be renewed each year upon completing an application form and an "annual use report" form provided by the commissioner. Prior to changing any part of the permitted system, a revised application form must be submitted. The commissioner shall have 45 days to review and approve or deny the application.

Subp. 4. **Expedited initial conditional permit.** An owner or operator of a chemigation system wishing to expedite the chemigation initial permit process shall submit an application for a conditional permit on forms provided by the commissioner and include the initial fee required by Minnesota Statutes, section 18B.08, subdivision 4. The owner or operator shall also include with the application a letter describing the need for expediting the permit. The commissioner has five business days in which to review and approve or deny the conditional permit. The conditional permit is valid for 40 days after which the commissioner shall issue or deny a full year chemigation user's permit.

1505.2020 ANTI-POLLUTION DEVICES AND PROCEDURES.

Subpart 1. Chemigation through irrigation systems.

A. Pesticides may be used through irrigation systems not connected to public water supply systems for chemigation purposes, if the pesticide is labeled for this method of application.

B. Pesticides may be used through irrigation systems connected to a public water supply system if the pesticide is labeled for this method of application.

C. All chemigation systems must be calibrated to deliver labeled rates and must be fitted with functional anti-pollution devices as detailed in subpart 4 that prevent the backflow of pesticides or pesticide-water mixtures into water supplies during times of irrigation system failure or equipment shutdown.

Subp. 2. **Pesticide supply tank.** A pesticide supply tank used to supply the injection system for a single injection during chemigation may be located no closer than 15 feet from the irrigation water supply, such as a well head, unless positioned in an approved containment unit. Pesticide preparation or filling areas and pesticide storage sites may not be located within 150 feet of the water supply. The chemical injection point must be located down line from all anti-pollution devices located in the supply pipeline.

Subp. 3. **Storage; supply; containment.** Pesticide storage sites in use longer than three months at the chemigation site and any pesticide supply container used in conjunction with the chemigation system must be provided with a means of containment that will prevent unreasonable adverse effects on the environment in the event of a spill or leak. Containment capacity must be 125 percent of the supply container. Materials used for containment must be compatible with the pesticide stored in them.

Subp. 4. **Anti-pollution devices; valves.** Anti-pollution devices and valves for irrigation systems used for chemigation purposes must be designed and built of materials suitable for those purposes, including compatibility, and must be kept functional during chemigation application. The devices must comply with items A to H, and may be installed as portable devices for use on other registered chemigation or irrigation systems. Portable devices are not allowed for use for systems connected to public water supply systems.

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Proposed Rules

A. A reduced pressure zone backflow preventer or two check valves in series must be provided for systems not connected to a public water supply. The device must be located in the irrigation system supply pipeline between the irrigation system supply pump and the point of injection of the pesticide. If two check valves are used, each check valve must be immediately preceded in the system by a vacuum relief valve and an automatic low pressure drain valve. Check valves, when installed, must be level, except that a deviation of not more than ten degrees from the horizontal is permitted.

B. A reduced pressure zone backflow preventer must be provided for chemigation systems connected to a public water supply. The reduced pressure zone backflow preventer must be located in the irrigation supply line between the irrigation system supply pump and the point of injection of the pesticide.

(1) A reduced pressure zone backflow preventer must be certified by a recognized testing laboratory acceptable to the commissioner. The commissioner shall keep a list of acceptable testing laboratories and manufacturers models.

(2) A check valve must be of heavy duty construction with all materials, including internal parts, resistant to corrosion or protected to resist corrosion. It must be quick-closing by spring action and tight-sealing so that no leakage occurs at joints or the valve seat when subjected to an internal hydrostatic pressure test of at least two times the rated manufacturer's working pressure of the valve for one minute, and when subjected to an internal hydrostatic pressure equivalent to the head of a column of water five feet high retained within the downstream portion of the valve body for 16 hours, as evidenced by independent laboratory testing.

Check valves must be of a manufacturer and model specifically approved by the commissioner for use in chemigation systems. A check valve of a type that has not received prior approval by the commissioner may not be used until its adequacy has been demonstrated to the satisfaction of the commissioner and approval granted.

C. When required to be provided by item A, a vacuum relief valve must be installed on the top of the horizontal irrigation pipeline on the supply side of each check valve. The valve must have an orifice size of at least 3/4-inch diameter for a four-inch pipe, one inch diameter for a five- to eight-inch pipe, and two-inch diameter for a ten- or 12-inch pipe.

D. When required to be provided by item A, an automatic low pressure drain must be provided on the bottom of the horizontal irrigation pipeline on the supply side of each check valve. The device must have an orifice size of at least 3/4-inch diameter. The drain may not extend beyond the inside surface of the bottom of the irrigation pipeline or conduit, and must be at least two inches above grade. The device must be positioned, or the location grade adjusted, so that when draining occurs, liquid will flow away from any water supply.

E. A flow interrupter device interlocked with the injection unit must be provided in the pesticide supply line between the pesticide injection unit and the supply tank. A normally closed, solenoid-operated valve or other similar device is an acceptable method to positively prevent flow of material or liquid during injection system failure or shutdown.

F. A check valve that is resistant to chemicals must be provided on the pesticide injection line between the point of pesticide injection into the irrigation system and the pesticide injection unit, pump, or solution tank, positioned to prevent the flow of liquid from the irrigation line to the pesticide injection device.

G. A mechanical or electrical interlock must be provided between the irrigation system or pump and the pesticide injection unit. If interruption of the irrigation water flow occurs, the interlock must, at a minimum, cause the shutdown of the pesticide injection unit.

H. A low pressure switch must be located on the irrigation pipeline that will shut down the irrigation system's power supply when the water pressure decreases to the point where the pesticide distribution is adversely affected.

Subp. 5. **Purging system.** The irrigation system must be operated for at least ten minutes after the pesticide injection is terminated to allow for a complete purging of the pesticide from the system.

Subp. 6. **Posting of sites.** Sites being treated with pesticides through irrigation systems must be posted throughout the period of pesticide treatment.

1505.2030 RECORDS AND REPORTS.

The chemigation permit holder shall record daily the kinds and amounts of pesticides applied through each chemigation system. These records must be made available to the commissioner and retained for five years from the date of application. Records detailing dates of inspection, the names of inspectors, and the condition of the chemigation unit must also be kept.

1505.2040 RESPONSIBILITY.

An individual operating chemigation equipment under a chemigation user's permit is responsible for the safe operation of the chemigation equipment, and must be supervised by the permit holder.

1505.2050 COMMISSIONER'S RESPONSIBILITY.

The commissioner shall periodically provide chemigation safety information to each person holding a chemigation user's permit.

1505.2060 INSPECTION, INSTALLATION, MAINTENANCE, AND MODIFICATION.

Subpart 1. **Official entry.** For the purpose of carrying out parts 1505.2000 to 1505.2070, the commissioner, the commissioner's agents, or other designated state agency or county officials may enter a premises at a reasonable time to:

- A. inspect equipment subject to parts 1505.2000 to 1505.2070;
- B. inspect or sample water, lands, or crops reported to be exposed to pesticides;
- C. inspect or investigate complaints or injury to humans, crops, land, or environment;
- D. sample pesticides being applied or to be applied; and
- E. observe the use and application of pesticides.

Subp. 2. **Proper installation.** Irrigation systems, devices, valves, pesticide injection units, pumps, and solution tanks used for chemigation purposes must be installed and maintained according to manufacturer's recommendations to ensure proper function during chemigation.

Subp. 3. **Calibration and inspection.** During periods of chemigation, the owner or operator shall periodically calibrate the pesticide injection system. The owner or operator shall also periodically inspect the entire system for proper operation.

Subp. 4. **Modification.** If modification or changes in design, technology, irrigation practices, or other similar reasons warrant the use or placement of equipment other than that specified in parts 1505.2000 to 1505.2070, the Department of Agriculture shall allow the changes if protection to the water supply is at least equal to that provided by the equipment or equipment placement, required in parts 1505.2000 to 1505.2070. Prior to making any changes in the system, the applicant shall submit a revised chemigation permit application to the commissioner. The commissioner has 45 days to review the application and issue a new permit or advise the applicant in writing of an unsatisfactory review, detailing all necessary revisions.

1505.2070 PROHIBITED ACTS.

It is a violation of Minnesota Statutes, chapter 18B, for a person to apply pesticides to land, crops, or plants in or with irrigation water in violation of parts 1505.2000 to 1505.2070.

EFFECTIVE DATE. Parts 1505.2000 to 1505.2070 become effective January 1, 1989.

Office of the Attorney General

Proposed Permanent Rules Relating to Rule Reviews

Notice of Intent to Adopt Amendments to a Rule Without a Public Hearing

Notice is hereby given that the Attorney General intends to adopt the above-entitled amendments to a rule without a public hearing following the procedures set forth in the Administrative Procedure Act for adopting rules without a public hearing in *Minnesota Statutes*, sections 14.22 to 14.28. The statutory authority to adopt the rule is *Minnesota Statutes* §§ 14.06, 14.09, 14.26, 14.32 and 14.365(8).

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

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

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

Proposed Rules

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

Julie A. Leppink
Administration/Finance Division
515 Transportation Building
John Ireland Boulevard
St. Paul, Minnesota 55155

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

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

A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rule has been prepared and is available from Julie A. Leppink upon request.

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

Dated: 25 March 1988

Hubert H. Humphrey, III
Attorney General
State of Minnesota

Rules as Proposed

2010.0300 DOCUMENTS NECESSARY FOR REVIEW OF A RULE ADOPTED WITHOUT A PUBLIC HEARING.

To submit a rule adopted without a public hearing to the attorney general for review and approval pursuant to Minnesota Statutes, section 14.26, the agency must submit to the attorney general the following documents:

A. to D. [Unchanged.]

E. The notice of intent to adopt a rule without a public hearing as mailed. The notice must be signed by a person authorized to adopt the rule or authorized to sign and give notice of the intent to adopt the rule without a public hearing and must contain the following:

(1) to (3) [Unchanged.]

(4) A statement that if 25 or more persons submit a written request for a public hearing within the 30-day comment period, a public hearing will be held unless a sufficient number withdraw their request in writing. ~~If the agency is fixing fees by rulemaking pursuant to Minnesota Statutes, section 16A.128, subdivision 2a, on or before July 1, 1987, subitem (15) is applicable.~~

(5) to (14) [Unchanged.]

~~(15) If the agency is fixing fees by rulemaking without a public hearing pursuant to Minnesota Statutes, section 16A.128, subdivision 2a, on or before July 1, 1987, subitem (4) of this subpart is inapplicable and is substituted with a statement that no public hearing need be held unless 20 percent of the persons who will be required to pay the fee submit to the agency during the 30-day period allowed for comment a written request for a public hearing on the proposed rule. For fees established or adjusted after July 1, 1987, subitem (4) is applicable.~~

~~(16) Any other notices required by law or rule to be included in the notice of intent to adopt a rule without a public hearing.~~

For the recommended format of the notice, see part 2010.9915.

F to J. [Unchanged.]

K. The findings of fact, conclusions, and order adopting the rule which must contain the following:

(1) and (2) [Unchanged.]

(3) for rules that establish or adjust fees ~~after July 1, 1987~~, a statement that before the notice of intent to adopt rules was submitted to the *State Register*, a copy of the notice and the proposed rule was sent to the chairs of the house appropriations committee and senate finance committee;

(4) to (8) [Unchanged.]

L. to O. [Unchanged.]

2010.0500 RULE SUBMISSION AND AGENCY FAILURE TO SUBMIT REQUIRED DOCUMENTS.

Subpart 1. **Rule submission.** A rule is considered submitted to the attorney general when the rule and the record consisting of the required documents are received at the Office of the Attorney General, ~~Administrative/Finance~~ Administration/Finance Division located at ~~204 Administration Building, 50 Sherburne Avenue,~~ 515 Transportation Building, John Ireland Boulevard, Saint Paul, Minnesota 55155.

Subp. 2. **Failure to submit required documents.** Failure to submit all the required documents makes a submission incomplete. The attorney general must promptly inform the agency of the missing documents. If the missing documents include the required four copies of the rule as adopted, findings of fact, conclusions and order, declaration of the attorney in the attorney general's office who represents the agency, or the statement of need and reasonableness for a rule adopted without a public hearing, the rule review period will not be initiated. For other missing documents, if the agency submits the missing documents to the attorney general within the attorney general review period, the submission shall be deemed complete and the period of review shall continue to run. If the missing documents are not submitted within the review period, the rule must either be withdrawn from review or rejected by the attorney general.

2010.9915 RECOMMENDED NOTICE OF INTENT TO ADOPT A RULE WITHOUT A PUBLIC HEARING.

Department of _____

In the Matter of the Proposed
Adoption of the Rule of
the State _____
Governing _____

NOTICE OF INTENT TO ADOPT A RULE WITHOUT A PUBLIC HEARING

Notice is hereby given that the State _____ intends to adopt the above-entitled rule without a public hearing following the procedures set forth in the Administrative Procedure Act for adopting rules without a public hearing in Minnesota Statutes, sections 14.22 to 14.28. The statutory authority to adopt the rule is [specific statutory citation.]

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

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

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

[Name, address, and telephone number]

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

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

or

[The rule proposed for adoption relates to the following matters (informative statement describing the nature and effect of the proposed rule). A free copy of the rule is available upon request from _____.]

A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rule has been prepared and is available from _____ upon request.

[If applicable, other notices which are required or chosen to be inserted in the Notice of Intent to Adopt a Rule Without a Public Hearing must be inserted, for example, Minnesota Statutes, section 14.11, subdivision 1, 14.115, subdivision 4, ~~or 16A.128, subdivision 2a.~~]

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

Proposed Rules

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

Date

[Name]

[Title]

2010.9940 RECOMMENDED NOTICE OF SUBMISSION OF RULE ADOPTED WITHOUT PUBLIC HEARING TO ATTORNEY GENERAL.

STATE OF MINNESOTA

DEPARTMENT OF _____

In the Matter of the Proposed Adoption
of the Rule of the State _____
Governing _____

NOTICE OF SUBMISSION OF RULE ADOPTED WITHOUT PUBLIC HEARING TO THE ATTORNEY GENERAL

Pursuant to your request and in accordance with Minnesota Statutes, section 14.26:

PLEASE TAKE NOTICE that the above-captioned rule as adopted has been submitted to the Office of the Attorney General on the date of this notice, _____, 19_____, for review as to legality and form to the extent form relates to legality. The proposed rule, the rule as adopted, all the notices, the Statement of Need and Reasonableness, all written comments and requests for a hearing received, and other required documents also have been submitted to the Attorney General.

[(If the proposed rule has been modified:) The proposed rule which was published in the State Register and made available to the public on _____, 19_____, has been modified. A free copy of the rule as modified as well as the findings of fact, conclusions, and order explaining the amendments and adopting the rule is available upon request from _____ (or) A copy of the rule as modified is enclosed with this notice.]

The rule must be approved or disapproved by the Attorney General within 14 calendar days of the date of submission to the attorney general. You may submit written comments to the attorney general on the legality of the rule. Any written comments must be submitted within eight calendar days of the date of submission of the rule to the Attorney General. Your comments must address only the issue of legality of the rule or the legality of the specific parts or subparts of the rule. The attorney general standards for review are set forth in Minnesota Rules, part 2010.1000. You may receive a copy of the attorney general decision upon written request to the attorney general. Your comments or requests for the decision must be directed to:

The Office of the Attorney General
Administration/Finance Division
204 Administration Building
515 Transportation Building
50 Sherburne Avenue
John Ireland Boulevard
Saint Paul, Minnesota 55155
Telephone Number: (612) 296-1288 296-9715

Any written comments submitted to the Attorney General must be submitted simultaneously to:

[Name, address, and phone number of
appropriate person in the agency]

[Name] _____

[Title] _____

Dated: _____

2010.9960 RECOMMENDED NOTICE OF SUBMISSION OF THE EMERGENCY RULE TO ATTORNEY GENERAL.

STATE OF MINNESOTA

DEPARTMENT OF _____

In the Matter of the Proposed Adoption
of the Rule of the State _____
Governing _____

NOTICE OF SUBMISSION OF EMERGENCY RULE TO THE ATTORNEY GENERAL

Pursuant to your request and in accordance with Minnesota Statutes, section 14.32:

PLEASE TAKE NOTICE that the above-captioned emergency rule as adopted has been submitted to the Office of the Attorney General on the date of this notice, _____, 19_____, for review as to legality and form to the extent form relates to legality. The proposed emergency rule, the rule as adopted, all the notices, all written comments received and other required documents also have been submitted to the attorney general.

[(If the proposed emergency rule has been modified:) The proposed emergency rule which was published in the State Register and made available to the public on _____, 19_____, has been modified. A free copy of the emergency rule as modified as well as the findings of fact, conclusions, and order explaining the amendments and adopting the rule is available upon request from _____. (or) A copy of the rule as modified is enclosed with this notice.]

