

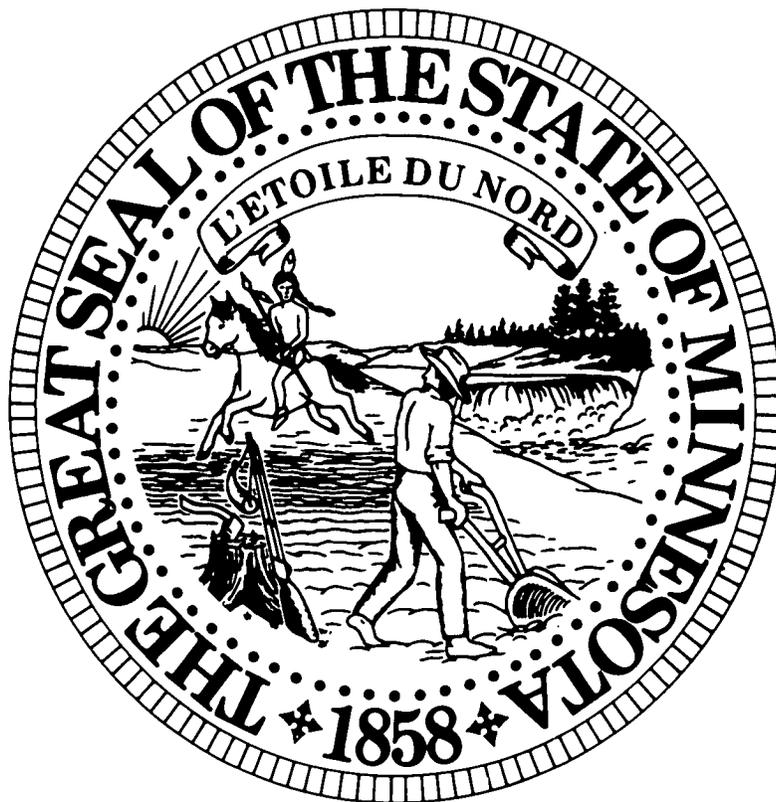
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The Minnesota
**State
Register**

Department of Administration—Print Communications Division



Rules edition
Published every Monday

13 August 1990

Volume 15, Number 7

Pages 357-408

State Register

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

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

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

Printing Schedule and Submission Deadlines

Vol. 15 Issue Number	*Submission deadline for Adopted and Proposed Rules, Commissioners' Orders**	*Submission deadline for Executive Orders, Contracts, and Official Notices**	Issue Date
7	Monday 30 July	Monday 6 August	Monday 13 August
8	Monday 6 August	Monday 13 August	Monday 20 August
9	Monday 13 August	Monday 20 August	Monday 27 August
10	Monday 20 August	Monday 27 August	Tuesday 4 September

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

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

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

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

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

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

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

Rudy Perpich, Governor
Sandra J. Hale, Commissioner
Department of Administration

Stephen A. Ordahl, Director
Print Communications Division
Robin PanLener, Editor

Paul Hoffman, Assistant Editor
Debbie George, 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:

SENATE

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

Perspectives—Publication about the Senate.

Session Review—Summarizes actions of the Minnesota Senate.

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

HOUSE

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

This Week—weekly interim bulletin of the House.

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

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

Contents

Minnesota Rules: Amendments & Additions	
Issues 1-7 inclusive	360
Proposed Rules	
Administrative Hearings Office	
Rulemaking, contested case, and revenue recapture act hearings	362
Housing Finance Agency	
Publicly-owned transitional housing	370
Rental housing program for persons with a mental illness	373
Temporary housing program	374
Adopted Rules	
Housing Finance Agency	
Receivership revolving loan fund	376
Commissioners' Orders	
Natural Resources Department	
Order # 2383: Regulations designating "Take A Kid Hunting Weekend"	376
Order # 2384: Regulations for hunting and trapping in wildlife management areas, state game refuges, controlled hunting zones, state and county parks, national wildlife refuges and federal waterfowl production areas	376
Extended Comment Period	
Human Services Department	
Nursing home preadmission screening and alternative care grant program	385
Waste Management Office	
Solid waste reduction grant and loan program	385
Official Notices	
Agriculture Department	
Opinion sought on rules for agricultural contracts	386
Opinion sought on rules for wholesale produce dealers	386
STATE FAIR—Minnesota State Agricultural Society	
Meeting notice	386
Arts Board	
Board meeting	387
Health Care Access Commission	
Meeting of commission	387
Metropolitan Council	
Public meeting for alternative environmental review process to be used in the designation of a search area for a new major airport	387
Pollution Control Agency	
Opinion sought on rules for management of spent or waste household batteries	387
Opinion sought on rules for the individual on-site wastewater treatment systems grants program	388
Public Safety Department	
Opinion sought on rules for school bus driver qualifications	388
Revenue Department	
Opinion sought on rules for the apportionment of business income of interstate air carriers	389
State Retirement System	
Regular meeting of the board of directors	389
Water & Soil Resources Board	
Regular monthly meeting in Spicer	389
State Contracts & Advertised Bids	
Administration Department	
Materials Management Division: Commodities and requisitions open for bid	390
Print Communications Division: Printing, typesetting, keylining, photo prep and seps, design and mailing services open for bid	391
Professional, Technical & Consulting Contracts	
Administration Department	
Proposals sought for on-call, short notice or 24-hour notice binding and offset duplication services	392
Human Services Department	
Proposals sought for qualified paternity blood testing laboratories	394
Proposals sought for psychiatric services for St. Peter Regional Treatment Center	394
Consultant contracts available for physician and pharm.D./pharmacist	395
Iron Range Resources & Rehabilitation Board	
Proposals sought for planning a shooting sports training facility	395
Proposals sought for professional services to produce the 1989-90 IRRRB biennial report	397
Jobs & Training Department	
Proposed contracts for federal fiscal years 1991	398
Proposals sought to conduct training sessions on client recruitment, retention and followup for direct client service delivery staff	400
Pollution Control Agency	
Proposals sought to assist in determining the issuance of air emission permits for the Koch Refining Co. petroleum refinery in Pine Bend	400
Non-State Public Contracts	
Sherburne County	
Proposals sought to assist with a review and re-writing of a comprehensive land use plan and zoning ordinance	401
State Grants	
Mediation Services Bureau	
Applications accepted for funding under the Minnesota Area Labor-Management Committee Program for 1991 grants	402
Supreme Court Decisions, Opinions and Rules	
Decisions, opinions and orders filed Friday 10 August 1990	403
Announcements	403

Minnesota Rules: Amendments and Additions

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

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

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

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

Date of Issue: 13 August 1990 Vol. 15 Number 7

Administration Department

1230.0100; .1400; .1500; .1550; .1600; .1700; .1800; .1810; .1820; .1830; .1850; .1860; .1900 (Emergency proposed)	293
1230.1700 s.2,3; .1900 s.3,4,6; .2000; .2100; .2200; .2300 (Emergency proposed repealer)	293
1300.2100-1302.0900 (adopted)	74
1305.0100; .0150; .0800; .1000; .1100; .1590; .1775; .1795; .2050; .2600; .3860; .3900; .4100; .4850; .5340; .5360; .5380; .5385; .5400 s.2907; .5710; .5720; .5730; .5740; .5900; .6430; .6901 (adopted)	74
1335.0600; .1000; .1100; .1950; .2150; .3100 (adopted)	74
1360.900; .3600 (adopted)	74
1305.0300; .1750; .1790; .2100; .2400; .3000; .3100; .3200; .3300; .3600; .3700; .4200; .4500; .4900; .5300; .5310; .5500; .5800; .6550; .6600; .6900 (repealed)	76
1305.5100-.5118 (adopted)	70
1346-0050-.2600 (adopted)	72

Administrative Hearings Office

1400.0250; .0300; .0500; .0800; .0850; .0900; .5100; .5200; .5600; .5700; .5950; .6000; .6700; .7100; .7400; .7500; .8300; .8401; .8510; .8560; .8601; .8604; .8609 (proposed)	362
1405.0200; .0300; .1400; .1800 (proposed)	362
1400.1300; .5100 s.4,5; .8402; .8613 (proposed repealer)	362
1405.2800 (proposed repealer)	362

Agriculture Department

1556.0100-.0127 (adopted)	11
1555.0005 s.2,13; .0011; .0013 (repealed)	11
1556.0110; .0120; .0132; .0134 (proposed)	5
1556.0130 (proposed repealer)	5

Commerce Department

2740.1600 (proposed)	253
2741.0010-.0240 (proposed)	145

Education Department

3530.6300; .6400 (withdrawn)	12
3515.6600 (proposed repealer)	196

Vocational Technical Education Board

3700.0400; 0405; .0410; .0415; .0420; .0425; .0430; .0435; .0770 (proposed)	111
3700.0765 (proposed)	115
3700.1050 (proposed)	196

Electricity Board

3800.2650 (adopted)	117
4690.5000 (adopted)	117

Health Department

4715.0100; .0200; .0310; .0320; .0420; .0500; .0520; .0580; .0620; .0800; .0805; .0810; .0820; .0860; .1220; .1240; .1260; .1300; .1305; .1380; .1440; .1590; .1930; .1940; .1941; .2020; .2100; .2110; .2120; .2163; .2190; .2230; .2260; .2440 (adopted)	76
4715.2130; .2140; .3900; .4000 (repealed)	76
4725.0100; .0200; .0300; .0400; .0450; .0500; .0700; .1000; .1050; .1250; .1300; .1325; .1400; .1500; .1600; .1650; .1675; .1685; .1700; .1800; .1820; .1825; .1830; .1835; .1836; .1837; .1838; .1840; .1842; .1845; .1848; .1849; .6750 (adopted)	78
4725.0100 s.2,3,6,7,15,16,18,25,31,41; .0600; .0700 s.2; .0800; .0900; .1000 s.1,3; .1100; .1200; .1850 (repealed)	78
4730.0600 (proposed)	44
4630.1900; .2000; .2210 (proposed)	7

Housing Finance Agency

4900.0010; .2900-.2907 (adopted)	376
4900.1701 (proposed)	374
4900.1931-.1937 (adopted)	12
4900.1925-.1930 (adopted)	12
4900.2700-.2707 (adopted)	12
4900.2800-.2805 (adopted)	12
4900.3000-.3050 (proposed)	373
4900.3100-.3130 (proposed)	370

Labor & Industry Department

5200.1100 (proposed)	263
5205.1400 (proposed)	105

5221.0100; .2250 (adopted) 124
 5205.0010 (adopted) 124
Marriage & Family Therapy Board
 5300.0100-.0360 (proposed) 167
Medical Examiners Board
 5600.0400; .0600 (adopted) 336
Pollution Control Agency
 7075.0100 (adopted) 288
 7075.1005-.2550 renumbered to 7077.0500-.0445 (adopted) ... 288
 7075.1010 s.1,2,3,4; .1060 s.3,5; .1110 s.2,3,4,6;
 .1410 s.3,4,5,15; .1430 s.4; .2510; .2540 s.2;
 .2545 s.1 (repealed) 288
 7077.0100-.2010 (adopted) 288
 7150.0010-.0700 (proposed) 264
Public Safety Department
 7530.0100; .0300; .0500; .0800; .1000; .1200; .1400; .1500
 (adopted) 83
Public Utilities Commission
 7831.0100-.0800 (proposed) 63
 7840.1500-.2000 (proposed) 334
 7843.0100-.0600 (adopted) 336
Revenue Department
 8130.9250 (proposed) 107
 8130.9200 (proposed repealer) 107
Secretary of State
 8210.0200; .9915 (Emergency proposed) 308
 8250.1700 (proposed) 44

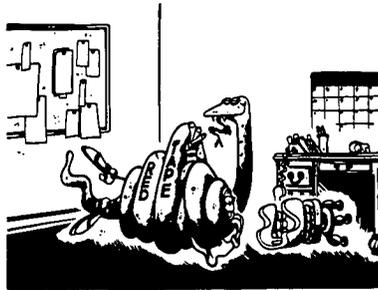
Teaching Board
 8700.2810; .7710 (adopted) 83
Transportation Department
 8810.8000; .8100; .8110; .8200; .8300; .8400; .8500
 (proposed) 45
 8810.9000; .9100; .9200; .9300; .9400; .9500 (proposed) 46
 8810.9800 (proposed repealer) 46
 8820.0100; .0600; .0700; .0800; .1000; .1400; .1500; .1800;
 .1900; .2000; .2100; .2300; .2400; .2500; .2700; .2800;
 .2900; .3100; .3300; .3400; .9910; .9925; .9930; .9935;
 .9940; .9945; .9950; .9955; .9960; .9965; .9970 (proposed) ... 46
 8820.9911-.9919 (proposed repealer) 46
Waste Management Office
 9210.0600-.0645 (proposed) 184
 9210.0600-.0645 (comment period extended) 336
 9210.0700-.0770 (proposed) 190
 9210.0700-.0770 (comment period extended) 385
Human Services Department
 9500.2060; .2100; .2140; .2340; .2380; .2420; .2440;
 .2500; .2580; .2640; .2680; .2700; .2740; .2800; .2820;
 .2880 (adopted) 117
 9500.2060 subpart 118 (repealed) 117
 9500.1272 (adopted) 120
 9505.0255 (proposed) 255
 9505.2395; .2440; .2445; .2455; .2465; .2490 (proposed) 256
 9505.2395; .2440; .2445; .2455; .2465; .2490 (comment
 period extended) 385
 9505.2445 s.2 (proposed repealer) 256
 9505.2445 s.2 (comment period extended) 385

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

Proposed Rules

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

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

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

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

Office of Administrative Hearings

Proposed Permanent Rules Relating to Rulemaking, Contested Case, and Revenue Recapture Act Hearings

Notice of Intent to Adopt Rules Without a Public Hearing

NOTICE IS HEREBY GIVEN that the Minnesota Office of Administrative Hearings (hereinafter the "Office") intends to adopt the above-entitled rule amendments 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 make the proposed rule amendments is *Minnesota Statutes*, sections 14.51 (1988) and 116C.66 (1988).

All persons have 30 days in which to submit comment in support of or in opposition to the proposed rule amendments or any part or subpart of the rule. Comment is encouraged. Each comment should identify the portion of the proposed rule amendment addressed, the reason for the comment, and any change proposed. All comments must be **RECEIVED** at the Office of Administrative Hearings before 4:30 p.m. on Monday, September 17, 1990, in order to be considered.

Any person may make a written request for a public hearing on the proposed rule amendments 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 rule amendments addressed, the reason for the request, and any change proposed. If a public hearing is required, the Office will proceed pursuant to *Minnesota Statutes*, sections 14.131 to 14.20.

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

William G. Brown, Chief Administrative Law Judge
Minnesota Office of Administrative Hearings
Fifth Floor Flour Exchange Building
310 Fourth Avenue South
Minneapolis, Minnesota 55415

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

A copy of the proposed amendments is attached to this notice. Most of these amendments constitute nonsubstantive updates and housekeeping changes. The rule regarding facsimile transmissions is a substantive change which affects the rights and obligations of parties and the public who participate in administrative hearings. The purpose of making these amendments at this time is to eliminate confusion resulting from outdated citations, outdated address and telephone numbers, and similar changes. In addition, experience in conducting several hundred hearings each year since the rules were last amended has suggested substantive improvements in a few of the rule provisions. The rule regarding facsimile transmission is proposed to incorporate available technology into the hearing process. The rules relating to plant siting are being modified to conform to changes being made by the Environmental Quality Board. Those changes will only be enacted if the Environmental Quality Board carries out its proposed rule changes. One free copy of the amendments to the rules of the Office of Administrative Hearings is available from Louise Cooper at the address above, or by calling her at (612) 349-2682.

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

The proposed rule amendments do not impose requirements on small businesses within the meaning of *Minnesota Statutes* § 14.115 (1989 Supp.). The proposed rule amendments will not require the expenditure of public money by local public bodies, nor will they affect agricultural lands. Therefore, *Minnesota Statutes* § 14.11 (1988) does not apply to these rule amendments.

If no hearing is required, upon adoption of the amendments, the amendments 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 amendments as adopted, should submit a written request to Ms. Cooper at the address above.

Dated: 24 July 1990

William G. Brown
Chief Administrative Law Judge

Rules as Proposed

1400.0250 ~~SIZE~~ FILING OF MATERIALS.

Subpart 1. Size. All materials submitted to the administrative law judge or chief administrative law judge in a rulemaking proceeding, except the draft of the proposed or adopted rules prepared by the revisor of statutes, handwritten comments from members of the public and exhibits, must be on standard size 8-1/2-inch by 11-inch paper.

Subp. 2. Facsimile transmission. Any paper relating to hearings conducted by an administrative law judge under *Minnesota Statutes*, chapter 14, may be filed with or served on the office by facsimile transmission. The person filing the document must forward the original signed document within five days. Filings or service shall be effective at the time that the facsimile transmission is received by the office. The filing or service of a facsimile shall have the same force and effect as the filing or service of the original document.

1400.0300 INITIATION OF HEARING.

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

Subp. 1a. **Filing documents.** Prior to giving notice of the hearing, the agency shall file with the chief administrative law judge, or the administrative law judge who will preside over the proceeding, the following documents:

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

C. The notice of hearing proposed to be issued that shall contain the following:

[For text of subitems (1) to (5), see M.R.]

(6) A statement advising interested persons that lobbyists must register with the state Ethical Practices Board, ~~which statement shall read as follows: that questions should be directed to the board, and the board's current address and telephone number.~~

~~*Minnesota Statutes*, chapter 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*, section 10A.01, subdivision 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 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 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, 41 State Office Building, Saint Paul, Minnesota 55155, telephone (612) 296-5615.~~

(7) A statement that written material may be submitted and recorded in the hearing record for five working days after the public hearing ends, a statement that the comment period may be extended for a longer period not to exceed 20 calendar days if ordered by the administrative law judge at the hearing, a statement that the comments received during the comment period shall be available for review at the office of administrative hearings, and a statement that the agency and interested persons may respond in writing

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

within three business days after the submission period ends to any new information submitted, and a statement that any written material or responses submitted must be received at the office no later than 4:30 p.m. on the final day. No additional evidence may be submitted during the three-day period.

[For text of subitems (8) to (14), see M.R.]

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

G. If required by Minnesota Statutes, section 16A.128, subdivision 2a, a statement that the agency submitted a copy of the notice and the proposed rules to the chairs of the house appropriations committee and senate finance committee prior to publishing the notice of intent to adopt rules in the State Register.

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

1400.0500 STATEMENT OF NEED AND REASONABLENESS.

Subpart 1. **Contents.** Each agency desiring to adopt rules shall prepare a statement of need and reasonableness which shall be prefiled pursuant to part 1400.0300, subpart 1 1a. The statement of need and reasonableness must contain a summary of all of the evidence and argument which is anticipated to be presented by the agency at the hearing justifying both the need for and the reasonableness of the proposed rules, including citations to any statutes or case law anticipated to be relied upon, citations to any economic, scientific, or other manuals or treatises anticipated to be utilized at the hearing or included in the record, and a list of any witnesses to be called by the agency to testify on its behalf, together with a summary of the testimony to be elicited from witnesses solicited to testify on behalf of the agency. The statement need not contain evidence and argument in rebuttal of evidence and argument presented by the public.

The statement of need and reasonableness must also contain the following:

A. If applicable, a statement complying with:

- (1) *Minnesota Statutes*, section 14.115;
- (2) *Minnesota Statutes*, sections 14.11, subdivision 2, and 17.80 to 17.84;
- (3) *Minnesota Statutes*, sections 115.43, subdivision 1, and 116.07, subdivision 6;
- (4) *Minnesota Statutes*, section 144A.29, subdivision 4;

B. if required by *Minnesota Statutes*, section 16A.128, ~~subdivision~~ subdivisions 1 and 2a, the approval of the commissioner of finance and notice to the chairs of the house appropriations committee and the senate finance committee if the proposed rules establish or modify a fee charged; and

C. a statement complying with the requirements of any other law or rule prescribing in any manner the matters to be included in the statement of need and reasonableness or which the agency is required by law or rule to consider in the adoption of a rule.

To the extent that an agency is proposing amendments to existing rules, the agency need not demonstrate the need for and reasonableness of the existing rules not affected by the proposed amendments.

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

Subp. 3. **Verbatim agency presentation.** If the agency desires, the statement of need and reasonableness may contain the verbatim affirmative presentation by the agency, provided that copies are available for review at the hearing, and it may be introduced as an exhibit into the record as though read. In such instance, agency personnel or other persons thoroughly familiar with the proposed rules and the agency's statement shall be available at the hearing for questioning by the administrative law judge and other interested persons or to briefly summarize all or a portion of the statement of need and reasonableness if requested by the administrative law judge.

1400.0800 CONDUCT OF HEARINGS.

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

Subp. 7. **Exhibits.** The agency shall introduce as exhibits the documents required to be filed with the administrative law judge or the chief administrative law judge pursuant to parts 1400.0300, subpart 1 1a, items A, B, and E; and 1400.0600.

[For text of subps 8 to 13, see M.R.]

1400.0850 RECEIPT OF WRITTEN MATERIALS.

The administrative law judge shall allow written materials to be submitted and recorded in the hearing record for a period of five working days after the public hearing ends, or for a longer period not to exceed 20 calendar days if he or she so orders. The written materials must be received at the Office of Administrative Hearings no later than 4:30 p.m. on the last day for submission of written materials. The agency and all interested persons must be allowed to review the comments received during the comment period and must be allowed three business days after the submission period ends to respond in writing to any new information submitted. The

responses must be received at the office no later than 4:30 p.m. on the third business day. During this three-day period, the agency may also indicate in writing whether there are amendments suggested by other persons which the agency is willing to adopt. Additional evidence may not be submitted during the three-day period. The written responses must be included in the rulemaking record.