The rule must be approved or disapproved by the Attorney General on the tenth working day following date of receipt of the rule. You may submit written comments to the Attorney General. Any written comments must be submitted within seven working days of the date of this notice. Your comments must address only the issue of legality of the rule or the legality of the specific parts or subparts of the rule. The attorney general standards for review are set forth in Minnesota Rules, part 2010.1000. You may receive a copy of the attorney general decision upon written request to the attorney general. Your comments or requests for the decision must be directed to:

The Office of the Attorney General
~~204 Administration Building~~
~~515 Transportation Building~~
~~50 Sherburne Avenue~~
~~John Ireland Boulevard~~
Saint Paul, Minnesota 55155
Telephone: (612) ~~296-1288~~ 296-9715

Any written comments submitted to the Attorney General must be submitted simultaneously to:

[Name, address, and phone number of
appropriate person in the agency]

[Name]

[Title]

Dated: _____

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

Board of Podiatric Medicine

Proposed Permanent Rules Relating to Licensure; Fees

Notice of and Order for Hearing

IT IS HEREBY ORDERED AND NOTICE IS HEREBY GIVEN that the Board of Podiatric Medicine (hereinafter "Board") will hold a public hearing in the above-captioned matter, pursuant to *Minnesota Statutes* §§ 14.131 to 14.20 (1986), at the Minnesota Department of Health Building, in Room 105, 717 Delaware Street Southeast, Minneapolis, Minnesota, on Tuesday, June 7, 1988, commencing at 9:00 a.m., and continuing until all representatives of associations or other interested groups or persons have had an opportunity to be heard.

IT IS FURTHER ORDERED that notice of said hearing be given to all persons who have registered their names with the Board of Podiatric Medicine for that purpose and be published in the *State Register*.

All interested or affected persons, including representatives of associations or other interested groups, will have an opportunity to participate. Such persons may present their views either orally at the hearing or in writing at any time prior to the close of the hearing record. Written material not submitted at the time of hearing which is to be included in the hearing record may be mailed to George A. Beck, Administrative Law Judge, Office of Administrative Hearings, 500 Flour Exchange Building, 310 Fourth Avenue South, Minneapolis, Minnesota 55415, telephone (612) 341-7601. The hearing record will remain open for the inclusion of written material for five working days after the hearing ends unless a longer period not to exceed 20 calendar days is ordered by the administrative law judge at the hearing. Written material received during this period will be available for review at the Office of Administrative Hearings. The Board and interested persons may respond in writing within three business days after the submission period ends to any new information submitted. No additional evidence may be submitted during the three-day period.

The rulemaking hearing procedures are governed by *Minnesota Statutes* §§ 14.131 to 14.20 (1986) and by *Minnesota Rules* pts. 1400.0200 to 1400.1200 (1987). Questions about procedures may be directed to the administrative law judge.

A copy of the rules is attached to this notice. One free copy of the rule may be obtained from the Board by writing or telephoning Joyce M. Schowalter, Executive Director, Suite 108, 2700 University Avenue West, St. Paul, Minnesota 55114, telephone (612) 642-0568.

The statutory authority of the Board to adopt the proposed rule is contained in *Minnesota Statutes* § 153.02 (1986).

The proposed rule may be modified as a result of the rule hearing process. Those who are potentially affected in any manner by the substance of the proposed rule are therefore advised to participate in the process.

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

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

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

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

Notice is hereby given that a statement of need and reasonableness is now available for review at the Board and at the Office of Administrative Hearings. This statement of need and reasonableness includes a summary of all the evidence and argument which the Board anticipates presenting at the hearing justifying both the need for and the reasonableness of the proposed rule. Copies of the statement of need and reasonableness may be reviewed at the Board or the Office of Administrative Hearings and copies may be obtained from the Office of Administrative Hearings at the cost of reproduction.

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

Promulgation of this proposed rule will not result in the expenditure of public monies by local public bodies nor have any impact

on agricultural land; therefore, no further information need be provided under *Minnesota Statutes* § 14.11 (1986).

The Board's evaluation of the applicability of the methods contained in *Minnesota Statutes* § 14.115, subd. 2 (1986), for reducing the impact of the proposed rules on small businesses are addressed in the statement of need and reasonableness.

Dated: 6 April 1988

Joyce M. Schowalter
Executive Director
Board of Podiatric Medicine

Rules as Proposed

6900.0010 DEFINITIONS.

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

Subp. 2. Clinical residency. "Clinical residency" means a formal, structured postdoctoral training program sponsored by and conducted in an accredited institution such as a hospital or ambulatory health care facility or conducted by a college of podiatric medicine accredited by the Council on Podiatric Medical Education, American Podiatric Medical Association, and designed to:

A. provide the podiatric medical graduate with a well-rounded exposure in preparation for management of podiatric conditions and diseases as they are related to systemic diseases;

B. develop the podiatric medical graduate in the art of preventing and controlling podiatric conditions and diseases and to promote foot health principally through mechanical and rehabilitative methods;

C. provide the podiatric medical graduate with clinical experience necessary to refine competency in the podiatric medical and surgical care of the foot as defined by the statutory scope of practice; or

D. provide the podiatric medical graduate with clinical experience necessary to become competent in the full scope of advanced podiatric medicine and surgery.

Subp. 3. Preceptorship. "Preceptorship" means a formal, structured postdoctoral training program conducted by a podiatrist primarily in an office based setting and controlled and supervised by a college of podiatric medicine accredited by the Council on Podiatric Medical Education, American Podiatric Medical Association, and designed to provide the recent podiatric medical graduate sufficient experiences to have further patient care exposure, to improve clinical management and communication skills, and to obtain increased self confidence.

Subp. 4. Board. "Board" means the Minnesota Board of Podiatric Medicine.

Subp. 5. Revoke a license. "Revoke a license" means to rescind the right to practice and cause the podiatrist to reapply and meet the licensure requirements at the time of application.

Subp. 6. Suspend a license. "Suspend a license" means to discontinue a licensee's right to practice for a definite or indefinite time until specified conditions are met.

Subp. 7. False or misleading advertising. "False or misleading advertising" means a statement or claim that:

A. contains a misrepresentation of fact;

B. is likely to mislead or deceive because in context it makes only a partial disclosure of relevant facts;

C. is intended or is likely to create false or unjustified expectations of favorable results;

D. appeals to an individual's anxiety in an excessive or unfair way;

E. contains material claims of superiority that cannot be substantiated;

F. misrepresents a podiatrist's credentials, training, experience, or ability; or

G. contains other representations or implications that in reasonable probability will cause an ordinary, prudent person to misunderstand or be deceived.

6900.0020 LICENSURE REQUIREMENTS.

Subpart 1. Moral character. The applicant must respond to questions on the application that pertain to the grounds for denial of a license found in *Minnesota Statutes*, section 153.19, subdivision 1.

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

Proposed Rules

A personal recommendation must be received from at least one podiatrist who is licensed in any state and who can recommend the applicant for licensure in Minnesota.

Subp. 2. Education. The applicant must submit a complete transcript of education obtained in one of the following accredited colleges of podiatric medicine:

- A. California College of Podiatric Medicine, San Francisco, California;
- B. New York College of Podiatric Medicine, New York, New York;
- C. Ohio College of Podiatric Medicine, Cleveland, Ohio;
- D. Pennsylvania College of Podiatric Medicine, Philadelphia, Pennsylvania;
- E. Scholl College of Podiatric Medicine, Chicago, Illinois;
- F. University of Osteopathic Medicine and Health Sciences College of Podiatric Medicine and Surgery, Des Moines, Iowa;

or

G. any other college accredited by the Council on Podiatric Medical Education, American Podiatric Medical Association.

The transcript must contain the date of graduation, degree granted, and an original seal of the college.

Subp. 3. Examination. The applicant must have received a passing score on each section of all parts of the National Board of Podiatric Medical Examiners Licensing Examination. A passing score is the number corresponding to the cut score recommended by the national board.

A copy of the applicant's scores must be submitted. The copy must contain an original seal of the national board.

A state clinical examination shall include demonstration of the clinical application of podiatric medical knowledge and skill, but need not include demonstrations on actual patients. The examination may be developed in cooperation with boards of podiatric medicine in other states. The passing score is the number corresponding to the cut score recommended by a test development consultant.

Subp. 4. Clinical residency. An acceptable clinical residency must be at least 12 consecutive months in length and be approved by the Council on Podiatric Medical Education of the American Podiatric Medical Association.

Subp. 5. Preceptorship. An acceptable preceptorship must:

- A. consist of a minimum of 12 consecutive months of study;
- B. operate under the control and supervision of an accredited college of podiatric medicine; and
- C. have written objectives appropriate to all training aspects of the program.

Subp. 6. Preceptor requirements. The preceptor must:

A. have a practice that offers experience as defined by the statutory scope of practice with the care of children and adults and in drug therapy, radiology, local anesthesia, analgesia, biomechanics, physical medicine, rehabilitation, and the following surgeries:

- (1) nail;
- (2) digital;
- (3) soft tissue;
- (4) forefoot;
- (5) metatarsal;
- (6) midfoot; and
- (7) rearfoot or ankle;

B. hold a clinical appointment at a college or be a member of the teaching staff of a hospital sponsoring a residency program;

C. have a hospital staff appointment with podiatric surgical privileges, however, the granting of staff privileges is solely within the discretion of individual institutions; and

D. not have been the subject of disciplinary action concerning professional conduct or practice.

Subp. 7. Other graduate training. Other acceptable training must meet the following standards:

A. The program must be 12 consecutive months of formal, structured study started after graduation from a college of podiatric medicine, have written objectives appropriate to all training aspects of the program, and have a written evaluation process.

B. Experience within the statutory scope of practice must include drug therapy, radiology, local anesthesia, analgesia, biomechanics, physical medicine, rehabilitation, and the following surgeries:

- (1) nail;
- (2) digital;
- (3) soft tissue;
- (4) forefoot;
- (5) metatarsal;
- (6) midfoot; and
- (7) rearfoot or ankle.

The care of children and adults must be included.

C. A licensed podiatrist must be designated as the unlicensed podiatrist's supervisor and assume full podiatric responsibility for patient services provided by the unlicensed podiatrist. The supervisor must not have been the subject of disciplinary action concerning professional conduct or practice.

D. The supervisor must have a hospital appointment with surgical privileges or have a written arrangement for the unlicensed podiatrist to have at least four months experience with a licensed podiatrist who holds a hospital appointment with surgical privileges, however, the granting of staff privileges is solely within the discretion of individual institutions.

E. The supervisor shall instruct and direct the unlicensed podiatrist in his or her duties, oversee and check the work, and provide general direction to the unlicensed podiatrist. The unlicensed podiatrist and supervising podiatrist shall comply with at least the following criteria:

(1) A supervisor shall review and evaluate patient services provided by the unlicensed podiatrist on a daily basis from information in patient charts or records. Review may either be in person or by telecommunication.

(2) A supervisor shall be on site at facilities staffed by an unlicensed podiatrist.

(3) One of the licensed podiatrists referred to in item D must be present during the performance of surgical treatment by the unlicensed podiatrist.

(4) A supervising podiatrist may not supervise more than two unlicensed podiatrists.

Subp. 8. Personal appearance. The applicant shall be scheduled for a personal appearance before one or more members of the board or the executive director when the other requirements for licensure have been met. The board may waive the personal appearance if one or more board members has personal knowledge of the accuracy of the applicant's application.

Subp. 9. License in another state. The applicant licensed in another state must cause a form supplied by the board to be submitted from the board of podiatric medicine in the state of original licensure and the other states in which a license was held during the five years immediately preceding application.

6900.0030 APPLICATION NULLIFICATION.

Subpart 1. Reasons. The board will nullify an application for licensure if the applicant fails to complete the application process within 36 months after submission of the application or notification by the board of a deficiency, whichever is later, unless a different action is agreed upon during a disciplinary proceeding.

Subp. 2. Effect. For a nullified application, the fees are forfeited and the application and other documents may be destroyed under the process specified in Minnesota Statutes, section 138.17, subdivision 7. If the applicant later desires licensure, a new application must be submitted and the applicable requirements must be met.

6900.0160 TEMPORARY PERMIT.

Subpart 1. Prerequisites. An applicant for a temporary permit to practice podiatric medicine must submit a complete, acceptable application for a Minnesota license and pay the required fees. The clinical examination and personal interview may be completed during the permit period.

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

Proposed Rules

The applicant must submit written evidence that the applicant has been accepted as a resident, preceptee, or graduate trainee in a program and that the program meets the standards in part 6900.0020, subpart 4, 5, 6, or 7.

Subp. 2. Term of permit. The permit is issued for a period not to exceed 12 months of training that must occur within 18 consecutive months. A permit may be reissued once to a qualified applicant. A permit expires when an applicant is licensed, or must be revoked if an applicant has engaged in conduct that constitutes grounds for denial of a license, discontinues training, or moves out of Minnesota.

Subp. 3. Scope of practice. The scope of practice of the permit holder is limited to the performance of podiatric medicine within the structure of the residency, preceptorship, or other graduate training program within which the permit holder is enrolled.

6900.0200 REGISTRATION LICENSE RENEWAL.

Every application for renewal of registration by a podiatrist shall be accompanied by a fee. Subpart 1. Active status. The license renewal term is 12 months beginning on July 1 and ending on June 30. Applications received and postmarked after June 30 will be returned for addition of the late renewal fee.

An applicant for license renewal must submit to the board:

A. an application form, renewal fee, and, if applicable, the late renewal fee; the application form must provide a place for the renewal applicant's signature and must solicit information including the applicant's office address, and other information that may be reasonably requested by the board;

B. evidence of participation in approved continuing education programs as described in part 6900.0300; and

C. other evidence as the board may reasonably require.

Subp. 2. Failure to submit renewal application. The procedures in subparts 3 to 6 will be followed by the board for licensees who have failed to submit the renewal application including information about continuing education and applicable fees.

Subp. 3. Notice. Any time after July 1, the board will send to the last address on file with the board, a notice to licensees who have not applied for license renewal. The notice will state that the licensee has failed to make application for renewal; the amount of renewal and late fees and the information required about continuing education that must be submitted in order for the license to be renewed; that the licensee may voluntarily terminate the license by notifying the board; and that failure to respond to the notice by the date specified, which date must be at least 30 days after the notice is sent by the board, either by submitting the renewal application and applicable fees and information required about continuing education or by notifying the board that the licensee has voluntarily terminated the license, will result in expiration of the license and terminating the right to practice.

Subp. 4. Result. If the application for renewal, including required information about continuing education and the applicable renewal and late fees or notice of voluntary termination, is not received by the board by the date specified in the notice, the license will expire and the licensee's right to practice terminates on the date specified in the notice. The expiration and termination will not be considered a disciplinary action against the licensee.

Subp. 5. Reinstatement. A license that has expired under this part may be reinstated under part 6900.0210.

Subp. 6. Contested case proceeding. The board, in lieu of the process in subpart 3, may initiate a contested case hearing to revoke or suspend a license for failure to submit fees and continuing education information requested on the renewal application at the time it initiates disciplinary proceedings against the licensee for other grounds specified in Minnesota Statutes, sections 153.01 to 153.25.

Subp. 7. Name and address change. A podiatrist who has changed names shall notify the board in writing as soon as possible and request a revised renewal certificate. The board may require substantiation of the name change by requiring official documentation.

A podiatrist shall maintain with the board a correct mailing address to receive board communications and notices. A podiatrist who has changed addresses shall notify the board in writing as soon as possible. Placing a notice in first class United States mail, postage prepaid and addressed to the licensee at the licensee's last known address, constitutes valid service.

6900.0210 REINSTATEMENT OF LICENSE.

Subpart 1. Requirements. Upon complying with the requirements in this part, the applicant's license must be reinstated. The podiatrist desiring the reinstatement of a license shall submit the following materials:

A. an application form, license renewal fee, and, if the request is received within 12 months of a previous license expiration, the late renewal fee;

B. verification of licensure status from each state in which the podiatrist has held an active license during the five years preceding application;

C. if the license has been inactive for five years or less, evidence of participation in 15 hours of acceptable continuing

education for each year that the license was expired or terminated up to 75 hours;

D. if the license has been inactive for more than five years, evidence of continuing competency as shown by submission of 75 hours of acceptable continuing education obtained during the five years immediately before application; or

E. other evidence as the board may reasonably require.

Subp. 2. Revoked or suspended license. No license that has been suspended or revoked by the board will be reinstated unless the applicant for reinstatement provides evidence of full rehabilitation from the cause for which the license was suspended or revoked and complies with the other reasonable conditions imposed by the board for the purpose of establishing the extent of rehabilitation. In addition, if the disciplinary action was based in part on failure to meet continuing education requirements, the license will not be reinstated until the applicant has successfully completed the requirements. The board may require the licensee to pay the costs of the proceedings resulting in the suspension or revocation of a license under its disciplinary authority and the reinstatement or issuance of a new license. A licensee who has been disciplined by the board in a manner other than by suspension or revocation may be required by the board to pay the costs of the proceedings resulting in the disciplinary action.

Subp. 3. Licensure application not precluded. Nothing in this part prohibits a podiatrist from applying for licensure under Minnesota Statutes, section 153.16.

6900.0250 FEES.

Subpart 1. Amounts. Fees for the licensure of podiatrists are as follows:

- A. The fee for licensure by examination is, \$200-;
- B. The fee for reexamination by the board under an original application is for licensure, \$200-;
- C. The fee for renewal of a license is, \$75-;
- D. The fee for late renewal of a license is, an additional \$50-;
- E. The fee for licensure by reciprocity is temporary permit, \$200-; and
- F. The fee for the replacement of an original license or renewal certificate is, \$10.

Subp. 2. Requirements. Fees must be paid in United States money. A personal check is not acceptable for payment of a license or temporary permit. Fees are not refundable.

6900.0300 CONTINUING EDUCATION.

Subpart 1. Requirement. Every podiatrist licensed to practice in Minnesota shall obtain +2 15 clock hours of continuing education credit each licensure year license renewal period. The licensure year begins on July 1 and ends on June 30.