1400.0900 RULEMAKING RECORD.

The hearing record shall be closed upon the last date for receipt of written responses filed pursuant to *Minnesota Statutes*, section 14.15, subdivision 1.

The rulemaking record shall include:

A. all documents enumerated in parts 1400.0300, subpart 1a, and 1400.0600:

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

1400.5100 DEFINITIONS.

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

Subp. 4. [See Repealer.]

Subp. 5. [See Repealer.]

[For text of subs 6 to 8, see M.R.]

Subp. 9. **Service; serve.** "Service" or "serve" means personal service or, unless otherwise provided by law, service by first class United States mail or a licensed overnight express mail service, postage prepaid and addressed to the party at his or her last known address. An affidavit of service shall be made by the person making the service. Service by mail or licensed overnight express mail service is complete upon placing the item to be served in the mail or delivering it to the authorized agent of the express mail service. Personal service may be accomplished by either delivering a document to the person or by leaving a document at the person's home or place of business with someone of suitable age and discretion who resides in the same house or who is located at the same business address of the person to be served.

If a person is confined to a federal or state institution, a copy of the document must also be served upon the chief executive officer of the institution.

Postage shall be prepaid. Mail to a person other than a state agency shall be addressed to the last known address of the person. Agencies of the state of Minnesota may also deposit the document with the Central Mailing Section, Publications Division, Department of Administration, addressed as above.

Any paper relating to hearings conducted by an administrative law judge under *Minnesota Statutes*, chapter 14, may be filed with or served on the office by facsimile transmission. The person filing the document shall forward the original signed document within five days. Filings or service shall be effective at the time that the facsimile transmission is received by the office. The filing or service of a facsimile shall have the same force and effect as the filing or service of the original document.

1400.5200 SCOPE; CONVERSION OF CONTESTED CASE.

The procedures in parts 1400.5100 to 1400.8400 shall govern all contested cases required to be conducted by the office under *Minnesota Statutes*, chapter 14. The procedures in parts 1400.8510 to ~~1400.8613~~ 1400.8612 shall govern all cases conducted pursuant to the Revenue Recapture Act, *Minnesota Statutes*, sections 270A.01 to 270A.12 and shall also be utilized in those cases where the parties agree to use them.

1400.5600 NOTICE AND ORDER FOR HEARING.

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

Subp. 2. **Contents of notice and order.** Unless otherwise provided by law, a notice of and order for hearing, which shall be a single document, shall be served upon all parties and shall contain, among other things, the following:

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

D. A statement of the allegations or issues to be determined together with a citation to the relevant statutes or rules allegedly violated or which control the outcome of ~~one~~ the case;

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

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

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Proposed Rules

1400.5700 NOTICE OF APPEARANCE.

Each party intending to appear at a contested case hearing shall file with the judge and serve upon all other known parties a notice of appearance which shall advise the judge of the party's intent to appear and shall indicate the title of the case, the agency ordering the hearing, the party's current address and telephone number, and the name, office address, and telephone number of the party's attorney or other representative. The notice of appearance shall be filed ~~with the judge~~ and served within 20 days of the date of service of the notice of and order for hearing, except that, where the hearing date is less than 20 days from the commencement of the contested case, the notice of appearance shall not be necessary. The failure to file and serve a notice may, in the discretion of the judge, result in a continuance of the hearing if the party failing to file appears at the hearing. A notice of appearance form shall be included with the notice of and order for hearing for use by the party served.

1400.5950 MEDIATION.

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

Subp. 3. **Initiating mediation.** Mediation may be initiated in the following ways:

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

C. Upon receipt of a request for mediation, the chief judge or designee shall contact, either orally or in writing, the agency and all parties ~~or directly affected persons~~ to determine whether they are willing to participate in mediation. No matter shall be ordered for mediation if the agency, ~~any party,~~ or ~~directly affected person~~ is opposed.

D. If the chief judge determines that ~~no party, directly affected person, or the agency is opposed~~ at least two parties, including the agency, have agreed to mediation, the chief judge shall appoint a mediator and issue an order for mediation, which shall set forth:

- (1) the name, address, and telephone number of the mediator; and
- (2) a date by which the mediator must initiate the mediation proceedings.

The order shall be served upon the agency, the parties, ~~or directly affected persons,~~ and the judge assigned to the contested case ~~or rulemaking proceeding,~~ if any.

E. The mediator must initiate the mediation proceedings by contacting the agency and each party ~~or directly affected person~~ no later than the date set forth in the order for mediation.

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

Subp. 5. **Termination.** The mediation process shall terminate when ~~any party, any directly affected person, all parties are,~~ or the agency ~~announces its unwillingness is, unwilling~~ to continue mediation; or ~~the parties and the agency sign a settlement agreement is signed~~ setting forth the resolution of the disputed issues.

Upon termination, the mediator shall either forward the signed settlement agreement to the agency or the judge, if applicable, for appropriate action; or inform the agency or the judge, if applicable, that the mediation has been terminated without agreement.

[For text of subps 6 and 7, see M.R.]

1400.6000 DEFAULT.

The agency or the judge, where authorized, may dispose of a contested case adverse to a party which defaults. Upon default, the allegations of or the issues set out in the notice of and order for hearing or other pleading may be taken as true or deemed proved without further evidence. A default occurs when a party fails to appear without the prior consent of the judge at a prehearing conference, settlement conference, or a hearing or fails to comply with any interlocutory orders of the judge.

1400.6700 DISCOVERY.

Subpart 1. **Witnesses; statement by parties or witnesses.** Each party shall, within ten days of a demand by another party, disclose the following:

A. The names and addresses of all witnesses that a party intends to call at the hearing, along with a brief summary of each witness' testimony. All witnesses unknown at the time of said disclosure shall be disclosed as soon as they become known.

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

[For text of subps 2 to 5, see M.R.]

THE HEARING

1400.7100 RIGHTS AND RESPONSIBILITIES OF PARTIES.

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

Subp. 2. **Necessary preparation.** A party shall have all evidence to be presented, both oral and written, available on the date for hearing. Requests for subpoenas, depositions, or continuances shall be made within a reasonable time after their need becomes evident

to the requesting party. In cases where the hearing time is expected to exceed one day, the parties shall be prepared to present their evidence at the date and time ordered by the judge or as agreed upon at a prehearing conference. Parties shall have enough copies of exhibits so that they can provide a copy to each other party at the time the exhibit is introduced, unless that other party has already obtained a copy through discovery.

[For text of subs 3 to 5, see M.R.]

1400.7400 HEARING RECORD.

Subpart 1. **Content.** The judge shall maintain the official record in each contested case until the issuance of the judge's final report, at which time the record, except for the audiomagnetic recordings of the hearing, shall be sent to the agency. The audiomagnetic recordings shall be retained by the office for five years from the date that the record is returned to the agency. Unless an agency requests a longer retention period for a specific case, the recordings may be erased or otherwise destroyed at the end of the five-year period.

The record in a contested case shall contain all pleadings, motions, and orders; evidence offered or considered; offers of proof, objections, and rulings thereon; the judge's findings of fact, conclusions, and recommendations; all memoranda or data submitted by any party in connection with the case; and the transcript of the hearing, if one was prepared.

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

1400.7500 CONTINUANCES.

Requests for a continuance of a hearing shall be granted upon a showing of good cause. Unless time does not permit, a request for continuance of the hearing shall be made in writing to the judge and shall be served upon all parties of record and the agency if it is not a party. In determining whether good cause exists, due regard shall be given to the ability of the party requesting a continuance to effectively proceed without a continuance. A request for a continuance filed within five business days of the hearing shall be denied unless the reason for the request could not have been earlier ascertained.

"Good cause" shall include: death or incapacitating illness of a party, representative, or attorney of a party; a court order requiring a continuance; lack of proper notice of the hearing; a substitution of the representative or attorney of a party if the substitution is shown to be required; a change in the parties or pleadings requiring postponement; and agreement for a continuance by all parties provided that it is shown that more time is clearly necessary to complete authorized discovery or other mandatory preparation for the case and the parties and the judge have agreed to a new hearing date, or, the parties are engaged in serious settlement negotiations or have agreed to a settlement of the case which has been or will likely be approved by the final decision maker.

"Good cause" shall not include: intentional delay; unavailability of counsel or other representative due to engagement in another judicial or administrative proceeding unless all other members of the attorney's or representative's firm familiar with the case are similarly engaged, or if the notice of the other proceeding was received subsequent to the notice of the hearing for which the continuance is sought; unavailability of a witness if the witness' testimony can be taken by deposition; and failure of the attorney or representative to properly utilize the statutory notice period to prepare for the hearing.

During a hearing, if it appears in the interest of justice that further testimony should be received and sufficient time does not remain to conclude the testimony, the judge shall either order the additional testimony be taken by deposition or continue the hearing to a future date and oral notice on the record shall be sufficient.

A continuance shall not be granted when to do so would prevent the case from being concluded within any statutory deadline.

1400.8300 RECONSIDERATION OR REHEARING.

Once a judge has issued a report, unless that report is binding on the agency, the judge loses jurisdiction to amend the report except for clerical or mathematical errors. Unless the report is a final order, binding on the agency, petitions for reconsideration or rehearing must be filed with the agency. Where the judge's decision is binding on the agency, a petition for reconsideration or rehearing shall be filed with the judge. The petition may be filed at any time until the time for appeal has elapsed or until an appeal is taken. A notice of and order for rehearing shall be served on all parties in the same manner prescribed for the notice of and order for hearing provided that the judge may permit service of the notice and order for rehearing less than 30 days prior to rehearing. The rehearing shall be conducted in the same manner prescribed for a hearing.

In ruling on a motion for reconsideration or rehearing in cases where the judge's decision is binding on the agency, the judge shall grant reconsideration or rehearing if it appears that to deny it would be inconsistent with substantial justice and any one of the following has occurred:

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Proposed Rules

- A. irregularity in the proceedings whereby the moving party was deprived of a fair hearing;
- B. accident or surprise that could not have been prevented by ordinary prudence;
- C. material evidence newly discovered that with reasonable diligence could not have been found and produced at hearing; or
- D. fraud upon the hearing process.

The rehearing shall be conducted in the same manner prescribed for a hearing.

1400.8401 EXPENSES AND ATTORNEY FEES.

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

Subp. 3. **Application.** A party seeking an award of expenses and attorney's fees shall, ~~within 40 days of a final disposition in the contested case,~~ submit to the judge an application that shows:

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

E. a proof of service showing that the state agency and all other parties have been served, either personally or by first class mail, with a copy of the application.

The application must be signed and sworn to by the party and the attorney or other agent or representative submitting the application on behalf of the party, showing the addresses and phone numbers of all persons signing the application.

~~The application must be received at the office no later than 4:30 p.m. on the 40th day following the date of issuance of the final disposition.~~

[For text of subps 4 and 5a, see M.R.]

Subp. 5b. Extensions of time and further proceedings.

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

C. In the event that an evidentiary hearing is required or permitted by the judge, the hearing and any related filings or other action required or permitted shall be conducted under ~~the procedural rules governing conference contested cases~~ parts 1400.8510 to 1400.8612.