Subp. 2. Obtaining credit continuing education hours. Continuing education credit hours shall be obtained in the following manner: No less than nine hours of credit per year shall be received through attendance at scientific podiatry seminars approved by the board under this subpart and subpart 3. The seminar must be designed for the benefit of podiatrists. Any speaker or lecturer must be a licensed podiatrist, health professional, or person especially qualified to address a subject of particular interest to podiatrists. The seminar must be of significant intellectual content.

No more than three hours of credit per year may be received through attendance at hospital staff meetings and state group meetings:

A. attendance at educational programs approved by the board under subpart 3;

B. attendance at hospital staff meetings (no more than three hours of hospital staff meetings may be used for license renewal each year); or

C. participation in a clinical residency, preceptorship, or graduate training that meets the requirements of part 6900.0020, subpart 4, 5, 6, or 7.

Subp. 3. Requirements of program approval of seminars. To obtain prior approval, a detailed description of the seminar content and the credentials of speakers shall be submitted to the board at least 60 days in advance of the course or meeting.

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Proposed Rules

Seminars may be approved at any time by the board if the required submission is made in the same licensure year in which the course or meeting was offered. Approval of each continuing education program that the licensee desires to use to meet the license renewal requirements should be approved by the board before registration for the program but must be approved by the board before license renewal is granted.

In order for a continuing education program to be approved by the board, the program must meet the following criteria:

A. The content must be directly related to the practice of podiatric medicine as defined in *Minnesota Statutes*, section 153.01, subdivision 2. Subjects such as practice management, risk management, or those not of a scientific nature are not acceptable.

B. The speaker must be a licensed podiatrist, other credentialed health care professional, or person especially qualified to address the subject.

C. The sponsor must provide the attendee a written statement of attendance that includes the name and dates of the program, the name and address of the sponsor, the number of continuing education clock hours granted by the sponsor, the name of the attendee and a signature of the sponsor or designee, or upon completion of the program, the sponsor must send the board a list of attendees.

Subp. 3a. Procedure for program approval. Either the sponsor of a continuing education program or a podiatrist may submit the program for approval by the board.

The following information about the program is required:

A. name and address of the program sponsor;

B. dates and times of the program;

C. subject or content matter of the program;

D. name of and identifying information about the speakers or instructors; and

E. assurance that a written statement of attendance will be given to the podiatrist or that a list of attendees will be sent to the board.

The board shall approve each continuing education program for a specific number of clock hours of continuing education. One clock hour is 60 minutes. Partial hours will not be granted. Lunch breaks, rest periods, greetings, and other noneducational time will not be included.

Subp. 4. Proof of attendance. Proof of attendance at meetings or seminars described in subparts 2 and 3 continuing education programs meeting the requirement of this part shall be submitted to the board at the time of license renewal in the form of a certificate, descriptive receipt, or affidavit.

Subp. 5. Failure to comply. The board may take disciplinary action to suspend, revoke, limit, or refuse to renew the license of any podiatrist failing to comply with these continuing education requirements.

Subp. 6. [See Repealer.]

6900.0400 DISCIPLINE.

Insurers required to submit reports to the board under *Minnesota Statutes*, section 153.24, subdivision 4, shall send the reports to the board by the first day of the months of February, May, August, and November of each year.

Grounds for disciplinary action include failure to supervise a resident, preceptee, other graduate trainee, or undergraduate student.

REPEALER. *Minnesota Rules*, part 6900.0300, subpart 6, is repealed.

Pollution Control Agency Water Quality Division

Proposed Permanent Rules Relating to Clean Water Partnership

Notice of Intent to Adopt Rules Without a Public Hearing

Notice is hereby given that the Minnesota Pollution Control Agency (Agency) intends to adopt the above-entitled rule without a public hearing following the procedures set forth in the Administrative Procedure Act (*Minnesota Statutes*, §§ 14.22 to 14.28 (1986)) for adopting rules without a public hearing. The Agency's authority to adopt the rule is set forth in *Minnesota Statutes*, § 115.10 (Supp. 1987).

Proposed Rules

All persons have until 4:30 p.m. on May 18, 1988, to submit comments in support of or in opposition to the proposed rules or any part or subpart of the rules. Comment is encouraged. Each comment should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rules within the comment period. If 25 or more persons submit a written request for a public hearing within the comment period, a public hearing will be held unless a sufficient number withdraw their requests in writing. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rules addressed, the reason for the request, and any change proposed. If a public hearing is required, the Agency will proceed pursuant to *Minnesota Statutes* §§ 14.131 to 14.20 (1986).

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

Mr. Gaylen Reetz
Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, Minnesota 55155
(612) 296-8834

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

The proposed rules, if adopted, will establish the criteria and procedural conditions under which the Agency may award grants for projects to control nonpoint sources of pollution.

The proposed rules provide separate grants for fifty percent of the eligible costs of project development and project implementation. The project development grant is to complete a diagnostic study and implementation plan which meet the requirements defined in the rules. The project development activities identify the specific water quality problems and sources of pollution and the combination of best management practices, activities and protective measures that will be necessary to solve the identified problems. The project implementation grant is to install the best management practices and carry out the educational and other activities identified in the implementation plan completed through the project development grant.

The proposed rules also include the procedures and conditions for administration of the program. This includes the application requirements that provide the Agency with the information necessary to rank the projects in order of priority for funding. The rules spell out the criteria and procedures to be used by the Agency in ranking projects to receive funding, the allocation of funds between project development grants, project implementation grants and the continuation of ongoing projects. The rules also identify costs that are eligible for reimbursement, requirements for contracts between the Agency and project sponsor and procedures for reimbursement of grant eligible costs. The proposed rules are published below. One free copy of the rules is available upon request from Mr. Gaylen Reetz at the address and telephone number stated above.

A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rules and identifies the data and information relied upon to support the proposed rule has been prepared and is available from Mr. Gaylen Reetz upon request.

You are hereby advised, pursuant to *Minnesota Statutes* § 14.115 (1986), "Small business considerations in rulemaking," that the proposed rules will not have any direct adverse effects on small businesses. In most projects, small businesses will benefit from contracts provided by the project sponsor to complete project activities.

You are hereby advised, pursuant to *Minnesota Statutes* § 14.11, Subd. 1, that the proposed rules will not require the expenditure of public monies by local units of government unless a local unit of government elects to participate in the Clean Water Partnership Program.

You are hereby advised, pursuant to *Minnesota Statutes* § 14.11, Subd. 2, that the proposed rules will not have any direct adverse effects on agricultural lands in the state. In areas where projects are conducted, it will improve agricultural lands because many best management practices have secondary benefits such as improving soil productivity and limiting soil erosion.

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

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Proposed Rules

Please be advised that *Minnesota Statutes*, ch. 10A requires each lobbyist to register with the State Ethical Practices Board within five days after he or she commences lobbying. A lobbyist is defined in *Minnesota Statutes*, § 10A.01, subd. 11 (1986) as any individual:

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

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

The state provides certain exceptions. Questions should be directed to the Ethical Practices Board, 41 State Office Building, St. Paul, Minnesota 55155, telephone (612) 296-5615.

Gerald L. Willet
Commissioner

Rules as Proposed (all new material)

CHAPTER 7076
MINNESOTA POLLUTION CONTROL AGENCY
WATER QUALITY DIVISION
CLEAN WATER PARTNERSHIP GRANTS

7076.0100 PURPOSE.

This chapter provides for the administration of the state clean water partnership grant program and the federal nonpoint source management program as provided by United States Code, title 33, section 1329. Parts 7076.0100 to 7076.0290 implement these programs by establishing the substantive criteria and procedural conditions under which the agency may award state matching grants and provide technical assistance for the development and implementation of nonpoint source projects.

7076.0110 DEFINITIONS.

Subpart 1. **Scope.** The terms used in parts 7076.0100 to 7076.0290 have the meanings given them in Minnesota Statutes, chapters 115 and 116, and rules adopted under those chapters and the meanings given them in this part. If terms defined in this part conflict with the definitions in Minnesota Statutes, chapters 115 and 116 and the rules adopted under those chapters, the definitions in this part govern.

Subp. 2. **Agency.** "Agency" means the Pollution Control Agency.

Subp. 3. **Best management practices.** "Best management practices" has the meaning given it in Minnesota Statutes, section 115.093, subdivision 3.

Subp. 4. **Commissioner.** "Commissioner" means the commissioner of the Pollution Control Agency.

Subp. 5. **Land occupier.** "Land occupier" means a person who possesses lands in the project area whether as owner, lessee, renter, tenant, or otherwise, including successors of a land occupier who received a payment during the minimum effective life of a best management practice.

Subp. 6. **Local share.** "Local share" means the contributions of a local unit of government to the eligible cost of a project, including the value of cash expenditures and in-kind contributions of labor, equipment, material, and real property used for and expended on eligible project activities.

Subp. 7. **Local unit of government.** "Local unit of government" has the meaning given it in Minnesota Statutes, section 115.093, subdivision 5.

Subp. 8. **Local water plan.** "Local water plan" means a comprehensive water plan authorized under Minnesota Statutes, chapter 110B; a surface water management plan required under Minnesota Statutes, section 473.878; an overall plan required under Minnesota Statutes, chapter 112; or until July 1, 1991, any other local plan that provides an inventory of existing physical and hydrologic information on the area, a general identification of water quality problems and goals, and that demonstrates a local commitment to water quality protection or improvement.

Subp. 9. **Nonpoint source.** "Nonpoint source" has the meaning given it in Minnesota Statutes, section 115.093, subdivision 6.

Subp. 10. **Official controls.** "Official controls" has the meaning given it in Minnesota Statutes, section 115.093, subdivision 7.

Subp. 11. **Person.** "Person" has the meaning given it in Minnesota Statutes, section 115.01, subdivision 10.

Subp. 12. **Project.** "Project" has the meaning given it in Minnesota Statutes, section 115.093, subdivision 8.

Subp. 13. **Project area.** "Project area" means the area identified as hydrologically contributing to the water of concern for which the diagnostic study and implementation plan are developed and implemented.

Subp. 14. **Project continuation grant amendment.** "Project continuation grant amendment" means an amendment to an existing project implementation grant to provide funds to continue implementation of activities identified in an approved diagnostic study and implementation plan that were not funded in the initial project implementation grant.

Subp. 15. **Project coordination team.** "Project coordination team" means the public interagency group established in Minnesota Statutes, section 115.103, subdivision 1.

Subp. 16. **Project development.** "Project development" means the development of a diagnostic study and implementation plan.

Subp. 17. **Project development grant.** "Project development grant" means a grant from the agency to the project sponsor for the preparation of a diagnostic study and implementation plan.

Subp. 18. **Project implementation.** "Project implementation" means the implementation of an approved diagnostic study and implementation plan or their equivalent.

Subp. 19. **Project implementation grant.** "Project implementation grant" means a grant from the agency to the project sponsor for the implementation of a diagnostic study and implementation plan or their equivalent.

Subp. 20. **Project sponsor.** "Project sponsor" means the local unit of government that applies for a grant, enters into a grant contract, and is responsible for development and implementation of the project.

Subp. 21. **Water pollution.** "Water pollution" has the meaning given it in Minnesota Statutes, section 115.01, subdivision 5.

Subp. 22. **Waters of the state.** "Waters of the state" has the meaning given it in Minnesota Statutes, section 115.01, subdivision 9.

Subp. 23. **Water of concern.** "Water of concern" means the specific water of the state which the project is focused on improving or protecting.

7076.0120 AVAILABLE ASSISTANCE.

Subpart 1. **Financial assistance.** There are two types of grants available for nonpoint source projects: (1) project development grants, and (2) project implementation grants. The grants are for a maximum of 50 percent of the eligible cost of the project. Grants must be awarded, within the limits of available appropriations, to those applicants having the highest priority.

Subp. 2. **Technical assistance.** The agency may provide technical assistance to local units of government in order to ensure efficient and effective development and implementation of projects. Technical assistance must be given to local units of government that receive grants, within the limits of available resources.

7076.0130 ELIGIBILITY CRITERIA.

Subpart 1. **Eligible applicants.** Only local units of government are eligible to apply for grants and receive technical assistance. A local unit of government is eligible to apply for state matching grants and request technical assistance if it has the following:

A. the authority to coordinate and enter into contracts with local, state, and federal agencies and private organizations for the purpose of carrying out a project;

B. the authority to generate cash revenues and in-kind contributions for the local share of a project; and

C. the authority to adopt, implement, and enforce official controls.

Subp. 2. **Eligible costs.** Project costs are eligible for state matching grants if the costs are reasonable and necessary and allocable for the development of a diagnostic study and implementation plan, or for the implementation of the plan, and if the costs are related to any of the following activities:

A. water quality monitoring, water resource and project area data and information collection, data and information analysis and assessment, and related tasks;

B. fiscal and management activities including report preparation;

C. selection, design, layout, and installation of best management practices;

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Proposed Rules

- D. development, review, and inspection of installation, operation, and maintenance procedures for best management practices;
- E. development and implementation of public education materials and activities;
- F. development and implementation of official controls;
- G. acquisition of easements and property; and
- H. other activities determined by the agency or established by federal regulation to be necessary to develop and implement the project.

Subp. 3. **Ineligible costs.** Ineligible costs include any costs that are not related to the activities in subpart 2. In addition, the following costs are ineligible whether or not they relate to the activities in subpart 2:

- A. installation of best management practices before the grant award;
- B. operation and maintenance of best management practices;

C. activities regulated by the National Pollutant Discharge Elimination System permit program, parts 7001.1000 to 7001.1100; the State Disposal System permit program; the Petroleum Tank Release Clean-up Act, Minnesota Statutes, chapter 115C; the Environmental Compensation and Liability Act, Minnesota Statutes, chapter 115B; the Comprehensive Environmental Response, Compensation, and Liability Act, United States Code, title 42, sections 9601 to 9675; and the Resource Conservation and Recovery Act, United States Code, title 42, sections 6901 to 6991;

D. activities regulated by a condition of a solid waste or hazardous waste permit or the agency solid waste rules, chapter 7035; or the agency hazardous waste rules, chapter 7045;

- E. activities funded by state or federal grants for wastewater treatment facilities;
- F. regulated practices to control spills of pesticides, fertilizer, petroleum, and related materials from bulk storage facilities;
- G. regulated practices to manage toxic or hazardous materials;

H. commercial operations and industrial processes and land use and land management activities directly related to commercial operations and industrial processes including plant yards, access roads, drainage ponds, refuse piles, storage piles, and material product loading areas;

- I. active and inactive mining activities;
- J. building and utility construction;
- K. highway and road construction;
- L. dredging of harbors, lakes, and ditches;
- M. activities intended primarily for flood control; and
- N. activities that violate local, state, and federal statutes, rules, and regulations.

Subp. 4. **Eligible local share.** At least 30 percent of the project costs must be derived from nonstate and nonfederal sources. Costs incurred by a land occupier for the installation of best management practices may be considered a part of the local share paid by the local unit of government provided the following conditions are met:

- A. the primary purpose of the best management practices is for improvement and protection of water quality;
- B. the best management practices must be designed for a minimum effective life of ten years;
- C. the best management practices are a part of an approved implementation plan; and
- D. there must be an operation and maintenance plan for the minimum effective life of the best management practices.

7076.0140 NOTICE OF GRANT AVAILABILITY.

Subpart 1. **Notice.** The agency will publish in the State Register a notice that applications for project development grants and project implementation grants will be accepted whenever the agency determines that funds are available to award the grants. The notice will contain a deadline for application submittal, which must be no less than 60 days from the date of publication.

Subp. 2. **Notification list.** The agency shall maintain a list of those local governmental bodies that wish to be notified of grant application periods. Any local governmental body that wishes to be placed on the list shall notify the agency by writing to the director of the public information office. Whenever the agency publishes notice in the *State Register*, the agency shall mail notice of the grant application period to those local governmental bodies on the list.

Subp. 3. **Grant application periods.** The agency may establish a grant application period from time to time but there must be at least one application period each calendar year if funds are available.

7076.0150 GRANT APPLICATION.

Subpart 1. **General requirements.** The grant application must be submitted by the local unit of government that will be the project sponsor. A grant application must be submitted in a timely fashion to be considered. The grant application must be submitted on a form provided by the agency and must contain the information required in the form and by this part.