[For text of subps 6 and 7, see M.R.]

1400.8510 DEFINITIONS.

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

Subp. 4. **Service, serve.** "Service" or "serve" may be accomplished by either delivering a document to an individual in person, or by leaving a document at his/her home with some person of suitable age and discretion who resides in the same house, or by mailing the document to the person by first class United States mail.

If a person is confined to a federal or state institution, a copy of the document must also be served upon the chief executive officer of the institution.

Postage shall be prepaid. Mail to a person other than a state agency shall be addressed to the last known address of the person. Agencies of the state of Minnesota may also deposit the document with the Central Mailing Section, Publications Division, Department of Administration, addressed as above.

Any paper relating to hearings conducted by an administrative law judge under Minnesota Statutes, chapter 14, may be filed with or served on the office by facsimile transmission. The person filing the document shall forward the original signed document within five days. Filings or service shall be effective at the time that the facsimile transmission is received by the office. The filing or service of a facsimile shall have the same force and effect as the filing or service of the original document.

1400.8560 DEFAULT.

A default occurs when a party fails to appear without the prior consent of the judge at a prehearing conference, settlement conference, or a hearing. If the claimant agency appears at a hearing but the debtor does not, the allegations in the notice of hearing shall be taken as true and deemed proved without further evidence. If the debtor appears at a hearing, but the claimant agency fails to appear, the administrative law judge shall recommend that the hearing be dismissed with prejudice. If neither the claimant party nor the debtor appear at a hearing, the administrative law judge shall recommend that the case be dismissed with prejudice.

1400.8601 SUBPOENAS.

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

Subp. 2. **Service.** Subpoenas shall be served personally in the manner provided in part 1400.8510, subpart 4, item A. They shall not be served by mail. The witness fees applicable in the district courts pursuant to *Minnesota Statutes*, section 357.22 shall apply and shall be paid to the potential witness at the time of service. ~~Such fees are \$10 per day for each day of attendance plus 12 cents~~

per mile for travel going to and returning from the place attendance; to be estimated from the witness' residence.

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

1400.8604 RESPONSIBILITIES AND RIGHTS OF PARTIES.

Subpart 1. **Necessary preparation.** A party shall have all evidence to be presented, both oral and written, available on the date for hearing. Requests for subpoenas, depositions, or continuances shall be made within a reasonable time after their need becomes evident to the requesting party. Parties shall have enough copies of exhibits so that they can provide a copy to each other party at the time the exhibit is introduced, unless that other party has already obtained a copy through discovery.

[For text of subs 2 to 4, see M.R.]

1400.8609 HEARING RECORD.

Subpart 1. **Maintaining.** The administrative law judge shall maintain the official record in each case until the issuance of the report, at which time the record, except for the audiomagnetic recordings thereof, shall be sent to the agency. The audiomagnetic recordings shall be retained by the office for five years from the date that the record is returned to the agency. Unless an agency requests a longer retention period for a specific case, the recordings may be erased or otherwise destroyed at the end of the five-year period.

[For text of subs 2 to 4, see M.R.]

1405.0200 DEFINITIONS.

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

Subp. 6. **Service; serve.** Unless otherwise provided by law, "service" or "serve" means service by first class United States mail, postage prepaid, and addressed to the person to be served at his last known address. An affidavit of service shall be made by the person making such service. Service by mail is complete upon the placing of the item to be served in the mail. Service may also be made personally.

Any paper relating to hearings conducted by an administrative law judge under Minnesota Statutes, chapter 14, may be filed with or served on the office by facsimile transmission. The person filing the document shall forward the original signed document within five days. Filings or service shall be effective at the time that the facsimile transmission is received by the office. The filing or service of a facsimile shall have the same force and effect as the filing or service of the original document.

1405.0300 SCOPE AND PURPOSE.

The procedures contained herein shall govern the conduct of all hearings conducted for the Environmental Quality Board involving the siting of large electric power generating plants, the routing of high voltage transmission lines, and to the site and route exemption ~~process~~ processes contained in *Minnesota Statutes*, section 116C.57, ~~subdivision~~ subdivisions 5 and 5a, provided, however, that the procedures for hearing concerning the revocation or suspension of a site certificate or construction permit shall be those contained in parts 1400.5100 to ~~1400.8500~~ 1400.8401, as are the hearings conducted pursuant to *Minnesota Statutes*, section 116C.57, subdivision 3, relating to the determination of emergencies. See part 1405.2700.

1405.1400 CONDUCT OF HEARING.

The proceedings shall be conducted substantially in the following manner. After opening the hearing, the administrative law judge shall indicate the procedural rules for the hearing including, but not limited to, the following:

- A. all persons may present evidence and argument with respect to the issues and cross-examine witnesses;
- B. all persons may be represented by legal counsel, but such representation is not required; and
- C. the rules of evidence as set forth in part 1405.1700, subparts 3 to 8.

Cross-examination shall be conducted in a sequence determined by the administrative law judge. The record of the hearing shall be closed at a date to be set by the administrative law judge. Such date will correspond to a specific number of calendar days beyond the close of the last hearing date, computed pursuant to part 1405.0700, subpart 1. Written comment will be accepted if postmarked no later than the date set by the administrative law judge. However, the record shall remain open beyond that date for the sole purpose of receiving the final environmental impact statement board responses to relevant comments received on the environmental impact assessment.

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Proposed Rules

1405.1800 HEARING RECORD.

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

Subp. 3. **Recorder or reporter.** Unless the chief administrative law judge determines that the use of a court reporter is more appropriate, an audiomagnetic recording device shall be used to keep a record at any hearing which takes place under parts 1405.0200 to 1405.2800.

The audiomagnetic recordings shall be retained by the office for five years from the date that the record is returned to the agency. Unless an agency requests a longer retention period for a specific case, the recordings may be erased or otherwise destroyed at the end of the five-year period.

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

Subp. 5. **Environmental documents.** ~~Any draft environmental impact statement (in the case of routes) or any draft environmental report (in the case of sites) required to be prepared by rules of the board~~ The environmental impact assessment prepared pursuant to parts 4400.1210 and 4400.3210 shall be entered into the record at a point during the hearing process which will allow all persons an opportunity to review and comment on the material. In addition, all comments and responses to comments which the board desires to consider shall be entered into the record promptly after they are received.

REPEALER. Minnesota Rules, parts 1400.1300; 1400.5100, subparts 4 and 5; 1400.8402; 1400.8613; and 1405.2800 are repealed.

Minnesota Housing Finance Agency

Proposed Permanent Rules Relating to Publicly-Owned Transitional Housing

Notice of Intent to Adopt a Rule Without a Public Hearing

NOTICE IS HEREBY GIVEN that the Minnesota Housing Finance Agency intends to adopt the above 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* 462A.06, subd. 4 and 11.

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:

Susan K. Noren, Legal Division
Minnesota Housing Finance Agency
400 Sibley St., Suite 300
St. Paul, MN 55101-1998
Telephone: 612/296-9794

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 Susan K. Noren 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 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 Susan K. Noren.

Dated: 10 August 1990

James J. Solem
Commissioner

Rules as Proposed (all new material)

PUBLICLY-OWNED TRANSITIONAL HOUSING

4900.3100 SCOPE.

Parts 4900.3100 to 4900.3130 govern the implementation of the publicly-owned transitional housing program.

4900.3110 DEFINITIONS.

Subpart 1. **Scope.** The terms used in parts 4900.3100 to 4900.3130 have the meaning given them in this part.

Subp. 2. **Agency.** "Agency" means the Minnesota Housing Finance Agency.

Subp. 3. **Applicant.** "Applicant" means one or more entities that submit an application for a transitional housing program grant.

Subp. 4. **Application.** "Application" means a submittal requesting a transitional housing program grant to pay the cost of the acquisition, improvement, or rehabilitation of a structure to provide transitional housing for low and moderate income persons.

Subp. 5. **Local government unit.** "Local government unit" means a city as defined in *Minnesota Statutes*, section 462C.02, subdivision 6.

Subp. 6. **Persons and families of low and moderate income.** "Persons and families of low and moderate income" means those persons and families whose income does not exceed 50 percent of the statewide median household income as estimated by the United States Department of Housing and Urban Development.

Subp. 7. **Resolution Trust Corporation.** "Resolution Trust Corporation" means the corporation created pursuant to United States Code, title 12, section 1811 et seq., or its subsidiaries or assignees.

Subp. 8. **Structure.** "Structure" means a building to be acquired, improved, or rehabilitated for use as transitional housing.

Subp. 9. **Support services.** "Support services" means services that identify the needs of individuals for independent living, develop individualized plans to achieve independent living, and arrange or provide for appropriate educational, social, legal, advocacy, child care, employment, financial, or information and referral services to meet these needs.

Subp. 10. **Transitional housing.** "Transitional housing" means housing provided for a limited duration not exceeding 24 months and available for occupancy on a continuous 24-hour basis.

Subp. 11. **Transitional housing program grant.** "Transitional housing program grant" means an appropriation of money to an eligible applicant under the authority granted in *Minnesota Statutes*, section 462A.202, subdivision 2.

4900.3120 ELIGIBILITY.

Subpart 1. **Applicants.** To be eligible for selection for a grant, an applicant shall satisfy the requirements in items A to E.

A. The applicant must be a local government unit.

B. The applicant must provide a comprehensive plan for meeting the existing need for transitional housing and for the placement of persons in independent housing. At a minimum, this plan must include:

(1) documentation of a need for transitional housing by the population to be served by the structure;

(2) a description of the applicant's goals and objectives for meeting the special needs of the population to be served;

(3) documentation of an ability to provide support services to assist persons in moving into independent or appropriate supportive living situations;

(4) a detailed budget for the operation of the transitional housing program for the first year and projected budgets for future years; and

(5) a detailed budget for the acquisition and rehabilitation of the structure.

C. The applicant shall document fiscal responsibility and the ability to complete the construction, acquisition, or modification of the structure and to maintain the structure in accordance with its funded use for a specific period of time.

D. The applicant must agree to retain ownership of the property for at least 20 years. After 20 years, the sale of a property before the expiration of its useful life must be at its fair market value, and the net proceeds of the sale must be used for the same purpose or repaid to the agency for deposit in the local government unit housing account. The applicant may contract with a nonprofit

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Proposed Rules

or for-profit organization to manage the property, including the improvement or rehabilitation of the property, and to operate a transitional housing program on the property on behalf of the applicant.

E. Where the applicant intends to contract with a nonprofit or for-profit organization to develop or manage the property or to operate the transitional housing program, the nonprofit or for-profit organization may provide any or all of the information required under items B and C.

Subp. 2. Structures. To be eligible for selection for a grant, a proposed transitional housing structure must satisfy the requirements in items A to D.

- A. The structure must provide transitional housing for persons and families of low and moderate income.
- B. The structure must provide a physical environment that is responsive to the needs of the population to be served.
- C. The structure must comply with applicable state and local codes, zoning ordinances, land use provisions, and laws.
- D. The structure must be located in Minnesota.

4900.3130 SELECTION CRITERIA FOR GRANTS.

Preference shall be given to local units of government that propose to acquire properties being sold by the Resolution Trust Corporation or the Department of Housing and Urban Development.

In addition, the agency shall take the following criteria into consideration when determining which applications will be funded:

- A. the extent to which the grant is combined with funds or in-kind contributions from other public and private sources;
- B. the availability and source of funds to pay the cost of acquisition, construction, or rehabilitation of the structure not funded by the grant;
- C. the availability and source of funds to pay the ongoing costs of the support services;
- D. the distribution of funds to service a variety of populations including, but not limited to, families with children, couples, single persons, and persons leaving a shelter for family abuse;
- E. the geographic distribution of the funded applications within the state;
- F. the immediacy of the need documented for temporary housing in the area in which the structure is located;
- G. if the applicant requests funding for a structure in which a transitional housing program is currently operating:
 - (1) the need for additional transitional housing in the area and the extent to which additional transitional housing will be produced if the application is funded; or
 - (2) the extent to which funding for ongoing operating costs is declining and government ownership of the structure will ensure continued operation of the program;
- H. the capacity of the applicant to proceed promptly with the acquisition, improvement, or rehabilitation of the structure;
- I. the amount of the grant requested as compared to the total resources available for these grants;
- J. the extent to which the application receives the support and participation of the local community;
- K. the geographic location of the structure in relation to support services, retail facilities, recreational facilities, medical facilities, and transportation;
- L. the reasonableness of the acquisition, improvement, or rehabilitation cost with preference given to applications that minimize the cost per transitional housing units produced;
- M. the extent to which the application uses innovative cost-effective support services that are appropriate to the needs of the population served; and
- N. the experience of the applicant, or if the applicant proposes to contract with a nonprofit or for-profit organization, then the experience of the nonprofit or for-profit organization in developing or managing housing, providing support services, and servicing the specific target population of homeless persons.

Minnesota Housing Finance Agency

Proposed Permanent Rules Relating to the Rental Housing Program for Persons with a Mental Illness

Notice of Intent to Adopt a Rule Without a Public Hearing

NOTICE IS HEREBY GIVEN that the Minnesota Housing Finance Agency intends to adopt the above 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* 462A.06, subd. 4 and 11.

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:

Susan K. Noren, Legal Division
Minnesota Housing Finance Agency
400 Sibley St., Suite 300
St. Paul, MN 55101-1998
Telephone: 612/296-9794

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 Susan K. Noren 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 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 Susan K. Noren.

Dated: 10 August 1990

James J. Solem
Commissioner

Rules as Proposed (all new material)

4900.3000 SCOPE.

Parts 4900.3000 to 4900.3050 govern the implementation of the rental housing program for persons with mental illness.

4900.3010 DEFINITIONS.

Subpart 1. **Scope.** The terms used in parts 4900.3000 to 4900.3050 have the meaning given to them in this part.

Subp. 2. **Agency.** "Agency" means the Minnesota Housing Finance Agency created by *Minnesota Statutes*, sections 462A.01 to 462.24.

Subp. 3. **Application.** "Application" means a submittal requesting a grant from the program.

Subp. 4. **Applicant.** "Applicant" means one or more entities that submit an application to the agency for a grant under the program.

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

Subp. 5. **Grant.** "Grant" means a disbursement of funds to an eligible applicant under the program.

Subp. 6. **Mental illness.** "Mental illness" has the meaning given in *Minnesota Statutes*, section 245.462, subdivision 20.

Subp. 7. **Program.** "Program" means the rental housing program for persons with mental illness as authorized by *Minnesota Statutes*, section 462A.21, subdivision 8c.

Subp. 8. **Project.** "Project" means the proposed use of grant funds as described by the applicant in the program application.

4900.3020 ELIGIBLE RECIPIENTS.

To be eligible for selection as a recipient of a grant under this program, an applicant must be either:

A. a nonprofit social service provider that provides community-based support services to persons with mental illness and living independently; or

B. a local unit of government that provides supportive services to persons with mental illness living independently.

4900.3030 ELIGIBLE APPLICATIONS.

The applicant must provide an application in the form prescribed by the agency. At a minimum, this application shall include the following:

A. a description of the proposed use of the funds;

B. a description of appropriate supportive services available to the recipient;

C. a description of the intended target group;

D. a proposed administrative structure to efficiently provide the funds to the landlord on behalf of an individual recipient; and

E. a description of the applicant's organization including the organization's past experience in providing housing or support services to persons with mental illness, the structure of the organization, and the types of services provided.

4900.3040 ELIGIBLE USES OF GRANT FUNDS.

Grants may be awarded to fund direct rental subsidies for housing. Funds shall be advanced by the agency to the provider who will provide the subsidy to the landlord on behalf of the individual recipient.

4900.3050 SELECTION CRITERIA.

The agency shall take the following criteria into consideration when determining which applications will be selected for a grant under the program:

A. the applicant's prior experience in working with persons with mental illness and prior experience providing supportive services;

B. the applicant's prior experience in providing housing assistance to persons with mental illness;

C. the extent to which grant funds are combined with other sources of funds or services in-kind;

D. the amount of community and constituency support for the proposal;

E. the demonstration value or innovation of the proposal to the extent a successful project could be replicated across the state; and

F. how realistic the proposal is in terms of budget, staff time, and administrative structure.

Minnesota Housing Finance Agency

Proposed Permanent Rules Relating to Temporary Housing Program

Notice of Intent to Adopt a Rule Without a Public Hearing

NOTICE IS HEREBY GIVEN that the Minnesota Housing Finance Agency intends to adopt the above 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* 462A.06, subd. 4 and 11.

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:

Susan K. Noren, Legal Division
Minnesota Housing Finance Agency
400 Sibley St., Suite 300
St. Paul, MN 55101-1998
Telephone: 612/296-9794

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 Susan K. Noren 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 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 Susan K. Noren.

Dated: 10 August 1990

James J. Solem
Commissioner

Rules as Proposed

4900.1701 DEFINITIONS.

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

Subp. 7. **Support services.** "Support services" means ~~an assessment~~ a service that identifies the needs of individuals for independent living, develops an individualized plan to achieve independent living, and arranges or provides for the appropriate educational, social, legal, advocacy, child care, employment, financial, or information and referral services to meet these needs.

Subp. 8. **Temporary housing.** "Temporary housing" means housing provided for a limited duration not exceeding ~~six~~ 24 months and available for occupancy on a continuous 24-hour basis.

[For text of subp 9, see M.R.]

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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.

Minnesota Housing Finance Agency

Adopted Permanent Rules Relating to Receivership Revolving Loan Fund

The rules proposed and published at *State Register*, Volume 14, Number 46, pages 2616-2619, May 14, 1990 (14 S.R. 2616) are adopted as proposed.

Commissioners' Orders

Department of Natural Resources

Commissioner's Order No. 2383: Regulations Designating "Take A Kid Hunting Weekend"

PURSUANT TO AUTHORITY vested in me by *Minnesota Statutes* § 97A.445, subd. 5 and other applicable law, I, Joseph N. Alexander, Commissioner of Natural Resources, hereby prescribe the following regulations for "Take a Kid Hunting Weekend."

Section 1. DATES.

A resident over age 18 may take small game by hunting without a license on the Saturday nearest September 23 and on the following Sunday, if accompanied by a child who is under age 16.

Sec. 2. Except as provided in Section 1, provisions of law or regulation relating to the taking of small game shall apply to all persons hunting during this time.

Sec. 3. This order shall remain in effect until amended, superseded or rescinded.

Dated at St. Paul, Minnesota, this 30 day of July, 1990.

Joseph N. Alexander, Commissioner
Department of Natural Resources

Department of Natural Resources

Commissioner's Order No. 2384: Regulations for Hunting and Trapping in Wildlife Management Areas, State Game Refuges, Controlled Hunting Zones, State and County Parks, National Wildlife Refuges and Federal Waterfowl Production Areas; Superseding Commissioner's Order No. 2349

PURSUANT TO AUTHORITY vested in me by *Minnesota Statutes* § 97A.091 and other applicable law, I, Joseph N. Alexander, Commissioner of Natural Resources, hereby prescribe the following regulations for hunting and trapping in Wildlife Management Areas, State Game Refuges, Controlled Hunting Zones, State and County Parks, National Wildlife Refuges, and Federal Waterfowl Production Areas.

Section 1. WILDLIFE MANAGEMENT AREAS.

(a) All public hunting grounds on state-owned wildlife management areas are open to the hunting and trapping of all species of wild animals during the established seasons therefor in the zones in which they are located, except as otherwise indicated in this section.

(b) Trapping is authorized by permit only, issued by the Area Manager, on the following public hunting grounds: Carlos Avery in Anoka and Chisago Counties; Hubbel Pond in Becker County; Red Lake in Beltrami and Lake of the Woods Counties; Talcot Lake in Cottonwood and Murray Counties; Mille Lacs in Mille Lacs and Kanabec Counties; Lac qui Parle in Big Stone, Lac qui Parle, Swift and Chippewa Counties; Orwell in Otter Tail County; Roseau River in Roseau County; Thief Lake in Marshall County; Rothsay in Wilkin County; and Whitewater in Olmsted, Wabasha and Winona Counties. If the Area Manager determines that the number of trapping permits issued must be limited in order to avoid undue depletion of the furbearer resources or to prevent excessive crowding of trappers, he may establish any practicable method, including a drawing, for impartially determining the persons who may trap. The Area Manager may reject the application for a trapping permit from any trapper who has failed to submit a trapping report for the previous trapping season. Permits may be revoked at any time if the permittee violates any law or regulation or otherwise fails to comply with the requirements of the permit.

(c) The Gordon F. Yeager Wildlife Management Area in Olmsted County and the Carl Schmidt Wildlife Management Area in Morrison County are closed to the taking of migratory waterfowl.

(d) The Bayport Wildlife Management Area in Washington County and the Raguette Wildlife Management Area in Scott and Carver Counties are closed to the trapping of unprotected mammals except when there is an open trapping season for any protected species, and are closed to the possession of all firearms unless unloaded and contained in a case, except for designated hunting areas during the season for the taking of small game when shotgun with No. 4 buckshot or smaller diameter shot only is permitted. Possession and use of bow and arrow is limited to the designated hunting areas during established hunting seasons. In the Bayport Wildlife Management Area, all firearms will be allowed on the specified rifle range when supervised by the controlling state agency.

(e) There are additional regulations applying to the trapping of beaver on wildlife management areas. These regulations are set forth in the commissioner's orders regulating the taking of beaver and otter.

(f) The Boerner Wildlife Management Area in Sibley County, the Buelow Wildlife Management Area in Steele County, the Bryson Wildlife Management Area in Freeborn County, and the Hutchinson Wildlife Management Area in McLeod County are closed to the hunting and trapping of all species.

(g) Hunting on certain portions of Lac qui Parle, Thief Lake, Elm Lake, Roseau River and Talcot Lake Wildlife Management Areas is controlled as specified in Section 3.