Subp. 2. **Project development grant.** An applicant submitting an application for a project development grant must submit the following information:

A. a resolution by the local unit of government that will be the project sponsor, authorizing the filing of the application and designating an official authorized to execute the grant application, the grant contract, and other related project documents;

B. written documentation that the project sponsor has consulted with soil and water conservation districts and watershed districts in the project area, in preparing the grant application;

C. identification of agencies and organizations that will be involved in project development;

D. resolutions from each participating local unit of government which identifies their role in project development and identification of their contribution to the local share of project development costs;

E. the amount of grant funding requested;

F. a list identifying the amount, type, and source of the local share;

G. a work plan and schedule that contain the following:

(1) the identification of each water of the state that will be affected by the project;

(2) a description of the existing or potential surface and ground water problems that are to be addressed in the project;

(3) a work plan listing the activities that the grant would make possible; and

(4) a schedule containing milestones for project development;

H. a local water plan that provides an inventory of existing physical and hydrologic information on the project area, a general identification of water quality problems, and goals for resource use, and demonstrates a local commitment to water quality protection or improvements; and

I. documents required by state or federal statutes, rules, and regulations.

Subp. 3. **Project implementation grant.** An applicant submitting an application for a project implementation grant shall submit the following information:

A. a resolution by the local unit of government that will be the project sponsor, authorizing the filing of the application and designating an official authorized to execute the grant application, the grant contract, and other related project documents;

B. written documentation that the project sponsor has consulted with soil and water conservation districts and watershed districts in the project area, in preparing the grant application;

C. a diagnostic study and implementation plan approved under part 7076.0260, or an equivalent study and plan that addresses the requirements of a diagnostic study and implementation plan and that has been approved under part 7076.0260 and which contains a local water plan that provides an inventory of existing physical and hydrologic information on the project area, a general identification of water quality problems, and goals for resource use, and demonstrates a local commitment to water quality protection or improvements;

D. resolutions from each participating local unit of government that identify their role in project implementation and their contribution to the local share of project implementation costs;

E. a detailed work plan and schedule for project implementation during the grant period;

F. a detailed budget for the grant period including the identification of the amount requested in the grant;

G. a list identifying the amount, type, and source of the local share;

H. a description of the work and the budget for project implementation beyond the grant period, including an indication of whether the project sponsor anticipates applying for a project continuation grant amendment; and

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Proposed Rules

I. documents required by state or federal statutes, rules, and regulations.

7076.0160 REJECTION OF GRANT APPLICATION.

Subpart 1. **Grounds.** An application for a project development grant or a project implementation grant may be rejected by the commissioner for the following reasons:

- A. an ineligible applicant;
- B. ineligible costs;
- C. a late submittal; or
- D. failure to comply with any requirement of statute or rule.

Subp. 2. **Procedure.** The commissioner shall review each grant application within 30 days after the deadline for application submittal. The commissioner shall notify each rejected grant applicant of the rejection of its application and the reasons for the rejection.

Subp. 3. **Effect of rejection.** A grant applicant whose application is rejected for a reason other than for late submittal has 14 days from receipt of the notice of rejection to correct any deficiencies, if correction is possible. If the application is corrected within the 14 days, the application must be accepted and the project must be ranked with other approved grant applications. An application that cannot be or is not corrected must not be further considered. A grant applicant whose application is rejected and not corrected must reapply in a subsequent application period in order to be considered for a grant.

7076.0170 PROJECT RANKING.

Subpart 1. **Process of ranking.** Upon completion of the commissioner's review of the grant applications for acceptability, the agency shall rank the acceptable grant applications in order of priority. Each project for which an acceptable grant application has been submitted must be awarded the number of priority points the project is entitled to under subparts 2 and 3. The project with the highest number of priority points will be given the highest priority. All projects will be given a ranking depending on the number of points awarded. The project development grant applications must be ranked separately from the project implementation grant applications.

Subp. 2. **Priority points for project development grant applications.** The following criteria must be used to determine the number of priority points a project for which a project development grant application has been submitted is entitled to. The agency shall award each project between zero and ten points under each of the following criteria, depending on how well the project satisfies the criterion. The number of points awarded under each criterion must be added together to determine the project's total point value. This total number must be used to determine the project's overall ranking and priority. The criteria are as follows:

- A. the extent to which the proposed project demonstrates a high potential for project success based on community support and involvement as well as participation, coordination, and cooperation of federal, state, and local agencies and units of government for water quality protection and improvement;
- B. the extent to which the proposed project takes place where local units of government have adopted and implemented authorities or official controls to abate or prevent water pollution from nonpoint sources;
- C. the extent to which the water of concern is identified as a priority water in the local water plan;
- D. the extent to which the proposed project affects waters identified in the statewide resource assessment conducted under Minnesota Statutes, section 115.095, as waters that could not be expected to attain or maintain compliance with applicable water quality standards or goals without additional control of nonpoint sources;
- E. the extent to which the project demonstrates a likelihood of transferability to similar resources;
- F. the extent to which the project is of a size and scale to promote successful project management and water quality protection and improvement; and
- G. the priority placed on each project by the project coordination team.

Subp. 3. **Priority points for project implementation grant applications.** The following criteria must be used to determine the number of priority points a project for which a project implementation grant application has been submitted is entitled to. The agency shall award each project between zero and ten points under each of the following criteria, depending on how well the project satisfies the criterion. The number of points under each criterion must be added together to determine the project's total point value. This total number must be used to determine the project's overall ranking and priority. The criteria are as follows:

- A. the extent to which the project demonstrates a high potential for successful water quality protection and improvement based on a comparison of existing water quality and the project's goals and objectives with maximum contaminant levels and recommended allowable limits for drinking water, water quality standards, and regional lake and stream water quality criteria published by the agency, the Minnesota Department of Health, and the United States Environmental Protection Agency;

- B. the extent to which the project employs best management practices which provide a technically and economically feasible means to abate or prevent water pollution from nonpoint sources;
- C. the extent to which the project maximizes water quality protection or improvement relative to the cost of project implementation;
- D. the extent to which the project goals and objectives are consistent with state water quality management plans and other applicable state and federal resource management programs;
- E. the extent to which the project demonstrates a high potential for project success based on community support and involvement as well as participation, coordination, and cooperation of federal, state, and local agencies and units of government for water quality protection and improvement;
- F. the extent to which the project demonstrates a significant degree of transferability to similar local units of government; and
- G. the priority placed on each project by the project coordination team.

Subp. 4. **Project coordination team.** The project coordination team has 60 days from the close of the application period to assign points to each project seeking a grant. In the event that the project coordination team fails to assign points to all projects with approved grant applications, the projects must be ranked without considering any points under the category for the project coordination team. The project coordination team must use the criteria established in Minnesota Statutes, section 115.098, to assign points to each project seeking a grant.

7076.0180 ALLOCATION OF FUNDING.

Subpart 1. **Project continuation grant amendments.** Each year by March 1, the agency shall determine how much of the available funds will be set aside to meet that year's anticipated requests for project continuation grant amendments. If the agency subsequently determines that the amount set aside for project continuation grant amendments is more than is required for grant amendments in that year, the agency may reallocate this money to other project development grants and project implementation grants or carry over the money to another grant application period.

Subp. 2. **Grant fund allocation.** Within 90 days of the close of an application period, the agency shall determine how much of the remaining funds, after setting aside funds for project continuation grant amendments, will be made available for project development and project implementation grant awards. In deciding how much money to make available for new grant awards, the agency shall consider the necessity to have money available for subsequent grant periods, the necessity to have money available for anticipated project continuation grant amendments in the next year, and other factors relating to the agency's ability to ensure that money will be available for upcoming projects.

Subp. 3. **Development; implementation split.** Within 90 days of the close of an application period, the agency shall determine how much of the funds available for new grants in that application period will be available for project development and project implementation grants. In determining the allocation of funds between project development and project implementation grants, the agency shall consider:

- A. the availability and conditions for use of federal funds; and
- B. the phasing in and continuity of projects in the program.

If the money intended for project development or project implementation grants, or both, is not awarded during a grant period, the agency may reallocate the funds to the other kind of grant or to a subsequent grant period.

7076.0190 SELECTION OF PROJECTS FOR GRANT AWARD.

Subpart 1. **Ranking.** The agency shall complete its ranking of all projects for which an acceptable grant application has been submitted within 90 days of the close of the application period. The agency shall rank development projects separately from implementation projects.

Subp. 2. **Projects funded.** The agency shall select those projects that will be awarded grant funds by awarding grants to the highest priority project development and project implementation applications within the limits of available funds established under part 7076.0180, subpart 2. A project that receives less than 40 points will not be considered for award of grant funds.

Subp. 3. **Agency decision.** All decisions of the agency in ranking projects and awarding grants must be made at a regular or special board meeting.

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Proposed Rules

Subp. 4. **Timing.** The agency shall make its decision on fund allocation, project ranking, and projects to which grants will be awarded within 90 days of the close of the application period.

Subp. 5. **Reapplication.** A grant applicant whose application is not awarded grant funds must reapply in a subsequent application period to be considered for a grant.

7076.0200 PROJECT CONTINUATION GRANT AMENDMENT.

Subpart 1. **Eligibility.** A project sponsor who has been awarded a project implementation grant is eligible for a project continuation grant amendment to continue the project after the expiration of the initial grant. The requirements that applied to the initial grant apply to the project continuation grant amendment. A project sponsor is eligible for one project continuation grant amendment on a particular project.

Subp. 2. **Request.** A project sponsor who seeks a project continuation grant amendment shall submit a request for the grant amendment in the year that the activities funded through the initial project implementation grant will be completed and additional funds will be required to continue project implementation. The request must be submitted on a form provided by the agency and may be submitted at any time during the calendar year the funds will be needed. A project sponsor who fails to submit a request for a project continuation grant amendment in the year the funds are required forfeits the right to an amendment. That project sponsor may apply in a subsequent grant period to continue the project and compete with other applicants for a project implementation grant.

Subp. 3. **Approval.** The agency shall approve the project sponsor's request for a project continuation grant amendment if it meets the following conditions:

A. the project sponsor has satisfied the terms and conditions of the grant to date; and

B. the project sponsor has identified the source of the local share of funds necessary for the project continuation grant amendment.

7076.0210 GRANT CONDITIONS.

Subpart 1. **Amount.** A grant that is made must be for the amount requested by the applicant, up to a maximum of 50 percent of the eligible cost of project development or project implementation.

Subp. 2. **Grant period.** The grant period for a project development grant will be for a period of two years. The grant period for a project implementation grant will be for a period of three years and may be extended an additional three years with agency approval of a request for a project continuation grant amendment in accordance with part 7076.0200.

Subp. 3. **Grant contract.** The project sponsor must enter into a contract with the agency before a grant will be awarded. The contract must include the provisions in part 7076.0220.

Subp. 4. **Records.** The project sponsor shall maintain all records relating to the receipt and expenditure of grant funds for a period of at least three years from the date of termination of the grant contract.

Subp. 5. **Audit.** The project sponsor must agree that the books, records, documents, and accounting procedures and practices of the project sponsor relevant to this program may be examined at any time by the commissioner or the commissioner's designee.

Subp. 6. **Annual progress report.** The project sponsor shall submit an annual progress report to the commissioner by February 1 of each year the grant is in effect. The report must include the following information:

A. a discussion of work progress relative to the schedule, and difficulties encountered meeting the schedule during the year;

B. a discussion of the project findings appropriate to the work conducted during the year;

C. a report of expenditures in the year and those anticipated during the upcoming year;

D. a discussion and summary analysis of monitoring data and a discussion of the changes in water quality that appear to have resulted from the protective and restorative activities implemented during the year; and

E. water quality monitoring data collected during the year in the format required by the agency.

Subp. 7. **Mid-year update.** The project sponsor shall give the commissioner a mid-year update by August 1 of each year the grant is in effect. The mid-year update must include a brief report on project progress and difficulties encountered in meeting the project schedule.

Subp. 8. **Monitoring plan.** The project sponsor shall submit a monitoring plan to the commissioner within 60 days of the award of the grant. The monitoring plan must be revised annually and submitted to the commissioner by January 31. The monitoring plan must comply with part 7076.0230.

Subp. 9. **Diagnostic study and implementation plan.** The project sponsor for a project development grant shall submit to the commissioner before the final grant payment is made a diagnostic study and implementation plan that meets the requirements of parts 7076.0240 and 7076.0250.

Subp. 10. **Eligible costs.** No grant funds shall be used to reimburse the project sponsor for costs incurred after the end of the contract period.

7076.0220 GRANT CONTRACT.

Subpart 1. **Contents.** The agency and the project sponsor shall enter into a grant contract. The grant contract must:

- A. establish the terms and conditions of the grant;
- B. provide that the project sponsor may enter into contracts, under terms and conditions specified by the agency, to complete the work specified in the contract;
- C. provide that the cost overruns are the sole responsibility of the project sponsor;
- D. require that the project sponsor submit periodic progress reports and a final report to the agency in a format prescribed by the agency; and
- E. incorporate terms and conditions required by federal or state statutes, rules, and regulations.

Subp. 2. **Amendments.** A grant contract may be amended upon agreement of the agency and the project sponsor.

Subp. 3. **Contract period.** Grant contracts for project development will be for a period of up to two years. Grant contracts for project implementation will be for a period of up to six years. The agency may allow a one-year extension of either of these grant contracts.

7076.0230 MONITORING PLAN.

Subpart 1. **Requirements.** The monitoring plan required to be submitted to the commissioner as a condition of the grant must:

- A. identify and provide rationale for the selection of monitoring sites, monitoring frequency, and parameters to be monitored; and
- B. identify laboratories that will do analyses and explain their quality assurance and quality control procedures.

Subp. 2. **Review.** The commissioner will review the monitoring plan and approve it or identify deficiencies in writing within 45 days of its receipt. The project sponsor shall have 15 days to correct any deficiencies.

Subp. 3. **Grant payment.** No grant payment shall be paid after March 31 in any year in which a monitoring plan has not been approved.

7076.0240 DIAGNOSTIC STUDY.

Subpart 1. **General requirements.** The diagnostic study required to be submitted by a project sponsor under part 7076.0210, subpart 9, must include:

- A. a detailed description of the water of concern;
- B. a detailed description of the project area;
- C. an analysis and assessment of the data and information collected as a requirement of subparts 2 and 3; and
- D. the identification and documentation of the methods, procedures, model, and other tools used to prepare and complete the diagnostic study.

Subp. 2. **Description of water of concern.** The diagnostic study must contain a detailed description of the water of concern that includes:

- A. a summary of historical uses and changes resulting from water quality degradation;
- B. a discussion of previous studies and other historic baseline physical, chemical, and biological data; and
- C. current data or information for the following:

(1) if the water of concern is a lake, the description shall include the following:

(a) identification or measurement of lake surface area, maximum depth, average depth, one in ten year low and high as well as average hydraulic residence time, temperature profiles, secchi disk transparencies, the area of the watershed draining to the lake, its tributaries, their estimated contribution to inflows, and a hydrologic budget including groundwater flow;

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Proposed Rules

(b) measurement of dissolved oxygen, total phosphorus, dissolved inorganic phosphorus, total Kjeldahl nitrogen, nitrite plus nitrate nitrogen, total suspended solids, total alkalinity, chloride concentrations, color, pH, and conductivity; determination of mass loadings of total phosphorus, total Kjeldahl nitrogen, and total suspended solids from major tributaries and completion of nutrient and sediment budgets for the lake;

(c) measurement of average summer epilimnetic chlorophyll a, a description of predominant phytoplankton, zooplankton, and submerged, floating, and emergent vascular plant communities; measurement of fecal streptococcus and fecal coliform bacteria where human health may be impacted; and

(d) a summary of available fisheries information;

(2) if the water of concern is a stream, the description shall include the following:

(a) identification or measurement of stream length, sinuosity, order, substrate, estimated maximum high flow for 24 consecutive hours that has a recurrence interval of 25 years, mean flow for the available period of record, and annual minimum flow for seven consecutive days that has a recurrence interval of ten years;

(b) measurement of flow and biochemical oxygen demand, total phosphorus, nitrite plus nitrate nitrogen, ammonia nitrogen, organic nitrogen, total dissolved solids, total suspended solids, and diurnal dissolved oxygen concentrations, turbidity, pH, and conductivity;

(c) measurement of fecal streptococcus and fecal coliform bacteria where human health may be impacted; and

(d) completion of invertebrate and fishery assessments using standard benthological and ichthyological techniques; identification of significant biological habitats including riparian vegetation and spawnings areas; and

(3) if the water of concern is an aquifer, the description shall include the following:

(a) identification or measurement of the aquifer physical type, size, temperature, saturated thickness, recharge sources, discharge sources transmissivity, hydraulic residence time, range of hydraulic gradients, and underlying lithology and stratigraphy;

(b) measurement of chemical oxygen demand, total organic carbon, total Kjeldahl nitrogen, ammonia nitrogen, nitrite plus nitrate nitrogen, total phosphorus, chloride, sulfate, calcium, magnesium, iron, manganese, potassium, sodium, bicarbonate, and alkalinity concentrations, oxidation potential, pH, and specific conductance;

(c) measurement of organic compounds, pesticides, and metals in areas where they are pollutants of concern;

(d) measurement of fecal streptococcus and fecal coliform bacteria where human health may be impacted; and

(4) if the water of concern is water other than a lake, stream, or aquifer, the data and information requirements will be determined jointly by the agency and the project sponsor.