(h) The Hearing Island Wildlife Management Area in St. Louis County is closed to the hunting of all species.

(i) The Gold Portage Wildlife Management Area in Koochiching and St. Louis Counties is open to waterfowl hunting during the established season. It is closed to all other hunting and all trapping.

(j) The Uppgaard Wildlife Management Area in Crow Wing County is open to hunting and trapping beginning on the opening date of waterfowl hunting or on the second Saturday in October, whichever comes first. Unprotected species may only be taken during the same time and by the same methods that it is legal to take protected species.

Sec. 2. STATE GAME REFUGES.

(a) Lac qui Parle and Whitewater Game Refuges.

(1) The Lac qui Parle Game Refuge in Chippewa and Lac qui Parle Counties is open as follows:

(A) Those portions of the refuge within the Lac qui Parle Recreation Reserve, Lac qui Parle Mission Site, or those which are posted with "Do Not Trespass" signs, except as otherwise permitted by this order or otherwise specifically authorized, are closed to hunting or the carrying or possession of firearms or bows and arrows unless the firearm is unloaded and completely encased or unloaded and contained in the trunk of the car and the trunk door closed and the bow is unstrung or completely contained in a case or contained in the trunk of the car with the trunk door closed. The remainder of the refuge is open to the hunting of small game and deer during the established seasons therefor in the zones in which it is located, except that small game hunting is not permitted during the waterfowl seasons.

(B) From September 20 to December 1, both dates inclusive, no unauthorized person shall trespass for any purpose whatsoever on any part of the Refuge which is posted with signs prohibiting trespass during this period, except that, beginning the day after the goose season closes within the Lac qui Parle Goose Zone, fishing is permitted in the posted area.

(C) No unauthorized person shall trespass on Rosemoen Island at any time during the year.

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.

Commissioners' Orders

(2) In the Whitewater Game Refuge, Winona County, no person with a bow and arrow deer license or with a Zone 3 firearms deer license may hunt or trap during the dates the license is valid. The Refuge is open as described in Sec. 2(b) of this order, and may be entered to retrieve a deer shot outside the Refuge only if:

(A) No firearm or bow is taken into the Refuge; or

(B) A firearm taken into the Refuge is unloaded and completely encased and a bow taken into the Refuge is unstrung or completely encased.

(b) Additional regulations which apply to hunting deer in the Camp Ripley state game refuge are set forth in the commissioner's order regulating hunting in Camp Ripley. No person shall trap beaver or otter within any state-owned game refuge without first obtaining a permit from the appropriate wildlife manager. The following game refuges are open as indicated to the hunting and trapping of wild animals during the established seasons therefor in the zones in which they are located or during such seasons as are otherwise prescribed in this subdivision, all dates inclusive:

<u>County</u>	<u>Refuge</u>	<u>Small Game Hunting (except Waterfowl)</u>	<u>Trapping</u>	<u>Waterfowl Hunting</u>	<u>Deer & Bear Hunting— Firearms</u>	<u>Deer & Bear Hunting— Bow and Arrow</u>
Beltrami	Bemidji	Open Until Oct. 31	Open for beaver, mink & muskrat only	Closed	Closed	Open
Benton	Maywood	Open	Open	Open	Open	Open
Blue Earth & LeSueur	East Minnesota River	Closed	Closed	Closed	Closed	Open except during firearms deer season
Carver & Hennepin	Minnetonka	Open	Open	Open	Open	Open
Chisago	Linn Lake	Open	Open	Closed	Open	Open
Clearwater	Clearbrook	Open until Dec. 31	Open until Dec. 31	Closed	Open	Open
Crow Wing	Cross Lake	Closed	Open	Closed	Closed	Open
Dodge	Claremont	Closed	Open	Closed	Closed	Open
Douglas	Evansville	Closed	Open	Closed	Closed	Closed
Douglas	Lake Winona	Closed	Open	Closed	Closed	Closed
Fillmore	Lost Lake	Open	Open	Open	Open	Open
Freeborn	Moscow	Open	Open	Closed	Open	Open
Freeborn	Albert Lea	Open	Open	Closed	Open	Open
Hubbard	Paul Bunyan	Open until Oct. 31	Open	Closed	Closed except for Muzzleloaders during special season	Open until Oct. 31
Hubbard	Park Rapids	Closed	Open	Closed	Closed	Closed
Hubbard	Schoolcraft	Open until Oct. 31	Open	Closed	Closed	Open until Oct. 31
Isanti	Elizabeth Lake	Open	Open	Closed	Open	Open
Isanti	German Lake	Open	Open	Closed	Open	Open
Itasca	Lower Pidgeon Lake	Closed	Closed	Closed	Open	Open
Itasca	Pidgeon River Flowage	Closed	Closed	Closed	Open	Open
Kanabec	Fish Lake- Ann River	Closed	Open	Closed	Closed	Closed

Commissioners' Orders

<u>County</u>	<u>Refuge</u>	<u>Small Game Hunting (except Waterfowl)</u>	<u>Trapping</u>	<u>Waterfowl Hunting</u>	<u>Deer & Bear Hunting— Firearms</u>	<u>Deer & Bear Hunting— Bow and Arrow</u>
Martin	Fox Lake	Open	Open	Closed (except special goose hunt)	Open	Open
McLeod	Glencoe Izaak Walton League	Closed	Open	Closed	Closed	Closed
McLeod	Gopher Campfire	Closed	Open	Closed	Closed	Closed
Meeker	Lake Ripley	Open after Waterfowl season	Open after Waterfowl season	Closed	Closed	Closed
Morrison	Camp Ripley	Closed	Closed	Closed	Closed	Open for deer only by permit
Nicollet	Swan Lake #2	Open	Open	Open	Open	Open
Nobles	Ocheda Lake	Closed	Open	Closed	Closed	Closed
Omsted	Rochester	Open	Open	Closed	Open	Open
Otter Tail	Erhard's Grove	Closed	Closed	Closed	Open	Open
Otter Tail	Little Pine Lake	Closed	Open	Closed	Closed	Closed
Pine	Pine County Units 1, 2 & 3	Open	Open	Open	Closed	Open
Pine	Sandstone	Open	Open	Open	Closed	Open
Pipestone	Hiawatha	Open (shotgun only)	Open	Closed	Closed	Open
Polk	Oak Lake	Closed	Open	Closed	Closed	Closed
Polk & Clearwater	Polk—Clearwater	Closed	Open	Closed	Closed	Open
Roseau	Warroad	Closed	Open	Closed	Closed	Closed
St. Louis	Fayal Township	Open	Open	Open	Open	Open
Sherburne	Sand Dunes	Open	Open	Open	Open	Open
Stearns	Stearns County (near Kimball)	Open	Open	Open	Open	Open
Stearns	Collegeville & St. Joseph Twp. (Does not include the refuge around St. John's University)	Closed	Closed	Closed	Open	Closed
Watowan	Madelia	Open	Open	Open	Open	Open
Watowan	St. James	Closed	Open	Closed (except special goose hunt)	Closed	Closed
Washington	St. Croix River	Open	Open	Open	Open	Open
Washington	Stillwater	Open	Open	Open	Open	Open
Wilkin	Sunnyside Twp.	Closed	Open	Closed	Closed	Closed

Commissioners' Orders

<u>County</u>	<u>Refuge</u>	<u>Small Game Hunting (except Waterfowl)</u>	<u>Trapping</u>	<u>Waterfowl Hunting</u>	<u>Deer & Bear Hunting—Firearms</u>	<u>Deer & Bear Hunting—Bow and Arrow</u>
Winona	Whitewater	Open (bow & arrow or firearms using fine shot or .22 rimfire only)	Open	Closed	Closed	Closed
Wright	Howard Lake	Closed	Open	Closed	Closed	Closed
Yellow Medicine	Hanley Falls	Closed	Closed	Closed	Closed	Open

(c) Within each state game refuge, unprotected wild animals may be taken when there is an open season therein for any protected species, but only during such hours and dates and by the same methods allowed for the protected species. Within the Rochester Refuge in Olmsted County unprotected wild animals may be taken at any time and by any legal method.

(d) The hunting of migratory waterfowl adjacent to certain segments of the Rochester, Roseau River, Lac qui Parle and Talcot Lake Game Refuges is controlled as specified in Sec. 3. In addition, in an area adjacent to the Talcot Lake Waterfowl Refuge, all waterfowl hunting is prohibited upon or from the 1.5 mile segment of State Trunk Highway 62 and its right-of-way between the Cottonwood-Murray county line on the west and its junction with County State Aid Highway 7, Cottonwood County, on the east.

(e) The Douglas County Goose Refuge in Douglas County, the Fox Lake Game Refuge in Martin County, the Otter Tail County Goose Refuge in Otter Tail County, the St. James Goose Refuge in Watonwan County, and the Sauk Rapids-Rice Goose Refuge in Benton County are open to the taking of geese as prescribed by Commissioner's orders regulating the taking of geese.

Sec. 3. CONTROLLED HUNTING ZONES.

(a) **Zone Description.** Controlled hunting zones with designated hunting stations are hereby established on portions of or adjacent to certain Wildlife Management Areas and Game Refuges as described in this subdivision.

(1) **Thief Lake Zone.** On the Thief Lake Wildlife Management Area in Marshall County, the controlled hunting zone shall include the following areas:

The Southwest Quarter of Section 8, the Northwest Quarter of the Southwest Quarter (NW ¼ SW ¼) of Section 9, the Northwest Quarter of the Southwest Quarter (NW ¼ SW ¼) of Section 11, the West Half (W ½) of Section 17, and the Northwest Quarter (NW ¼) of Section 20; as well as portions of the South Half of the Southeast Quarter (S ½ SE ¼) of Section 8, the South Half of the South Half (S ½ S ½) of Section 9, the South Half (S ½) of Section 10, the South Half of the South Half (S ½ S ½) of Section 11, the Northwest Quarter of the Southeast Quarter (NW ¼ SE ¼) of Section 20, Township 158 N., Range 41 W.

(2) **Lac qui Parle Zone.**

(A) On the Lac qui Parle Wildlife Management area in Chippewa, Swift, Big Stone and Lac qui Parle Counties, the controlled hunting zone shall include the following areas:

The Northwest Quarter of the Southwest Quarter (NW ¼ SW ¼) and the Southeast Quarter of the Southwest Quarter (SE ¼ SW ¼) of Section 32, Township 119 N., Range 42 W., and the Northwest Quarter of the Northeast Quarter (NW ¼ NE ¼) and the East One-Half of the Northwest Quarter (E ½ NW ¼) of Section 5, Township 118 N., Range 42 W., all in Lac qui Parle County.

And also the East One-Half of the Northwest Quarter (E ½ NW ¼), the East One-Half of the Southwest Quarter (E ½ SW ¼) and the West One-Half of the West One-Half of the Southeast Quarter (W ½ W ½ SE ¼) of Section 12, Township 118 N., Range 42 W., the Southeast Quarter of the Southwest Quarter (SE ¼ SW ¼), the Northeast Quarter (NE ¼) except that part lying northeasterly of State Hwy. 7, the Northeast Quarter of the Southeast Quarter (NE ¼ SE ¼), and those parts of the Northwest Quarter (NW ¼) owned by the state and posted as "Wildlife Management Area, Controlled Hunting Zone," all in Section 1, Township 118 N., Range 42 W., all in Chippewa County.

And also all state owned land posted as "Wildlife Management Area, Controlled Hunting Zone" located between U.S. Hwy. 59 and County State Aid Highway 33, Chippewa County, in Sections 6 and 7, Township 118 N., Range 41 W., all in Chippewa County.

And also the West One-Half of the Northwest Quarter (W ½ NW ¼), the Southwest Quarter (SW ¼), the West One-Half of the Southeast Quarter (W ½ SE ¼) and the Southeast Quarter of the Southeast Quarter (SE ¼ SE ¼) of Section 36, Township 119 N., Range 42 W., all in Chippewa County.

(B) On the Lac qui Parle Game Refuge in Chippewa and Lac qui Parle Counties, the controlled hunting zone shall include the 200 yard wide zone which is outside of and immediately adjacent to the area within the following described boundary:

Beginning at the intersection of County State Aid Highway 13, Chippewa County, and CSAH 33, Lac qui Parle County, thence East along CSAH 13 to the Southeast corner of Section 13, Township 118 N., Range 42 W., thence North along the Township road to

the Northeast corner of said Section 13, thence West along the Township road to the Southeast corner of the West One-Half of the West One-Half of the Southeast Quarter (W ½ W ½ SE ¼) of Section 12, Township 118 N., Range 42 W.; and beginning at the Northeast corner of the West One-Half of the Southwest Quarter (W ½ SW ¼) of Section 12, Township 118 N., Range 42 W., thence West along the North side of said West One-Half of the Southwest Quarter (W ½ SW ¼) of Section 12, Township 118 N., Range 42 W., to County Road 32, Chippewa County, thence North along County Road 32 to the intersection of CSAH 12, Chippewa County, thence West along CSAH 12 to the intersection of County Road 31, Chippewa County, thence along County Road 31 to State Trunk Highway 40; and beginning at the intersection of State Trunk Highway 40 and CSAH 33 in Lac qui Parle County, thence Southeasterly along CSAH 33 to the intersection with CSAH 13, Chippewa County, the point of beginning.

(C) Designated hunting stations are also established on the Lac qui Parle State Park, Lac qui Parle County, where waterfowl hunting is permitted subject to the Lac qui Parle controlled hunt regulations.

(3) **Elm Lake Zone.** On the Elm Lake Wildlife Management Area in Marshall County, the controlled hunting zone shall include the following areas:

The North 200 yards of Sections 1 and 2, Township 155 N., Range 41 W., adjacent to the South boundary of the Agassiz National Wildlife Refuge.

(4) **Roseau River Zone.**

(A) On the Roseau River Wildlife Management Area in Roseau County, the controlled hunting zone shall include the following areas:

The South One-Half of the South One-Half (S ½ S ½) of Section 12, and the South One-Half of the South One-Half (S ½ S ½) of Section 11, Township 163 N., Range 42 W.

(B) On the Roseau River Game Refuge in Roseau County, the controlled hunting zone shall include the 200 yard wide zone which is east of and immediately adjacent to the following described portion of the Refuge boundary:

Beginning at the Northeast corner of Section 1, Township 163 N., Range 42 W.; thence South 1¼ miles along CSAH 3 to the Southeast corner of the North One-Half of the Southeast Quarter (N ½ SE ¼) of Section 12, Township 163 N., Range 42 W.

(5) **Rochester Zone.** On the Rochester Game Refuge in Olmsted County, the controlled hunting zone shall include the 200 yard wide zone lying outside of the refuge and immediately adjacent to the following described portion of the refuge boundary:

Beginning at the intersection of County State Aid Highway 117 and County Road 8; thence along the southern, western and northern boundaries of the refuge to the center of Section 18, Township 107 N., Range 13 W.

(6) **Talcot Lake Zone.** On the Talcot Lake Game Refuge and Sanctuary in Cottonwood County, the controlled hunting zone shall include:

(A) The 200 yard wide zone which is outside of the Talcot Lake Game Refuge and Sanctuary and immediately adjacent to the following described boundary:

Beginning along County State Aid Highway (CSAH) 7, Cottonwood County at the center of Section 17, Township 105 N., Range 38 W.; thence South along CSAH 7 to State Trunk Highway (STH) 62.

(B) The 200 yard wide zone which is west and north of and immediately adjacent to the following described boundaries:

Starting at a point on the north shore of Talcot Lake 600 feet east of the west line of Section 19, Cottonwood County, Township 105 N., Range 38 W.; thence north to the north line of Section 19, Township 105 N., Range 38 W.; thence north to a point 325 feet north of the south line and 600 feet east of the west line of Section 18, Cottonwood County, Township 105 N., Range 38 W.; thence due east to the north-south refuge line.

(b) **General Regulations.** Within all controlled hunting zones described in (a) of this section, the following regulations shall apply to all persons. These are in addition to the regulations for specific zones listed in (c) through (g) of this section.

(1) The hunting and taking of migratory waterfowl shall be limited to the area within 10 feet of each designated hunting station, except that hunters may retrieve downed birds from other areas provided they comply with all other refuge and trespass regulations.

(2) No more than one hunting party, consisting of no more than three hunters, shall occupy any designated hunting station at one time.

(3) All persons occupying a hunting station must fulfill all license requirements to hunt waterfowl in the State of Minnesota. Licenses or certificates must be valid, legible and indicate that the hunter is eligible to occupy a station.

(4) No person shall leave any refuse, offal or feathers in the controlled hunting zone or any parking lot or designated campsite on the management area.

Commissioners' Orders

(5) No alcoholic beverages may be consumed or possessed at any of the hunting stations.

(6) No person shall loiter in areas between the designated hunting stations.

(c) **Thief Lake (Early) and Lac qui Parle Regulations.** Within the Thief Lake and Lac qui Parle controlled hunting zones, in additions to the regulations in (b) of this section, the following regulations shall apply to all persons. In the Thief Lake controlled hunting zone, the regulations in this subdivision shall apply during the period from the opening day of the waterfowl season to the Monday nearest October 22, both dates inclusive. In the Lac qui Parle controlled hunting zones, the regulations in this subdivision shall apply during the open season for taking geese in the Lac qui Parle Goose Zone.

(1) Waterfowl and small game hunters shall reserve designated hunting stations in accordance with rules available at the Thief Lake and Lac qui Parle Wildlife Management Area Headquarters.

(2) No person shall hunt migratory waterfowl or small game in the controlled hunting zone without first registering at the check station and obtaining a back tag permit. Hunters age 18 or older will be charged a \$3.00 fee for the Lac qui Parle back tag permit.

(3) Hunting station occupancy is limited to the successful applicant and no more than two guests.

(4) Transfer of back tag permits to other hunters is prohibited.

(5) Reservation dates will not be changed.

(6) Only hunters shall be allowed to bring shotgun shells into the controlled hunting zone, and no waterfowl or small game hunter shall bring in more than six shells per day or have in possession more than six shells at any one time. All persons entering the controlled hunting zone shall, upon entry and while within the zone, be subject to search by means of electronic metal detector by agents of the commissioner. All persons refusing to be so searched, all persons refusing to reveal items detected, all hunters possessing more than six shells, and all non-hunters possessing any shells shall, in addition to any other penalties provided by law, be refused entry to the controlled hunting zone, or if already within the zone, shall immediately cease hunting, and any special permit required for hunting in the controlled hunting zone shall immediately become void for that day.

(7) Waterfowl and small game hunters must have guns unloaded and cased except within 10 feet of assigned hunting stations.

(8) Dogs must be under control at all times and must be on a leash except within 10 feet of assigned stations or while retrieving.

(9) After each party member has bagged his/her limit of Canada geese or expended his/her limit of six shells, the party is required to promptly leave the station and within one hour each party member is required to personally return his/her entry permit to the check station and submit any geese taken for inspection.

(10) Waterfowl and small game hunters shall be limited to three trips to the stations per season either as a guest or a successful applicant except when vacant stations exist.

(d) **Thief Lake (Late) Regulations.** Within the Thief Lake controlled hunting zone, in addition to the regulations in (b) of this section, the following regulations shall apply to waterfowl hunters during the period beginning the day after the Monday nearest October 22, to the close of the goose season, both dates inclusive.

(1) Waterfowl hunters shall use designated hunting stations and on a first come first served basis.

(2) Waterfowl hunters are subject to the provisions of (c)(6) of this section.

(3) Waterfowl hunters shall have their guns unloaded and cased except within 10 feet of their designated hunting station.

(4) Waterfowl hunters shall have their dogs under control at all times and on a leash except within 10 feet of their designated hunting stations or while retrieving.

(e) **Elm Lake Regulations.** Within the Elm Lake controlled hunting zone, in addition to the regulations in (b) of this section, the following regulations shall apply to all persons during the period from the opening date of the waterfowl season to the Monday nearest October 22, both dates inclusive.

(1) No persons shall enter the controlled hunting zone except when their vehicles are occupying numbered parking stalls in the designated parking lot in the controlled hunting zone. No persons other than those hunting at a designated station in the controlled hunting zone shall occupy a numbered stall in a designated parking lot.

(2) Hunters shall hunt only at the designated hunting stations having numbers corresponding to their parking stall number.

(3) All guns must be unloaded and cased except within 10 feet of a hunting station.

(4) No person shall park in or otherwise occupy any parking stall in the designated parking lot or occupy any designated hunting station during any two consecutive days or from one hour after the close of daily waterfowl shooting hours to 8:00 p.m.

(5) No trailers of any kind shall be allowed in the designated parking lot.

(f) **Roseau River and Rochester Regulations.** Within the Roseau River and Rochester controlled hunting zones, in addition to the regulations in (b) of this section, the following regulations shall apply to all persons during the open goose seasons.

(1) The resident wildlife manager or the area wildlife manager may limit all persons hunting at all hunting stations within a controlled hunting zone or at any hunting station within a zone to one day of hunting in every eight if he/she determines that such is necessary to provide for the equitable allocation of hunting opportunities. After making such a determination, the manager shall daily stamp the small game hunting license or firearms safety certificate of every person at each restricted hunting station with the date of such person's hunt. Persons with licenses stamped pursuant to this paragraph may hunt at any restricted station on the day stamped but shall not occupy any such station for the next seven days. Stations subject to the restrictions imposed by this paragraph shall be so posted. The manager shall remove any such restriction when he/she determines that it is no longer necessary for the purpose specified above.

(2) No person shall occupy a hunting station or a designated parking lot from one hour after the close of daily waterfowl shooting hours to 8:00 p.m.

(3) A waterfowl hunting party shall vacate its hunting station and leave the controlled hunting zone after the daily limit of Canada geese has been taken.