Subp. 3. Description of project area. The diagnostic study must contain a detailed description of the project area that includes:

A. a map of the project area;

B. an aerial photo of the project area;

C. maps of general topographic relief based on United States Geological Survey topographic maps;

D. a map of the project area divided into subunits on a hydrologic basis including boundaries and flow directions for each subunit;

E. a description of important aquifer systems, confining layers, and flow characteristics;

F. a description of ground and surface water interconnections, such as recharge and discharge areas;

G. a description of known geologic conditions, such as karst areas, buried valleys, or sand plains that may pose concerns relating to water quality;

H. a description of waters of the state and public drainage ditches, including dams and control structures;

I. soil:

(1) a general soils map and description of soils infiltration characteristics; and

(2) a map of erosion-prone soils;

J. land use:

(1) existing and future land uses;

(2) areas served by storm sewers, sanitary sewers, and public water systems;

(3) the location of community public water supply, intakes, and wells;

- (4) irrigated acreage;
 - (5) domestic animal density and feedlots;
 - (6) on-site wastewater treatment systems;
 - (7) existing management practices;
 - (8) known tiling and drainage systems;
 - (9) estimates of pesticide and fertilizer use;
 - (10) known closed and open sanitary landfills, closed and operating open dumps, and hazardous waste sites;
 - (11) known abandoned wells not sealed in accordance with state statutes and rules;
 - (12) underground storage tank sites;
 - (13) permitted wastewater disposal systems and discharges under chapter 7001;
 - (14) wetlands identified under the National Wetlands Inventory and a summary of applicable management plans;
 - (15) areas delineated as floodplains;
 - (16) areas with known flooding problems;
 - (17) a summary of the state ecological and management classifications;
 - (18) a summary of state management plans for fish and wildlife;
 - (19) unique features and scenic areas with relationships to water including state designated natural and scientific areas, outstanding resource value waters, areas containing county, state, and federal rare and endangered species and other features such as waterfalls and springs;
 - (20) the ownership of local, state, and federal Indian tribal lands;
 - (21) lands with easements that relate to water resources;
 - (22) population characteristics; and
 - (23) a summary of recreational land uses;
- K. precipitation:
- (1) a map and list of the location of precipitation gauging stations in the project area;
 - (2) a map showing isolines of normal annual total precipitation;
 - (3) a map showing isolines of normal precipitation in inches for the period May to September; and
 - (4) a summary of precipitation information for the project area; and
- L. hydrology:
- (1) an estimate of the maximum high flow for 24 consecutive hours that has a recurrence interval of 25 years, mean flow for the available period of record, and annual minimum flow for seven consecutive days that has a recurrence interval of ten years;
 - (2) a description of permitted withdrawals from lakes and streams, including location, source, use, and amounts withdrawn;
 - (3) a description of protected levels or flows that have been established for lakes and streams;
 - (4) a description of known water use conflicts, including those caused by groundwater pumping, that affect surface waters;
 - (5) a description of wells covered by state appropriation permits including location, amounts of water appropriated, type of use, and aquifer source;
 - (6) a description of known well interference problems and water use conflicts; and
 - (7) a list of state observation wells including location, unique well number, aquifers measured, years of record, and average monthly levels.

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Proposed Rules

Subp. 4. **Analysis and assessment.** The diagnostic study must contain an analysis and assessment of the data and information collected as a requirement of subparts 2 and 3 including the following:

- A. the identification of existing and potential water quality problems;
- B. the identification of water quality goals for the water of concern;
- C. the identification of project objectives in terms of:
 - (1) specific water chemical, biological, and physical measurements; and
 - (2) economic, recreational, and health factors;

D. an estimate of the pollutants coming from the subunit of project area defined on a hydrologic basis and the identification of the target levels of pollutant reduction necessary to meet the project objectives and water quality goals; and

E. the identification and ranking of the subunit of the project area defined on a hydrologic basis into priority management areas on which to focus implementation of best management practices.

Subp. 5. **Exemption.** Upon written request from the project sponsor, the agency may allow an exemption from a specific diagnostic study requirement that does not provide data or information useful for diagnosis of the problem or solutions.

7076.0250 IMPLEMENTATION PLAN.

The implementation plan required to be submitted by a project sponsor under part 7076.0210, subpart 9, must include:

A. an analysis of the need for best management practices that will aid in the achievement of target levels of pollutant reduction in the areas identified as priority management areas, that includes:

- (1) identification of best management practices;
- (2) an estimate of costs for practice installation;
- (3) a schedule for implementation;
- (4) an estimate of engineering and other assistance needs, including best management practice design, and inspection of installation, operation, and maintenance;
- (5) an estimate of pollutant reduction; and
- (6) identification of the standards and criteria for best management practice design;

B. a project implementation water quality monitoring and evaluation plan identifying procedures and schedules for determine project progress and accomplishments, that includes:

- (1) a monitoring plan that includes the chemical, physical, and biological parameters that will be measured to enable comparisons with goals and objectives established in the diagnostic study;
- (2) a procedure to document and evaluate the implementation of best management practices; and
- (3) a procedure to identify effectiveness of the best management practices on water quality, and their impact on water resources in the project area;

C. a plan and schedule to implement an information and education program in the project area;

D. an identification of roles and responsibilities of the project sponsor, its representatives, and cooperating agencies in implementing the project;

E. a proposed schedule for project implementation, segmented into three-year periods;

F. an estimated budget for project implementation segmented into three-year periods;

G. a plan to maintain project goals and accomplishments and prevent further nonpoint source pollution;

H. a list of any federal or state permits and approvals required to complete the project; and

I. an opinion and supporting documentation from the project sponsor's attorney that the project sponsor and participating local units of government have the legal authority to implement the project.

7076.0260 DIAGNOSTIC STUDY AND IMPLEMENTATION PLAN APPROVAL.

Subpart 1. **Review and decision.** The commissioner shall review and approve or disapprove the diagnostic study and implementation plan within 90 days of their receipt. The commissioner shall approve the diagnostic study and implementation plan if the commissioner determines that:

A. the diagnostic study and implementation plan meet the requirements for a diagnostic study and implementation plan identified in parts 7076.0240 and 7076.0250;

B. the diagnostic study provides information in sufficient detail to technically define the water quality problems, sources of pollution, and project goals and objectives for water quality protection and improvement;

C. the implementation plan provides a technically feasible means to abate nonpoint sources of water pollution and achieve project objectives; and

D. the diagnostic study and implementation plan are consistent with state and federal statutes, rules, and regulations.

Subp. 2. **Reasons for disapproval.** If the diagnostic study and implementation plan are disapproved, the commissioner shall provide the project sponsor with a written statement of reasons for disapproval.

Subp. 3. **Resubmittal.** A disapproved diagnostic study and implementation plan must be revised by the project sponsor and resubmitted to the commissioner. Upon receipt of the revised diagnostic study and implementation plan, the commissioner shall review the revised diagnostic study and implementation plan.

7076.0270 BEST MANAGEMENT PRACTICE EVALUATION.

In selecting best management practices for inclusion in an implementation plan, the project sponsor shall consider the following factors in evaluating the best management practices:

A. whether the best management practice will achieve the desired project objectives;

B. whether the best management practice implementation would create other water quality or environmental problems;

C. the degree of nonpoint source control achieved for the amount of resources allocated for that control;

D. whether a less costly best management practice could achieve a similar result; and

E. whether the best management practice is reasonably suited for the individual site.

7076.0280 GRANT PAYMENTS.

Subpart 1. **Reimbursement.** The project sponsor may submit a request for reimbursement of expenditures for each of the standard calendar quarters ending March 31, June 30, September 30, and December 31. The agency shall pay the reimbursement within 45 days of the request if the grantee is in compliance with conditions of the grant contract and requirements of parts 7076.0100 to 7076.0290.

Subp. 2. **Final payment.** The agency shall withhold reimbursement on the final ten percent of the grant contract amount until the agency is satisfied that the project has been completed in accordance with the terms of the grant contract and parts 7076.0100 to 7076.0290.

Subp. 3. **Withholding of reimbursement.** The agency may withhold reimbursement if the project sponsor has failed to comply with any requirements of the grant contract or parts 7076.0100 to 7076.0290. The funds will not be released until the agency determines that the project sponsor has corrected the deficiencies causing noncompliance.

Subp. 4. **Advance.** The project sponsor may submit a request for an advance of grant funds after the commissioner approves the project monitoring plan. The advance is limited to ten percent of the grant award or \$50,000, whichever amount is less.

7076.0290 GRANT RESCISSION.

The agency may rescind a grant if the project is not being completed in accordance with the terms and conditions of the grant, including time schedules.

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Adopted Rules

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

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

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

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

Department of Human Services

Adopted Emergency Amendments to Permanent Rules and Emergency Rules Relating to General Assistance Literacy Training Requirements

The rules proposed and published at *State Register*, Volume 12, Number 18, pages 953-956, November 2, 1987 (12 S.R. 953) are adopted with the following modifications:

Rules as Adopted

9500.1206 PROGRAM DEFINITIONS.

Subpart 1. to 24. [Unchanged.]

Subp. 24a. **Occupational or vocational literacy program.** "Occupational or vocational literacy program" means a program providing literacy training in the which emphasizes specific literacy language and reading skills needed to perform in employment, complete employment training programs, or complete work readiness programs.

9500.1257 [Emergency] LITERACY TRAINING FOR RECIPIENTS.

Subp. 2. **Assessment.** The local agency shall assess each recipient eligible under part 9500.1258, subpart 1, item P, to identify any learning disabilities the recipient may have and to determine the recipient's existing reading level, reading potential, and vocational or occupational interests. The results of literacy testing and any other assessments conducted by the local agency under this subpart must be made available to the literacy training provider under in accordance with Minnesota Statutes, sections 13.01 to 13.90, the Minnesota Government Data Practices Act.

Subp. 4. **Reassignment.** If a suitable recipient fails, with good cause as defined in part 9500.1206, subpart 15, to complete a literacy program to which the recipient is assigned under subpart 3, the local agency shall assign the recipient to an opening in another accessible literacy program if the recipient wants to participate in another program. If the recipient does not have good cause for refusing reassignment to another program, the recipient must be disqualified under part 9500.1266.

Department of Human Services

Adopted Emergency Rule Relating to Work Incentive Housing Subsidy for AFDC Recipients

The rules proposed and published at *State Register*, Volume 12, Number 18, pages 956-959, November 2, 1987 (12 S.R. 956) is adopted with the following modifications:

Rule as Adopted

9500.2890 [Emergency] WORK INCENTIVE HOUSING SUBSIDY.

Subp. 2. **Eligibility criteria.** To be eligible for the housing subsidy, a person must:

B. be a caretaker and recipient of AFDC on the date of application or within 30 days prior to the date of application;

Subp. 7. **Final selection.** The department shall select randomly from the applicants found eligible and the applicants who have

filed timely appeals under subpart 6 a sufficient number of applicants to ensure that the funds available for the housing subsidy are fully encumbered. The department shall notify all eligible applicants of whether they have been selected to receive a housing subsidy. The notification must inform selected applicants of the beginning and ending dates of their subsidy payments and the conditions set out in subpart 15 under which an applicant's housing subsidy will be terminated. The notice must inform applicants who are not selected to receive the housing subsidy that they will be eligible for any subsequent random drawings which may be held under subpart 12 unless they are determined to be ineligible under subpart 2.

Subp. 11. **Appeals.** Ineligibility determinations under subpart 6 and the termination of housing subsidy payments under subpart 15 may be appealed under Minnesota Statutes, section 256.045. The failure to select an eligible applicant through the random selection identified in subpart 7, is not appealable under Minnesota Statutes, section 256.045. Subsidy payments must not be continued or started during the pendency of an appeal. If the appeal is decided in the applicant's favor, the applicant must be issued the subsidy payments to which the applicant is entitled, including the payments withheld while the appeal was being decided.

Official Notices

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

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

Charitable Gambling Control Board

Outside Opinion Sought Regarding Proposed Rules Governing Lawful Gambling and the Distribution of Lawful Gambling Equipment

Notice is hereby given that the Charitable Gambling Control Board is seeking information or opinions from sources outside the agency in preparing to promulgate new rules governing lawful gambling and to modify existing rules. The promulgation of these rules is authorized by *Minnesota Statutes* 349.151, subdivision 4, (1986) as amended, which empowers the agency to license organizations and suppliers, collect taxes, receive reports from and inspect records of organizations and suppliers, register gambling equipment, provide for posting of rules of play and odds and/or house percentage on each form of lawful gambling, and otherwise regulate the conduct of lawful gambling in Minnesota.

Small businesses involved in lawful gambling or distributing lawful gambling equipment are advised that they may be impacted by rules adopted by the Charitable Gambling Control Board in that the rules will provide for license fees, record keeping and reporting, and other procedures and requirements to which small businesses may have to adhere.

The Charitable Gambling Control Board requests information and comments concerning the subject matter of these rules. Interested or affected persons or groups may submit statements of information or comment orally or in writing. Written statements should be addressed to:

Roger Franke
Charitable Gambling Control Board
1821 University Avenue, Room N-475
St. Paul, MN 55104-3383

Oral statements will be received during regular business hours over the telephone at 612/642-0555 and in person at the above address.

Any written material received by the Charitable Gambling Control Board will become part of the record in the event that the rules are promulgated.

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Metropolitan Council of the Twin Cities Area

Notice of Public Hearing on Proposed Revisions to the *Water Resources Management Development Guide, Part 1, Sewage Treatment and Handling Policy Plan*

The Metropolitan Council will hold a public hearing on Wednesday, May 18, 1988 on the proposed revisions to the *Water Resources Management Development Guide, Part 1, Sewage Treatment and Handling Policy Plan*. The hearing will be held at 7 p.m. in the Metropolitan Council Chambers, 300 Metro Bldg., 7th and Robert Sts., St. Paul, Minnesota 55101. The purpose of the draft plan is to guide the development of metropolitan sewer service in the seven-county Metropolitan Area to 2010. Plan policies address water quality management, sanitary sewer services, the governmental framework and financial management. The document specifies implementing activities for the Metropolitan Waste Control Commission (MWCC) and local governments. In accordance with state law the comments of the MWCC regarding the proposed plan are also to be made available at the public hearing. All interested persons are encouraged to attend the hearing and offer comments or submit comments in writing. The hearing record will be held open until June 2. People may register to speak in advance by calling Jane Larson at 291-6500. Copies of the proposed plan and the MWCC's comments will be available for public inspection beginning April 18 at designated libraries throughout the region. For information on the location of these libraries or a free copy of the proposed plan and MWCC's comments, call 291-6464.

Minnesota Pollution Control Agency

Notice of Public Meeting Regarding Revisions to the Minnesota State Implementation Plan for Air Quality

NOTICE IS HEREBY GIVEN, that the Minnesota Pollution Control Agency (hereinafter "Agency") on May 24, 1988, will consider a proposed revision to the State Implementation Plan (SIP). The revision involves the inclusion of a "committal" SIP that supplements the existing SIP with enforceable commitments to perform the actions required at 52 *Federal Register* 24681 for such "committal" SIPs.

This "committal" SIP commits the state to conduct monitoring activities for PM-10 particulate matter, to notify the Environmental Protection Agency (EPA—Region V) if a nonattainment problem is found, and to revise the SIP if needed to assure attainment and maintenance of the PM-10 National Ambient Air Quality Standard.

The Agency will consider this "committal" SIP at its regularly scheduled, May 24, 1988 Board Meeting.

NOTICE IS HEREBY GIVEN, that the public is invited to attend the Agency meeting on May 24, 1988, and to comment on the proposed SIP revision. The meeting will begin at 9:00 a.m. in the Agency Board Room located at 520 North Lafayette Road, St. Paul, Minnesota 55155. A copy of the meeting Agenda and the SIP revision will be mailed to any interested person upon the Agency's receipt of a written request. Requests for copies of the meeting Agenda and the SIP revision should be mailed to:

Ms. Heather Davis-Peabody
Division of Air Quality
Minnesota Pollution Control Agency
520 Lafayette Road
St. Paul, Minnesota 55155

Written comments on the proposed SIP revisions should be submitted prior to May 18, 1988 and should be addressed to:

Ms. Shiela Ugargol
Division of Air Quality
Minnesota Pollution Control Agency
520 Lafayette Road
St. Paul, Minnesota 55155

All written comments received during the public comment period will be considered by the Agency.

Additional materials relating to the issuance of this amendment are available for inspection at the Minnesota Pollution Control Agency, Division of Air Quality, 520 Lafayette Road, St. Paul, Minnesota 55155, phone (612) 296-7868, between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday.

Gerald Willet, Commissioner

Minnesota State Retirement System

Board of Directors, Regular Meeting

A meeting of the Board of Directors, Minnesota State Retirement System will be held on Friday, April 22, 1988 at 8:30 a.m. in the office of the System, 529 Jackson Street, St. Paul, Minnesota.

Teachers Retirement Association

Notice of Regular Meeting

The Board of Trustees, Minnesota Teachers Retirement Association will hold a meeting on Thursday, May 5, 1988 at 9:00 a.m. in Suite 500, Gallery Building, 17 West Exchange Street, St. Paul, MN to consider matters which may properly come before the Board.

Department of Transportation

Petition of the City of Oakdale for a Variance from State Aid Administration Requirements for Determination of Maintenance Monies

Notice is hereby given that the City Council of the City of Oakdale has made a written request to the Commissioner of Transportation pursuant to *Minnesota Rules* § 8820.3300 for a variance from requirements for establishing the City of Oakdale's 1988 State Aid Maintenance Allocation.

The request is for a variance from *Minnesota Rules* for State Aid Operations § 8820.1400 adopted pursuant to *Minnesota Statutes*, Chapter 161 and 162, so as to permit the City of Oakdale to increase their 1988 Maintenance Allotment by \$56,765. The monies to be transferred from their State Aid Construction account to their State Aid Maintenance account.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated: 5 April 1988

Leonard W. Levine
Commissioner

Minnesota Public Utilities Commission

Notice of Intent to Solicit Outside Information Regarding Proposed Rule Governing Geographic Deaveraging of Telephone Company Rates, Docket No. P-999/R-88-208

Notice is hereby given that the Minnesota Public Utilities Commission (Commission) is seeking information or opinions from outside sources in preparing to propose the adoption of rules governing geographic deaveraging of telephone rates. The adoption of the rule is authorized by *Minnesota Statutes* Section 237.10 (1986), which allows the Commission to make rules; by *Minnesota Statutes* Section 237.06 (1986) which requires telephone companies to charge just and reasonable rates and to furnish reasonably adequate service and facilities; and by *Minnesota Statutes* Section 237.60, subd. 3 (1987 Supp.) which prohibits telephone companies from charging unreasonably discriminatory rates.

The Commission is considering a rule to require telephone companies to file their rate schedules for interexchange services in units per air mile. The Commission is also considering the following rule language:

"A telephone company which has elected under the provisions of *Minnesota Statutes*, Sections 237.57 to 237.67 (1987 Supp.) to offer services subject to competition may provide volume discounted interexchange services to customers in particular geographic locations in the state upon a petition which includes a written justification which identifies the good cause for such rate deaveraging or rate discrimination and evidence and testimony showing that the proposed rate design will allow all customers to share equally in the benefits of the competitive activity engaged in by the telephone company."

Official Notices

These rules would require telephone companies to price toll service on a message minute-mile and to price private line service according to mileage bands. Geographic deaveraging would not be permitted unless the telephone company had elected under the alternative regulation law. Nor would deaveraged long distance rates, except volume discount rates, be allowed.

Please comment on the above language and, if appropriate, suggest alternative language.

The Commission requests information and opinions concerning the subject matter of the rule. Interested persons or groups may submit data or views in writing or orally. Written statements or comments should be directed to:

Caroline Robinson
Minnesota Public Utilities Commission
780 American Center Building
150 East Kellogg Boulevard
St. Paul, MN 55101
(612) 296-9617

Oral statements or comments will be received during regular business hours, 8:00 a.m. to 4:30 p.m., Monday through Friday. PLEASE USE THE GEOGRAPHIC DEAVERAGING RULE DOCKET NO. P-999/R-88-208 ON ALL CORRESPONDENCE.

All statements of information and opinion will be accepted until September 1, 1988. Any written materials received by the Commission shall become part of the rulemaking record in the event that the rule is adopted.

Dated: 8 April 1988

Mary Ellen Hennen
Executive Secretary

State Contracts and Advertised Bids

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

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

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

Department of Administration: Materials Management Division

Contracts and Requisitions Open for Bid

Call 296-2600 for information on a specific bid, or to request a specific bid. Buyer's initials are listed next to each commodity.

Commodity: AV equipment
Contact: Pat
Bid due date at 2pm: April 20
Agency: Public Safety
Deliver to: St. Paul
Requisition #: 07300 48122

Commodity: Hot Plant Mix
Contact: P.A.
Bid due date at 2pm: April 21
Agency: Transportation
Deliver to: Brainerd
Requisition #: 79300 B

Commodity: Aggregates
Contact: P.A.
Bid due date at 2pm: April 21
Agency: Transportation
Deliver to: Morris
Requisition #: 79450A

Commodity: Aggregates
Contact: P.A.
Bid due date at 2pm: April 21
Agency: Transportation
Deliver to: Brainerd
Requisition #: 79300A

Commodity: Redi-Mix Concrete
Contact: P.A.
Bid due date at 2pm: April 21
Agency: Transportation
Deliver to: Brainerd
Requisition #: 79300RM

Commodity: Blasting Sand
Contact: P.A.
Bid due date at 2pm: April 21
Agency: Transportation
Deliver to: Detroit Lakes
Requisition #: 79400SS

State Contracts and Advertised Bids

Commodity: Lease of IBM 3090-400E
Contact: B. V.
Bid due date at 2pm: April 26
Agency: Administration
Deliver to: St. Paul
Requisition #: 02410 80172

Commodity: Security system
Contact: Pat Anderson
Bid due date at 2pm: April 26
Agency: Community College
Deliver to: Rochester
Requisition #: 27000 50195

Commodity: Software for personal computers
Contact: D.O.
Bid due date at 2pm: April 26
Agency: Various
Deliver to: Various
Requisition #: Price Contract

Commodity: Chevrolet automobile, Chev & GMC truck parts
Contact: D.M.
Bid due date at 2pm: April 26
Agency: Various
Deliver to: Various
Requisition #: Price Contract

Commodity: Print out paper-continuous
Contact: A. W.
Bid due date at 2pm: April 27
Agency: Various
Deliver to: Various
Requisition #: Price Contract

Commodity: Automotive paint & body supplies
Contact: D.M.
Bid due date at 2pm: April 27
Agency: Various
Deliver to: Various
Requisition #: Price Contract

Department of Administration: Printing & Mailing Services

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

Commodity: 35M manila envelopes, 9½"x6½", plus touch & seal flap, 28# kraft, buff, type to set, one-sided
Contact: Printing Buyer's Office
Informal Bid Opening 4:30pm: April 20
Agency: Jobs & Training Dept.
Deliver to: St. Paul
Requisition #: 6475

Commodity: 50M labels, 100 per roll, type to set, one-sided, rounded corners
Contact: Printing Buyer's Office
Informal Bid Opening 4:30pm: April 20
Agency: Central Stores
Deliver to: St. Paul
Requisition #: 6470

Commodity: 100M booklets, 4"x8", 30 pages, type to set and negs furnished, saddle stitch
Contact: Printing Buyer's Office
Informal Bid Opening 4:30pm: April 20
Agency: Jobs & Training Dept.
Deliver to: St. Paul
Requisition #: 6304

Commodity: 375,250 State Park maps: 56 different maps; 53 are 11"x17"; 3 are 8½"x11"; all 3 color map side, 2 color reverse, negs and keylines furnished, #70 white offset
Contact: Printing Buyer's Office
Bid due date at 2pm: April 22
Agency: Natural Resources Dept.
Deliver to: St. Paul
Requisition #: 6422

Commodity: 4M numbered sets of forms, type to set, negs furnished, 4¼"x6½" overall size, pads of 25
Contact: Printing Buyer's Office
Informal Bid Opening 4:30pm: April 21
Agency: Central Stores
Deliver to: St. Paul
Requisition #: 6500

Commodity: 50M forms, 1-sided, camera ready, 8¾"x3¾" with ½" pinfeed strips
Contact: Printing Buyer's Office
Informal Bid Opening 4:30pm: April 22
Agency: Dept. Revenue
Deliver to: St. Paul
Requisition #: 6535

Commodity: 30M 2-part forms, negs furnished, 1-sided, 50 per pad, 11"x17" detached
Contact: Printing Buyer's Office
Informal Bid Opening 4:30pm: April 22
Agency: Dept. Human Services
Deliver to: St. Paul
Requisition #: 6518

Commodity: 8M books, 1,000 pages, camera ready, 4½"x7½", 6,000 case-bound, 2,000 perfect-bound
Contact: Printing Buyer's Office
Bid due date at 2pm: April 25
Agency: Dept. Transportation
Deliver to: St. Paul
Requisition #: 6432

State Contracts and Advertised Bids

Minnesota State Arts Board

Notice of Availability of Contract for Writer/Essayist

The Minnesota State Arts Board is seeking a writer to produce two versions of a 1,000 word essay documenting the process of selecting public artwork. The essay subject will be the new Minnesota History Center, and selection of artwork under the Percent for Art in Public Places program administered by the Arts Board. Two versions of the essay will be requested; one for reproduction in the art press and one for the general press.

Articles will appear with photographs in *Arts Board News* and *Minnesota History News* with additional placement in local and regional arts publications.

Project tasks: The writer must attend design presentations and committee meetings on May 10 and 11, 1988. Possible interviews with artists and committee members may be required after this meeting. Background materials on the History Center project and finalist artists will be prepared for the writer prior to the meetings. Two articles should be completed by June 1, 1988.

Contract Requirements: Individual must have writing experience in an anecdotal essay style. Some knowledge of the visual arts and public arts issues is necessary, but it should be noted that a critical essay is not requested. Writers should be able to convey through lively dialogue and rendering of characters the dynamic between the selection committee, artists, and the public.

Contract dates are May 10 to June 1, 1988. Contract amount will not exceed \$500.

A professional resume and three writing samples should be sent no later than April 28, 1988 to:

Regina M. Flanagan
Percent for Art in Public Places Program
Minnesota State Arts Board
432 Summit Avenue
Saint Paul, MN 55102
(612) 297-2603

Department of Commerce

Notice of Intent to Extend Deadline and Make Changes in the Request for Proposals for Services to Be Provided to the Minnesota Workers' Compensation Assigned Risk Plan by a Qualified Independent Certified Public Accountant

The Department of Commerce intends to contract with an accounting firm to prepare a consolidated annual financial statement, and to perform an audit of the Plan's business and its servicing carriers on behalf of the Minnesota Workers' Compensation Assigned Risk Plan. The contract period has been revised and will be from May 1, 1988 through June 1, 1989.

Interested parties should obtain the formal Request for Proposals from:

Rose M. Ortiz
Department of Commerce
500 Metro Square Building
St. Paul, Minnesota 55101
(612) 297-4017

Proposals must be submitted by April 20, 1988.

Minnesota Historical Society

Notice of Availability of Contract for Design and Fabrication of History Center Model

The Minnesota Historical Society is seeking individuals and firms experienced in museum quality model building to design and build a presentation model of the new State History Center, designed by HGA, and surrounding site, to be used for fund raising purposes.

These services, which will be provided under contract, are outlined in detail in the Request for Proposal (RFP). The formal RFP may be requested and inquiries directed to: Mark Schwartz, Contract Officer, 1500 Mississippi St., St. Paul, MN 55101, (612) 296-2155. The deadline for submitting completed proposals is the end of the business day (5:00 p.m.) April 27, 1988. Late proposals will not be accepted.

Department of Human Services

Deaf Services Division

Contract Available for Interpreter Referral Services

The Deaf Services Division, Department of Human Services, State of Minnesota, is soliciting proposals for the provision of interpreter referral services used by hearing impaired individuals and a variety of public and private human service agencies.

Activities of the interpreter referral service must include the following:

1. development and maintenance of a comprehensive statewide directory of interpreters who use American Sign Language, Manually Coded English, speechreading, or other visual-gestural/tactile systems to facilitate communication exchanges;
2. filling of interpreter referral requests generated in the public, private and non-profit human service sector, with priority given to state and county human service agencies when coordinating requests;
3. filling of interpreter referral requests by hearing impaired consumers who request interpreters to attend meetings, cultural events, social events, political events, workshops, training or media events.
4. continued development of a statewide computerized interpreter referral system which operates in conjunction with, and in support of, the Deaf Services Division Regional Service Centers for Hearing Impaired People.

Contract activities must also include monitoring of interpreter services, provision of reports in the format specified, and participation in quarterly evaluations of the interpreter referral service.

The Deaf Services Division reserves the right to award the entire amount to one responder. The total amount expended for this activity will not exceed \$101,100.00 for fiscal year 1989 (July 1, 1988 through June 30, 1989).

The full text of the Request for Proposals is available on request. Inquiries and responses should be directed to:

JoLynn Blaeser, Program Planner (Acting)
Deaf Services Division
Human Services Building
444 Lafayette Road
St. Paul, MN 55155-3814
612/296-6853

Responses must be received no later than 4:00 p.m. on May 16, 1988.

Late proposals will not be accepted. Award for the FY 89 contract will be May 31, 1988.

Department of Human Services

Family Support Programs

Refugee and Immigrant Assistance Division (RIAD)

Request for Proposal (RFP) for Consultant Services to Develop a Long Range Plan

Notice is hereby given that Refugee & Immigrant Assistance Division is seeking consultant services to facilitate a long range planning process which will result in the development of a strategic long-range (3-5 year) plan including long term priorities, strategies for state administration, appropriate services and funding levels for refugee and immigrant programs. The plan is to be coordinated with any new legislative initiative.

The amount available for this project is up to \$10,000.00. The closing date for submission of proposals is April 30, 1988. The division reserves the right not to act on this RFP.

Please direct request for the complete information package, questions and proposals to:

Gus Avenido
Refugee and Immigrant Assistance Division
Minnesota Department of Human Services
444 Lafayette Road
St. Paul, Minnesota 55155-3837
(612) 296-1884

Dated: 11 April 1988

State Contracts and Advertised Bids

Department of Trade and Economic Development

Minnesota Public Facilities Authority

Notice of Request for Financial Advice Services

The Department of Trade and Economic Development is requesting proposals from qualified financial advisors or qualified financial institutions who wish to work with the Minnesota Public Facilities Authority in the development and structuring of innovative financing programs for the construction of publicly owned waste water treatment works.

The Public Facilities Authority was created by the 1987 Minnesota State Legislature to provide the instrumentality required under Title VI of the Federal Water Quality Act of 1987 for the establishment of a Water Pollution Control Fund or State Revolving Fund (SRF). The Authority shall enter into an agreement with the United States Environmental Protection Agency to receive capitalization grants for the SRF.

The SRF will be established primarily to provide loans to municipalities for the construction of wastewater treatment works and the repayment of these loans will provide a funding source in perpetuity. The Authority will maintain the integrity of the SRF while endeavoring to meet the financial needs of the municipalities.

The Authority's objective is to structure a model(s) utilizing the EPA capitalization grant, the State matching fund, and its bonding authority to maximize the availability of affordable financial assistance to meet the needs of communities required to undertake wastewater treatment improvements and have a sensitivity model to analyze the long term financial position of the SRF.

Proposals will be selected on the basis of: the firms' own experience in designing financing programs as well as embody the firms' most innovative thinking about new financing approaches; familiarity with Title VI of the Clean Water Act, the Minnesota Public Facilities Authority Act as amended; knowledge of wastewater treatment financial capabilities of Minnesota municipalities from very small communities to large cities; ability to provide financial models that address the Authority's abilities; and costs for additional sensitivity analysis at future dates.

Applicants must apply for a Certificate of Compliance from the Minnesota Department of Human Rights. Applications can be obtained by written request from the Minnesota Department of Human Rights, Fifth Floor, Bremer Building, St. Paul, MN 55101. All contract bids must include a statement indicating that the bidder has applied for the certificate.

The services to be provided must be completed and available to the Authority no later than June 30, 1988. A continuing relationship for sensitivity analysis for the PFA's Capitalization Grant applications and long term forecasting of the SRF will be required at the request of the Authority. The deadline for receipt of proposals is 4:00 p.m. on May 2, 1988. No late proposals will be accepted.

Proposals should be addressed to:

Terry Kuhlman
Executive Director of the Public Facilities Authority
Minnesota Department of Trade and Economic Development
900 American Center Building
150 East Kellogg Boulevard
St. Paul, MN 55101
612/296-4704

Department of Trade and Economic Development

Minnesota Office of Tourism

Request for Proposals to Study I-90 Tourism Development Potential

I. Purpose

The primary purpose of this study is to collect, organize and make available basic data needed in the analysis of proposals to expand or develop tourism businesses that draw customers from the traffic on Interstate 90 in southern Minnesota.

II. Parties

This study will be conducted by a consultant under contract with the Commissioner of Trade and Economic Development in accordance with the authority contained in *Minnesota Statutes* 1986 116J.58 Subd. 3 and 116J.615 Subd. 1(7). While the contract is between these two parties only, the Director of the Office of Tourism may invite interested representatives of communities or the tourism industry to offer advice and assistance in the process of selecting a consultant and in the execution of the study.

III. Background

The tourism resources of Minnesota are often perceived to be located in the northern and western regions of the state. However, significant natural, historic, cultural and entrepreneurial resources are believed to be available in the southern region, especially along the corridor served by Interstate Highway 90, to now expand the tourism industry in the area. Many communities and developers have suggested that the state support their efforts to capture this market. Information supporting these requests is seldom conclusive and often lacks critically needed data that might secure financial support for the venture.

The state cannot justify support of projects without this data nor can it encourage support by others even when projects appear to be economically feasible. To allow positive intervention in this type of project, this study is being conducted to develop needed data so that the state can proceed with positive interventions in support of economically feasible projects.

IV. Scope of Project

The scope of this project is to define geographic and economic parameters of the study, prepare inventory and research instruments, collect data, organize and analyze data, draft a report, present and defend the draft, and write a final report incorporating ideas developed in defense of the draft. The final report is to be submitted by the contractor before Nov. 1, 1988.

V. Deliverables

The contractor is expected to deliver certain valuables to the state and to receive payment upon acceptance of these delivered items. Deliverables are to be proposed by the contractor and might include:

- A. A project plan including anticipated dates of execution and the anticipated billing for each element of the plan. Attention should be given to which elements are delivered during each of the state's fiscal years.
- B. Survey and inventory instruments and the designed analysis for the data.
- C. Completed survey and inventory raw data.
- D. Computer tapes, discs or other media containing the raw data.
- E. Schedules of appointments of interviews and sampling locations and times.
- F. Ten copies of the draft report.
- G. One camera ready and ten photocopies of the final report.
- H. Photostats, 35mm slides, computer discs or other reproducible originals of graphics contained in the final report.
- I. Draft public presentations, news releases and executive summaries of the final report.

VI. Project Tasks

The contractor will be required to complete the following tasks:

- A. Inventory all existing and proposed tourist attractions, tourist service businesses, lodging, eating, and entertainment businesses which might serve the travellers in the area.
- B. Identify the motivational factors that draw or might draw tourists to the area and which could be developed to capture additional tourism business for the area.
- C. Determine the origins and destination objectives of travelers in the region including travelers along interstate 90 and intersecting north/south traffic. Determine the seasonality of leisure travel in the area.
- D. Collect and compile data concerning proposed developments in Minnesota and adjoining states that might alter existing traffic patterns or which might compete for or enhance tourist trade in the area.
- E. Inventory both developed and undeveloped natural, historic, cultural, financial, managerial, labor, capital and attraction resources in the area.
- F. Identify and assess tourism development interest among community and business leaders in the area.
- G. Determine and describe the overall marketability of the area in comparison with other competing tourism markets. This aspect of the study should identify characteristics of the area that might be developed or further developed in order to motivate travelers to leave the Interstate highways and spend leisure time in the area.
- H. Collect and analyze available data concerning the present trends of tourism activities in the area.
- I. Recommend actions the state might take under existing statutes and programs to better support the development of economically feasible tourism resources in the area.
- J. Research and suggest new avenues and programs through which the state might better support development of economically beneficial tourism resources of the area.

State Contracts and Advertised Bids

VII. Proposal Format

Each proposer should submit a proposal containing the following elements:

- A. A statement of the proposer's understanding of the project.
- B. Identification of the project elements as envisioned by the proposer.
- C. A description of the methodology to be used in completing each element of the project.
- D. A work plan including dates for initiating, conducting and completing each of the project elements.
- E. A project budget.
- F. A proposed plan for billing the state for services performed. At least fifty and preferably sixty percent of the work should be accomplished by June 30, 1988.
- G. A description of how the proposer would make particular effort to obtain and incorporate information from interested community and business leaders in the area.
- H. Biographies of the professional staff individuals the proposer would use to conduct the project.
- I. Descriptions of similar projects performed for other clients, especially projects relating to tourism, economic development and public-private cooperative efforts.

VIII. Other Project Information

Other information that will assist in the development of proposals is as follows:

A. This project is under the direction of the Director of the Minnesota Office of Tourism who has assigned Richard Haskett, Manager of Tourism Development, to act as the project manager. No other employee of the state is authorized to discuss the project with potential contractors. The project manager may be reached at:

Richard Haskett
190 Tourism Development Project
Minnesota Office of Tourism
375 Jackson Street
250 Skyway Level
St. Paul, MN 55101
Telephone 612/296-1880
Telefax 612/296-7095

B. This request for bids does not commit the state to award a contract, to pay any costs in the preparation of a proposal in response to this request or to treat as confidential any information received as part of a proposal received. The state reserves the right to accept or reject any or all bids, to negotiate with any qualified source or to cancel in part or in entirety this request for proposals. The project manager may negotiate with any proposer and may incorporate elements from more than one proposal or from other sources in the contract document. The state also reserves the right to waive irregularities in submitted proposals and to negotiate a contract which appears to meet the best interests of the state.

C. Proposals are to be submitted to the project manager identified above not later than 4:30 p.m. May 9, 1988.

D. The total cost of the project is expected not to exceed \$50,000.

E. Time schedule for the project:

May 9	Deadline for receiving proposals
May 18	Proposal evaluations completed
May 31	Start date of project
October 14	Draft final report submitted
November 1	Final report submitted

F. The successful contractor may be required to submit evidence of compliance with equal opportunity employment and worker compensation insurance before entering a contract.

G. The Office of Tourism will make available to the contractor the following:

1. Inventories of existing accommodations in the study area.
2. Limited information on origin and destination of visitors.
3. Available information on tourism businesses located in the area.

4. Support in securing available information from the Minnesota Department of Transportation concerning traffic counts and visitors to state Travel Information Centers located in the area.

H. All data, documents, files, tapes, discs and information of whatever source, and in whatever format obtained or developed in the course of this project is the sole property of the State of Minnesota and may not be used or distributed without the written consent of the project manager. No right for the contractor to release or to publish such information is implied or expressly granted.

Dated: 28 March 1988

David J. Speer, Commissioner
Dept. of Trade & Economic Development

Department of Transportation

Surveying and Mapping

Notice of Availability of Contract for Photogrammetric Services Fiscal Year 1989 (July 1, 1988 to June 30, 1989)

The Minnesota Department of Transportation desires an aerial surveys firm or firms to provide the following photogrammetric services conforming to Mn/DOT specifications:

1. Aerial Vertical Photography

Provide negatives taken by the contractor(s) using a precision aerial camera. The negatives shall be suitable for printing photographs and transparencies and for use in the State's photogrammetric instruments for analytical aerial triangulation and map compilation. The state may call for the use of panchromatic, color negatives or infrared color emulsions in obtaining the photography.

2. Aerial Oblique Photography

Provide negatives taken by the contractor(s) suitable for printing photography for illustrative purposes.

3. Photographic Laboratory Services

Provide, from aerial negatives, rectified, ratioed and controlled photographic enlargements and mosaics, 9½" x 9½" diapositives on glass or film suitable for photogrammetric compilation of topographic mapping and screened photographic film positives from mosaic negatives.

4. Map Compilation

Provide map compilation by Wild BCI Analytical Stereoplotter or equivalent type instrument for the compilation of topographic maps and/or photogrammetric cross-sections.

All Topographic mapping must be provided in digital format compatible with existing input formats for the Intergraph interactive graphic drafting system in use in the Department.

The State anticipates that the total value of work ordered will not exceed \$240,000.00. The state reserves the option to enter into agreements with more than one firm.

Firms desiring consideration shall express their interest and submit their Federal Forms 254 and 255 on or before May 11, 1988.

This is not a request for proposal. Send your response to:

Minnesota Department of Transportation
Surveying and Mapping Section
Room 711 Transportation Building
St. Paul, Minnesota 55155

Minnesota Waste Management Board

Notice of Request for Proposal (RFP) for Contractual Services to Process Tires Generated through the Abatement of Waste Tire Dumps

The Minnesota Waste Management Board (WMB) is seeking proposals from qualified waste tire processors to accept, unload, and process waste tires. The waste tires will be generated through the abatement of waste tire dumps located in Minnesota. The WMB will pay the selected processor a fee for the processing of the waste tires into a marketable product.

State Contracts and Advertised Bids

The WMB has documented that approximately 5 million waste tires are currently stockpiled in Minnesota waste tire dumps. The WMB also believes there may be as many as 5 million waste tires in additional tire dumps.

The RFP document may be obtained from and other inquiries should be directed to:

Andrew Ronchak
Minnesota Waste Management Board
1350 Energy Lane
St. Paul, Minnesota 55108
612/649-5776

The deadline for receipt of completed proposals is 5:00 p.m. on Wednesday, June 1, 1988. Proposals should be submitted to the attention of the above WMB contact person. Late submittals will not be accepted.

Minnesota Waste Management Board

Notice of Request for Proposals on Facilities to Recycle Waste Plastic

The Minnesota Waste Management Board (WMB) is requesting that developers interested in constructing and operating facilities in Minnesota to recycle waste plastic submit proposals.

A response to this Request for Proposals (RFP) will serve as an application for grants to study the feasibility and method of developing and operating the proposed facility. Responses to the RFP should include information regarding existing operations and the design and economics of the proposed facility. The WMB will evaluate responses and award grants by the end of July.

Scope of Project

The WMB will provide funding to conduct the studies and planning deemed necessary by the proposer to develop a facility that will serve as a market for plastic collected from industrial and residential sources. The facility should implement processes that produce regrind, extruded plastic products or other products for sale to industrial or consumer markets.

Deadline

Copies of the Request for Proposals are available by contacting the following:

Tom Couling
Minnesota Waste Management Board
1350 Energy Lane
St. Paul, MN 55108
Telephone: (612) 649-5771

Responses should be submitted to the WMB no later than 4:30 p.m., Tuesday, May 31, 1988.

Minnesota Waste Management Board

Notice of Request for Proposals on Probabilistic Failure Analysis of a Hazardous Waste Stabilization and Containment Facility

The Minnesota Waste Management Board (WMB), an agency of the State of Minnesota, requests the submission of proposals to prepare a probabilistic failure analysis of a hazardous waste stabilization and containment facility scheduled to be built in Minnesota. The stabilization and containment facility will treat and contain approximately 16,000 tons per year of inorganic hazardous waste at a location selected under a voluntary siting program (see *Minnesota Statutes* Section 115A.175). After appropriate pretreatment of the waste received, a cement-based stabilization process will be used to treat the waste. The goal of this pretreatment and stabilization process is to render the waste regulatorily nonhazardous (delisted under the requirements of U.S. Code, Title 42, Section 6921 and any federal and state delisting rules). The stabilized material will then be contained in an above-grade, RCRA Subtitle C (hazardous waste)-permitted containment cell, with necessary liners and leachate collection systems.

Scope and Purpose of Project

The WMB seeks proposals from qualified firms to conduct a probabilistic failure analysis and determine the potential for sudden and/or non-sudden releases from the facility to the air, soil, surface water, or groundwater. Specific experience in the evaluation of the potential for releases from treatment facilities and from above-grade containment facilities is desired, as well as expertise in assessing potential remedial action response costs.

The failure analysis would be used for the following purposes:

1. As a basis to examine appropriate financial assurance levels for the facility,
2. To provide information necessary prior to conducting specific site risk assessments for the facility during the Environmental Impact Statement (EIS) preparation, and
3. To provide information to citizens in potential host counties on the relative risks posed at the facility.

Response Information

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

Dan Reinke
Minnesota Waste Management Board
1350 Energy Lane
St. Paul, MN 55108
Telephone: (612) 649-5790

Responses should be submitted to the WMB no later than 4:30 p.m., Monday, May 9, 1988.

State Grants

In addition to requests by state agencies for technical/professional services (published in the State Contracts section), the *State Register* also publishes notices about grant funds available through any agency or branch of state government. Although some grant 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 notices, and to provide financial estimates as well as sufficient time for interested parties to respond.

Department of Jobs and Training**Division of Rehabilitation Services
Minnesota Supported Employment Project****Availability of Funds to Address and Implement Issues of Conversion and Expansion to Supported Employment Services for Persons with Severe Disabilities**

The Minnesota Supported Employment Project announces the availability of grant funding to assist communities who have already made a substantial commitment to convert to supported employment services. The purpose of these grants is to assist the applicant to (re)organize and develop further its community's capacity to provide supported employment services to persons with severe disabilities for whom employment without long-term, on-going support on the job site would be considered unlikely. Applicants must focus on the use of community development and community planning models to enhance interagency service delivery for supported employment.

Any public or private non-profit agency, organization or corporation (able to qualify under *Minnesota Statutes*, Chapter 317, or Section 501 (c)(3) of the Internal Revenue Code) with the authority and ability to bring about desirable outcomes for the target population is eligible to apply.

An approximate total of \$150,000 is available for projects for the period from September 1, 1988, through August 31, 1989, with average grant awards anticipated to be from \$25,000 to \$35,000.

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

Minnesota Supported Employment Project
Division of Rehabilitation Services
390 North Robert Street, Fifth Floor
St. Paul, Minnesota 55101
ATTN: Kim Rezek

Proposals must be received by 4:30 p.m. on Monday, May 23, 1988.

State Grants

Department of Jobs and Training

Notice of Availability of Funds for Independent Living Rehabilitation Services

The Department of Jobs and Training, Division of Rehabilitation Services, Independent Living Program, is accepting applications for grants to establish independent living services.

The Division will award up to eight (8) grants in the amount of five to seven thousand dollars each on or about June 1, 1988.

Eligible applicant organizations may submit applications for grants. Eligible applicant organizations are private, non-profit consumer governed corporations, whose primary purpose is to serve people with disabilities by increasing their independence in the home, family or community.

Proposals must encompass independent living rehabilitation services as described in 1986 *Minnesota Statutes*, section 129A.10.

Priority consideration will be given to applications which address the needs of people with disabilities in poverty areas and of people with disabilities who are American Indian.

Applications must demonstrate that: (1) the proposed project has a reasonable expectation of success; (2) the applicant organization is a legally incorporated non-profit, tax exempt entity in Minnesota; and (3) the project will increase the independence of the greatest number of people with disabilities. The postmarked deadline for applications is 4:30 p.m. May 13, 1988. Request for proposal applications can be obtained from Scott Rostron, Independent Living Program, Division of Rehabilitation Services, 390 North Robert Street, St. Paul, Minnesota 55101 or call (612) 296-5085.

Supreme Court Decisions

Decisions Filed 15 April 1988

C4-87-350 State of Minnesota, petitioner, Appellant, v. Brian Eugene Dana. Court of Appeals.

Trial court properly admitted out-of-court statements by child sex abuse victims pursuant to *Minnesota Statutes* 595.02, subd. 3 (1986).

Reversed and judgment of conviction reinstated. Amdahl, C.J.

Dissenting, Kelley J. and Popovich, J.

C7-87-1606 State of Minnesota v. James Richard Clobes, Appellant. Court of Appeals.

Prosecutor's failure to disclose evidence that might have been used to impeach key prosecution witness does not justify award of new trial where, as here, there is no reasonable probability that the outcome of the trial would have been different if the prosecutor had disclosed the evidence to the defense.

Announcements

MN Sentencing Guidelines Commission: A meeting is scheduled for Thursday 21 April 1988 at 6:30 p.m. in the Buffington Room, Holiday Inn—Capitol, 161 St. Anthony, St. Paul, with all subcommittees of the commission meeting at 4:30 p.m. Subcommittee reports will be heard on aggravated durational departures, mitigated dispositional departures, and nonimprisonment guidelines. A legislative update will cover new or amended felonies and other relevant legislation. Call (612) 296-0144.

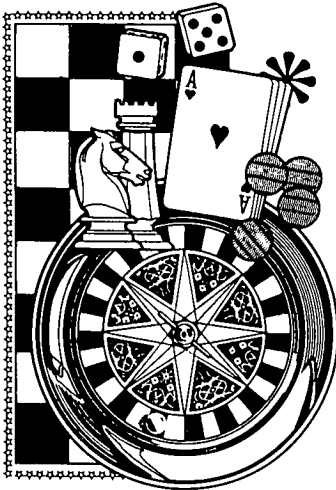
Forestry Fair Scheduled: The first Minnesota Forestry Fair will be held Friday and Saturday, April 22-23, at the DNR Building and Natural Resources Park at the State Fairgrounds in St. Paul. The fair is open to the public free of charge, between 9 a.m. and 6 p.m. Scheduled events include horse logging, sawmill and fire fighting demonstrations. Noted folklorist John Berquist will sing and tell of early logging days in Minnesota. Mini-seminars include outdoor photography, wild edible fruits, woodworking for wildlife, producing your own maple syrup and caring for your backyard trees. Naturalist Jim Gilbert will present a program on "Nature's Calendar." Snowshoe-making, maple-syruping, paper-making and dried flower arranging will also be available in the many exhibits and live demonstrations. Experts will be on hand to answer questions on tree care, diseases, and other forestry-related problems. Exhibits will include woodworking equipment, logging equipment, wood products for the hobbyist, crafts, nurseries, and musical instrument makers, in addition to many nonprofit and educational displays. Many exhibitors will have merchandise for sale. For more information, contact: Meg Hanisch, Forestry Information (612) 296-5958.

Educational Videodisc Directory: Minnesota Educational Computing Corporation (MECC) has just released its third edition of *Videodiscs for Education: A Directory*. Schools making use of videodisc technology will find this newly updated directory an extremely helpful tool. Organized by subject area, this directory lists more than 360 videodiscs specifically designed for education and training. Each entry includes a brief description and cites appropriate grade levels, necessary hardware, accompanying materials, contact address and phone number, and price. The new edition also contains two new sections: a list of authoring and presenting systems under \$2,000 and an alphabetical listing of producers and publishers. The third edition of the directory has been expanded more than 50% over the second edition and costs just \$10. If you want to order a copy of this valuable resource, please write to MECC or call MECC Customer Services at (612) 481-3527. In Canada call (800) 263-9677.

Federal Fish/Wildlife Funds to DNR: The U.S. Secretary of the Interior recently announced that Minnesota will receive an estimated \$8.7 million in federal aid funds, to be used exclusively for sport fish and wildlife restoration in Fiscal Year 1988. The total funding is the state's share of an unprecedented, \$265 million nationwide financing of these programs. Last year, Minnesota received an estimated \$8 million in funding from Washington D.C. for the programs. Of the amount received for fish restoration, the state will receive about \$1.9 million in basic funding and another \$3.69 million in expanded funding. Much of the fisheries funding comes from excise taxes on fishing equipment. Legislation approved in 1984 also created the "Wallop-Breaux" expansion program, which increased the source of funding to include a share of motorboat fuel taxes, import taxes on fishing equipment and pleasure boats, and other excise taxes. Some of the projects supported by wildlife funds include restoration of whitetail deer and wild turkey and several once-threatened species, such as the wood duck, which once faced extinction. Some of the national fisheries projects include acquisition development or improvement of public access facilities, fish habitat improvements and fisheries research. Under the Wallop-Breaux Amendment, states are also required to obligate at least 10 percent of their annual apportionment for motorboat access, and another 10 percent may be used for aquatic resources education. For more information, contact: Jane Norris, Federal Aid Coordinator (612) 296-0598.

Higher Education Enrollment: Minnesota ranks fourth in the nation in its higher education enrollment relative to its population for the 1986-87 academic year, according to Research Associates of Washington. Research Associates defines this rate as the number of full-time equivalent students enrolled at public four-year and two-year institutions per 1,000 state residents. In an overall view of higher education, this rate is one significant measure of the "accessibility and attractiveness of the state's public system to residents," according to the study. Interestingly, while the number of high school graduates has been declining steadily due to shrinking numbers in this age group, Minnesota's higher education enrollment rate grew five and one-half percent since 1977-78. For the United States during this time, the rate dropped four and one-half percent. For the most recent one year period, Minnesota's rate grew two percent, while three of the other five top states experienced declines in this measure. Incorporated in this trend are results from a fall 1987 survey showing Minnesota's public community college enrollment increased 10.9 percent from the fall of 1986 to the fall of 1987. This increase was the third largest in the nation. Many other factors have also contributed to a high rate of higher education enrollment relative to the number of state residents: there has been an increase in the number of older students; a higher percentage of high school graduates are going on to higher education; the number of out-of-state students has increased; there has been an effect from the post-secondary enrollment option; and the number of part-time students has increased.

Food Inspection Cooperative Agreement: The Human Services Board of Faribault, Martin and Watonwan Counties has become the 17th local government agency to enter into a cooperative agreement with the Minnesota Department of Agriculture. This agreement will eliminate duplication of inspections and licensing while intensifying consumer protection services on all retail food distribution, according to Tom Masso, Director of the Food Inspection Division of the Minnesota Department of Agriculture. The cooperative agreement also provides for swift and effective response to emergency situations such as food product recalls, foodborne illness investigations, handling of consumer complaints and inquiries, as well as the training of food inspection personnel.



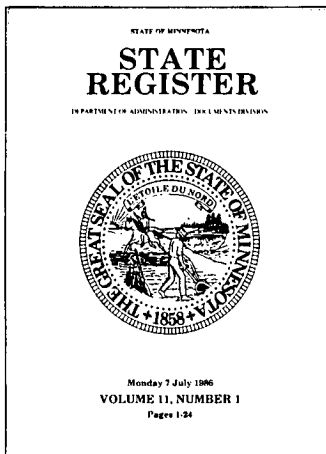
Charitable Gambling Directory

A complete listing in alphabetical order of organizations licensed for charitable gambling in the state. Includes the name, address, zip code and name of contact person. 64 pages. Code #1-11. \$20.00.

CHARITABLE GAMBLING RULES, governing the conduct of charitable gambling events like bingo. Code #3-3, \$5.00.

TO ORDER: Send to Minnesota Documents Division, 117 University Avenue, St. Paul, MN 55155. (612) 297-3000, or toll-free in Minnesota: 1-800-652-9747 and ask for "DOCUMENTS." Please include 6% sales tax, and \$1.50 postage and handling. Prepayment required. Please include daytime phone. VISA/MasterCard orders accepted over phone.

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Each year over \$1 billion in state contracts are awarded. About \$20 million in state contracts per week are advertised in the **State Register**, the most complete listing of state contracts available. Just a *sampling* of contracts includes, consulting services, professional services, technical services, commodities, equipment, supplies, and a wide variety of special services.

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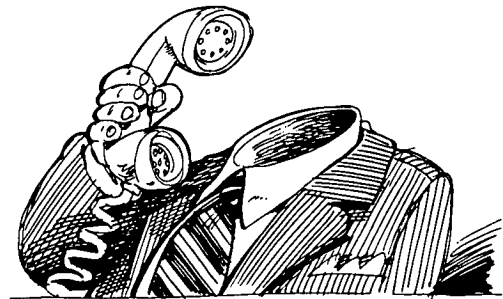
An annual subscription is \$130 and a 13-week trial subscription is \$40. MasterCard/VISA orders can be taken over the phone, otherwise prepayment is required. Send your orders to the Minnesota Documents Division, 117 University Avenue, St. Paul, MN 55155.

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Ever called and been transferred to this guy?

1987 & 1988 State of Minnesota Telephone Directory. Get a direct line to the persons you want to speak to. Contains names, numbers, and agencies in the executive, legislative and judicial branches of state government. Four sections give listings alphabetically name, agency, Minnesota region, plus an index for cross referencing. Over 250 pages, paperback, 8½"x11". Code #1-87. \$10.95

U.S. Government Manual 1987-88. Contains comprehensive information on federal agencies of the legislative, judicial and executive branches of government. Each agency description includes address, phone number, a list of principal officials, a summary of each agency's purpose and programs and activities. Paperback 940 pages with appendices and index. Code #16-46. \$20.00



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Department of Commerce Regulated Profession Publications

Banking Laws 1986. Complete text of state law governing banks, trust companies and other financial institutions. Code #2-76 \$29.95

Business and Nonprofit Corporation Act 1987. Laws governing establishment and conduct of for-profit and non-profit corporations in Minnesota. Chapters 80B, 302A, 317. Code #2-87 \$10.00

Fair Labor Standards Act 1987. Minimum wage and overtime compensation standards for employers. Chapter 177. Code #2-75 \$5.00

Insurance Laws 1987. A compendium of laws applicable to the insurance business. Includes chapters on company and individual agents licensing requirements. Code #2-1. \$20.00

Insurance Rules 1987. Essential licensing information for businesses and agents. Includes standards on policies, practices, marketing and continuing education. Code #3-1 \$15.00

Notary Public Laws 1987. Statutory requirements regarding the oath of office, necessary bond, and taking of depositions. Includes an explanation of the term of the office and procedures for removal from office. Code #2-13 \$4.00

Real Estate Laws 1987. Complete and up-to-date extract from the 1986 Minnesota Statutes. Code #2-92 \$6.00

Real Estate Rules 1987. Contains all education and licensing requirements for agents. Chapters 2800, 2805, and 2810. Code #3-99 \$8.00

Securities Laws 1987. Governs the activities of broker/dealers, agents or investment advisors. Chapter 80A. Code #2-12 \$6.00

Securities Rules 1987. Subjects include standards of conduct, equity securities, investment companies and more. Chapter 2875. Code #3-5 \$13.00

Banking Rules 1987. New rules are expected in early fall '87. Call then for more information. Code #3-81. \$6.00

Uniform Commercial Code 1986. Chapter 336. U.S. laws governing trade, including contracts, title, payment, warranties, performance and liability. Code #2-2 \$10.00

Mailing Lists. All kinds available. A catalog will be available in late summer '87. Call to receive a copy. (612) 297-2552 or 296-0930.

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Pheasants in Minnesota, focusing exclusively on the ringneck pheasant, this DNR booklet tells of this popular game bird's origin, introduction and development in Minnesota. Through many full-color photos the book shows the pheasant in various settings, tells how to maintain wildlife habitat and explains the wise management of the hunt. A great gift for each member of your hunting party, or as a memento to a special Minnesota hunting vacation. Quantity discounts available. Code #9-13, \$5.95.

Woodworking for Wildlife, delightfully written and carefully illustrated with a variety of game bird and mammal box designs. Includes important information on the placement of nests in proper habitat areas and maintenance requirements. Diagrams, 48 pp. Code #9-14, \$6.00.



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<p>TO ORDER: Complete attached order blank. Include either your VISA/MasterCard number with the expiration date, or a check/money order made out to the State of Minnesota. Orders by phone are accepted when purchasing with your VISA/MasterCard or if you have a customer deposit account. Please include a phone number where you can be reached during the day in case we have questions about your order. Please include 6% sales tax and \$1.50 postage and handling. PREPAYMENT REQUIRED. Merchandise may be returned at \$1.50 restocking charge, if it is in resalable condition. NOTE: State Register and other subscriptions do not require sales tax or postage and handling fees. Prices subject to change without notice. Please allow about 6 weeks for delivery. In a hurry? Stop by our Bookstore. Bookstore Hours 8:00-4:30 M-F</p>	Code No.	Quantity	Description		Item Price	Total
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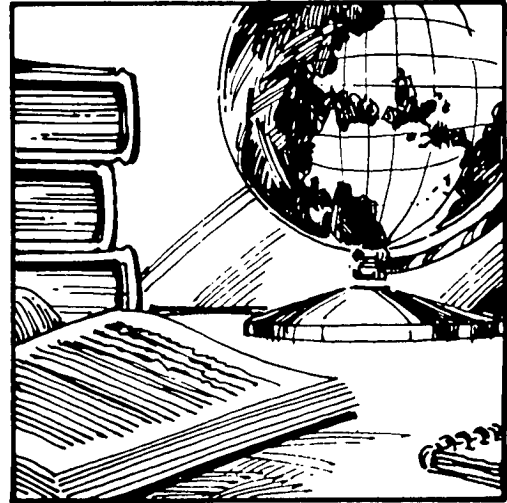
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Get Smart with these Education Resources

Board of Teaching-Licensure Rules 1987. Minnesota Rules Chapter 8700. Requirements for the issuance and renewal of all licenses, from vo-tech and hearing impaired to librarians and media generalists. Includes the Code of Ethics for Minnesota Teachers, and standards for teachers prepared in other states. Code #3-74, \$7.00 plus tax.

Education Directory 1987-88. All the elementary and secondary schools in the state. Includes Minnesota school districts, superintendents, boards, principals, district addresses, phone numbers and enrollment figures. Code #1-93, \$6.00 plus tax.

Minnesota Guidebook to State Agency Services 1987-1990. Packed with information to help you cut red tape for easy and fast service from state agencies. Its 640 pages guide you through license requirements, forms, fees, reports, services, grants, and more. Provides hundreds of addresses, phones and agency descriptions. Code #1-4, \$15.00 plus tax.



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Good Business Decisions are Made with Good Information

Minnesota Manufacturer's Directory. More than 7,000 entries that include name, address, phone number, staff size, sales volume, market area, year of establishment, type of firm, C.E.O., Sales or Marketing Manager, Purchasing Manager and four major manufactured products. Code #40-2, \$73.00 plus tax.

Business and NonProfit Corporation Act 1987. A handy reference that contains all the state laws governing the establishment and conduct of corporations in Minnesota. Includes *Minnesota Statutes* Chapters 80B, 302, 302A and 317. Code #2-87, \$10.00 plus tax.

Minnesota Guidebook to State Agency Services 1987-1990. Packed with information to help you cut through red tape for easy and fast dealing with state agencies, this treasure of information opens state government to you. Its 640 pages describe agencies, how they work, listing contacts, addresses, phones, and license requirements, grants, forms, reports, maps, publications and much more. Gives historical, statistical and important data useful in hundreds of ways. Code #1-4, \$15.00 plus tax.



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Resolve Bargaining Disputes and Grievances

Public Employment Labor Relations Act 1987. The collective bargaining rights and responsibilities of public employers and public employees. Details employees' right to organize and the legislature's authority. Code #2-90, \$5.00 plus tax.

Public Sector Labor Relations in Minnesota. A practical resource and training guide analyzing public sector labor relations in Minnesota. A special emphasis on contract administration, grievance handling and the arbitration process. 286 pages, paperbound. Code #10-51, \$12.50.

Minnesota Guidebook to State Agency Services 1987-1990. A treasure of helpful, useful, and interesting information about Minnesota state government. This important resource guides you through applications, fees, licenses, reports, history and travel highlights. Describes agencies in detail, giving addresses, phones and contact people. Code #1-4, \$15.00 plus tax.



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Securities Laws, 1987. Governs the activities of broker/dealers, agents and investment advisors. *Minnesota Statutes* Chapter 80A. Code #2-12, \$6.00 plus tax.

Securities Rules, 1987. Rules implementing the legislative mandate. Subjects include equity securities and investment companies. *Minnesota Rules* Chapter 2875. Code #3-5, \$13.00 plus tax.

Minnesota Guidebook to State Agency Services, 1987-1990. Packed with information to help you, this 640-page resource guides you through license requirements, forms, fees, reports, services, grants, and more. Its listing of addresses, phones, and agency descriptions cut red tape for easy and fast service from state agencies. Code #1-4, \$15.00 plus tax.



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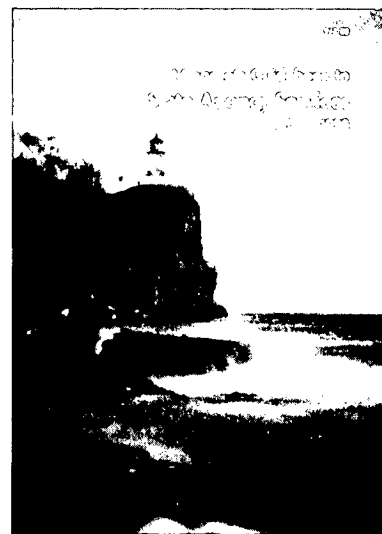
A Beacon to Guide You—Minnesota's Owners Manual

You'll enjoy smooth sailing through your business with state government with the *Minnesota Guidebook to State Agency Services 1987-1990*.

Considered one of the finest resources to Minnesota's state agencies, this valuable and useful book is a treasure awaiting your discovery.

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Copies cost \$15.00 (+90¢ tax, MN residents only). Make checks out to the "State of Minnesota" and send to the Minnesota Documents Division, 117 University Avenue, St. Paul, MN 55155. MasterCard and VISA orders can be taken over the phone by calling (612) 297-3000 or toll-free in Minnesota 1-800-652-9747.



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Minnesota: national leader in education

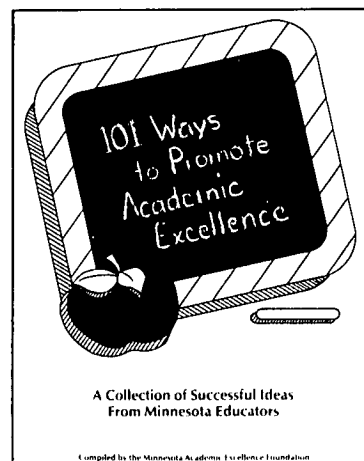
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A collection of nuts-and-bolts methods educators have successfully used to foster academic achievement. These are techniques that directly help students, can be replicated easily, are cost-effective, and that work in meeting public education's great challenge: helping every single child learn. Code #5-1, \$4.50.

Education Directory, 1987-88

This popular comprehensive directory contains Minnesota school districts, superintendents, principals, addresses, phone numbers, and enrollment. 128 pages, paperbound. Code #1-93, \$6.00.

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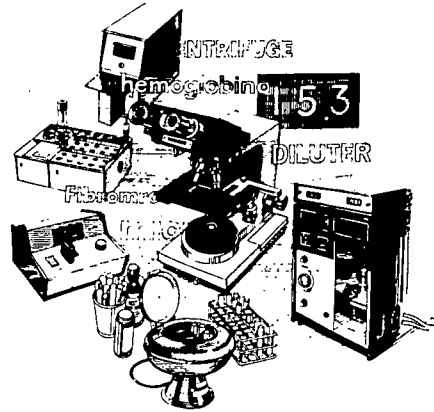
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Buying Or Selling?

In either case, **The Medical Alley Directory** can help you do your job better. Double your business; the 1986 edition is nearly twice as large as last year's. Reach the decision-makers without delay at more than 300 medical and bio-tech companies and healthcare delivery organizations.

Entries include major products and/or services, company background, special interests, trade name(s), major activities, and addresses and phone numbers. Code # 40-7, \$49.95.

Mailing Lists. We have a large variety of mailing lists, in many formats. A new catalog is being developed. Call or write if you wish to receive a copy when it is updated.



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The Minnesota Documents Division has a variety of mailing lists of licensed professionals and permit holders that will enable you to focus your marketing efforts on a targeted audience.

Types of lists available are: registered nurses, real estate agents, physicians, insurance agents, boatowners, hunters, cosmetologists, teachers, and many more! And you can get them on printouts, cheshire/pressure sensitive labels, as well as 9-track magnetic tapes.

What's more, you can choose from several selection capabilities. You will find our selections most helpful and beneficial to your business when you learn that you can acquire names and addresses of individuals in the areas you need to target most.

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Minnesota Manufacturer's Directory 1987-88

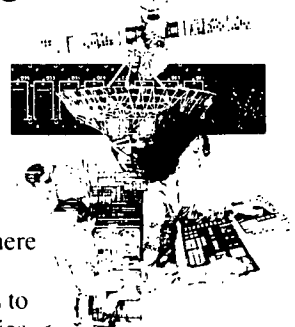


UPDATED: Name, address, phone number, staff size, sales volume, market area, year of establishment, type of firm, C.E.O., Sales or Marketing Manager, Purchasing Manager and four major manufactured products. Code #40-2, \$73.00.

NEW: In the directory this year are two titles (where applicable) Chief Engineer and Data Processing Manager.



REVISED: There are more than 7,000 changes to the 7,068 entries.



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

"Special Set Offer." Save 10% by purchasing the two books together on wildlife mentioned above. Stock #9-20, \$9.95 plus tax.

Occupational Safety & Health Rules 1987. State standards for safe working conditions including personal protective equipment, walking and working surfaces, illumination and ventilation. Stock #3-18, \$10.00 plus tax.

"Seat Belts Fastened?" Sign. Safety reminder for work, church, club or home, this 12"x18" aluminum sign with black letters on white background features a seat belt "buckle-up" graphic. Stock #19-21, \$16.00.

OTHER PUBLICATIONS

1987 Laws of Minnesota: Laws of the 1987 legislative session, Code #18-5. \$42.50 per set.

1987 Minnesota Rules: Rules of the 75 state agencies authorized to establish rules of conduct and procedure. Code 18-300. \$160 plus \$9.60 sales tax per 11-volume set.

Minnesota Rules 1988 Supplement Number 1. Updates *Minnesota Rules 1987* and is part of the subscription service for that 11-volume set of administrative rules. A second supplement will be available in December 1988.

Motor Vehicle Traffic Laws 1987. Includes laws governing motor carriers, motor vehicle registration and no-fault auto insurance. Code #2-85, \$13.00 plus tax.

Criminal Code and Selected Statutes 1987. Governs the conduct of peace officers, continuing education requirements for officers, prison sentences and more. Code #2-68, \$15.00 plus tax.

Education Rules. Rules of the State Board of Education governing state aid, vocational education, handicapped students, teacher certificates and much more. Code #3-28, \$19.00 plus tax.

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