(4) Waterfowl hunters shall have guns unloaded and cased except within 10 feet of their hunting station.

(g) **Talcot Lake Regulations.** Within the Talcot Lake controlled hunting zone, in addition to the regulations in (b) of this section, the following regulations shall apply to all persons during the open goose season.

(1) Hunting station occupancy is limited to no more than three persons.

(2) The resident wildlife manager or the area wildlife manager may limit all persons hunting at all hunting stations within a controlled hunting zone or at any hunting station within a zone to one day of hunting in every three if he/she determines that such is necessary to provide for the equitable allocation of hunting opportunities. After making such a determination, the manager shall daily stamp the small game hunting license or firearms safety certificate of every person at each restricted hunting station with the date of such person's hunt. Persons with licenses stamped pursuant to this paragraph may hunt at any restricted station on the day stamped but shall not occupy any such station for the next two days. Stations subject to the restrictions imposed by this paragraph shall be so posted. The manager shall remove any such restriction when he/she determines that it is no longer necessary for the purpose specified above.

(3) No persons shall occupy a hunting station within the controlled hunting zone except when their vehicles are occupying numbered parking stalls in a designated parking lot in the controlled hunting zone. No persons other than those hunting at a designated hunting station shall occupy a numbered stall or park in a designated parking lot.

(4) Waterfowl hunters shall hunt only at the designated hunting stations having numbers corresponding to their parking stall number.

(5) No person shall park in or otherwise occupy any parking stall in the designated parking lot or occupy any designated hunting station from 10:00 p.m. to 5:00 a.m.

(6) No trailers of any kind shall be allowed in the designated parking lot.

(7) Waterfowl hunters must have all guns unloaded and cased except within 10 feet of their hunting station.

(8) A waterfowl hunting party shall vacate its hunting station and leave the controlled hunting zone after the daily limit of Canada geese has been taken.

Sec. 4. STATE AND COUNTY PARKS.

(a) The following county parks and lands administered by the commissioner within the posted statutory boundaries of the following state parks are opened to the taking of protected wild animals as specified below:

(1) Lac qui Parle State Park in Lac qui Parle County is open to the taking of waterfowl at designated hunting stations in accordance with the regulations in Sec. 3 of this order.

(2) Itasca State Park in Becker, Clearwater and Hubbard Counties is open to the firearms hunting of deer, except where posted as closed, during the established firearms season therefor in the zones in which it is located.

(3) The following state parks are open to the hunting of deer by firearms, but by permit only: Forestville State Park in Fillmore County; Frontenac State Park in Goodhue County; Lake Bronson State Park in Kittson County; O. L. Kipp State Park in Winona County; St. Croix State Park in Pine County; Sakatah State Park in Rice and LeSueur Counties; and Zippel Bay State Park in Lake of the Woods County. Elm Creek Park Reserve in Hennepin County is open to the hunting of deer by firearms, by permit only.

(4) Carver Rapids State Wayside in Carver County is open to the hunting of deer by bow and arrow in accordance with state and special regulations. Crow-Hassan Park Reserve in Hennepin County; Murphy-Hanrahan Park Reserve and Cleary Lake Regional

Commissioners' Orders

Park in Scott County; Lake Bronson State Park in Kittson County; and Brainerd-Crow Wing County Airport in Crow Wing County are open to the hunting of deer by bow and arrow, by permit only.

(5) Brainerd-Crow Wing County Airport in Crow Wing County, Crow Wing State Park in Crow Wing County, Lake Shetek State Park in Murray County, and Nerstrand Woods State Park in Rice County are open to the hunting of deer by muzzleloader during the special muzzleloader season, by permit only.

(6) Forestville State Park in Fillmore County is open to the taking of raccoons during the established season, by permit only.

Additional regulations which apply to state and county parks are set forth in the commissioner's orders establishing the regulations for taking deer.

Sec. 5. NATIONAL WILDLIFE REFUGES AND FEDERAL WATERFOWL PRODUCTION AREAS.

(a) The following National Wildlife Refuges, Waterfowl Production Areas and federal lands are open to hunting and trapping of protected wild animals in accordance with the state seasons and special federal regulations, but only during the established seasons therefor in the zones in which they are located or during such seasons as are otherwise prescribed in this subdivision. Hunting maps and regulations are available through each refuge or wetland management district office or by writing to: Regional Director, U.S. Fish and Wildlife Service, Federal Building, Ft. Snelling, Twin Cities, MN 55111.

(1) Portions of Agassiz National Wildlife Refuge in Marshall County are open to firearm hunting of deer. Areas closed to hunting are posted as "Area Beyond This Sign Closed," or as shown on maps available at Refuge Headquarters, Middle River, MN 56737.

(2) Portions of Big Stone National Wildlife Refuge in Big Stone and Lac qui Parle Counties are open to firearm and archery hunting of deer, muzzleloader hunting of deer by permit, and firearm hunting of cottontail rabbit, jack rabbit, gray squirrel, fox squirrel, red and gray fox, Hungarian partridge and pheasant in areas posted as "Public Hunting Area" or as shown on maps available at parking areas and Refuge Headquarters, 25 N.W. 2nd Street, Ortonville, MN 56278.

(3) Portions of Rice Lake National Wildlife Refuge in Aitkin County are open to firearm hunting of deer (by permit), cottontail rabbit, snowshoe hare, gray squirrel, fox squirrel, ruffed grouse and spruce grouse in areas posted as "Public Hunting Area" or as shown on maps available at Refuge Headquarters, Route 2, McGregor, MN 55760.

(4) Portions of Sherburne National Wildlife Refuge in Sherburne County are open to firearm and archery hunting of deer and firearm hunting of cottontail rabbit, jack rabbit, snowshoe hare, gray squirrel, fox squirrel, ruffed grouse, pheasant, woodcock, Wilson's snipe, sora rail and Virginia rail in areas posted as "Public Hunting Area" or as shown on maps available at Refuge Headquarters, Route 2, Zimmerman, MN 55398.

(5) Portions of Tamarac National Wildlife Refuge in Becker County are open to firearm and archery hunting of deer and firearm hunting of cottontail rabbit, jack rabbit, snowshoe hare, gray squirrel, fox squirrel, ruffed grouse, duck, snipe, woodcock, coot, and geese in areas posted as "Public Hunting Area" or as shown on maps available at Refuge Headquarters, Rural Route, Rochert, MN 56578.

(6) Portions of the Upper Mississippi River National Wildlife and Fish Refuge located in Wabasha, Winona, and Houston Counties are open to migratory game bird, upland game bird, upland game mammal, turkey, and deer hunting except in areas posted "Area Closed" or as shown on maps available at Refuge Headquarters, 51 East Fourth Street, Winona, MN 55987. Hunting of these species (but not waterfowl) is also permitted on areas designated by signs as "Area Closed" during the period from the day after the last day of the duck season to the end of the applicable Minnesota hunting season.

(7) Portions of the Minnesota Valley National Wildlife Refuge known as: Louisville Swamp, located near Carver in Scott County; and the Wilkie Unit in Scott County, are open to hunting of deer in accordance with state and special regulations. Maps of the open areas and copies of the special regulations are available at Minnesota Valley National Wildlife Refuge Visitor Center, 3815 East 80th Street, Bloomington, MN 55425. Portions of the Refuge in Hennepin, Scott, Carver, and Dakota Counties may be open to waterfowl hunting. Areas open will be posted with signs saying "Open to Waterfowl Hunting—Special Regulations in Effect—Consult Refuge Manager." Other areas may be open to waterfowl hunting by special permit for the Young Waterfowlers Program.

(8) Except where posted otherwise, Waterfowl Production Areas are open to hunting and trapping. Overnight camping and overnight parking are prohibited on all Waterfowl Production Areas, including designated parking areas. Additional information including maps of open and closed areas is available from U.S. Fish and Wildlife Service, Route 1, Box 26A, Fergus Falls, MN 56537.

(b) No person shall trap in a National Wildlife Refuge without first obtaining a permit issued by the Refuge Manager. National Wildlife Refuges are closed to the taking of otter.

(c) Motorized vehicles and motorized watercraft are prohibited on National Wildlife Refuges and Waterfowl Production Areas except: (1) on access roads and parking areas designated by sign; (2) on public roads; or (3) by permit obtained from U.S. Fish and Wildlife Service Refuge and Wetland Management District offices. Motorized watercraft are allowed without permit on the Tamarac and Upper Mississippi River National Wildlife Refuges.

(d) Additional regulations which apply to these areas are set forth in the commissioner's orders establishing the regulations for taking deer.

Sec. 6. No person shall take or attempt to take any wild animals in any Wildlife Management Area, State Game Refuge, Controlled Hunting Zone, State or County Park, National Wildlife Refuge or Federal Waterfowl Production Area except in accordance with the provisions of this order and all other applicable orders of the commissioner.

Sec. 7. This order shall remain in effect until amended, superseded or rescinded.

Sec. 8. Commissioner's Order No. 2349 is hereby superseded.

Dated at Saint Paul, Minnesota, this 30 day of July, 1990.

Joseph N. Alexander, Commissioner
Department of Natural Resources

Extended Comment Period

Department of Human Services

Extension of Public Comment Period on the Proposed Permanent Rules Relating to Nursing Home Preadmission Screening and Alternative Care Grant Program

The above-entitled rule was published in the *State Register* on July 30, 1990 (CITE 15 S.R. 256) with two notices. One notice was the Notice of Intent to Adopt a Rule without a Public Hearing and Notice of Intent to Adopt a Rule with a Public Hearing if Twenty-five or More Persons Request a Hearing and the second notice was the Notice of Hearing and the Notice of Intent to Cancel Hearing if Fewer than Twenty-five Persons Request a Hearing in Response to Notice of Intent to Adopt Rules without a Public Hearing.

The time period for the public to comment on the proposed rule and to request a public hearing has been extended from 4:30 p.m. August 29, 1990 to 4:30 p.m. on September 7, 1990. If twenty-five persons request a hearing, the hearing will be held on Tuesday, September 18, 1990 as originally stated in the July 30, 1990 *State Register*.

Persons who wish to submit comments or a written request for a public hearing on the above-entitled rule must submit such comments or requests by 4:30 p.m. on Friday, September 7, 1990 to:

Eleanor Weber
Rules and Bulletins Division
Department of Human Services
444 Lafayette Road
St. Paul, MN 55155-3816
612/297-4301

If you have any questions about this notice please contact Eleanor Weber.

Minnesota Office of Waste Management

Notice of Extension of Public Comment Period for Proposed Rules Governing Solid Waste Reduction Grant and Loan Program, *Minnesota Rules* Parts 9210.0700 to 9210.0770

NOTICE IS HEREBY GIVEN that the Minnesota Office of Waste Management (Office) is extending the public comment period for the proposed rules to govern the Solid Waste Reduction Grant and Loan Program. A Notice of Intent to Adopt Rules Without a Public Hearing and the proposed rules were published in the *State Register* on July 23, 1990 (15 S.R. 190). All persons were informed that the Office will accept written comments on the proposed rules until 5:00 p.m., August 23, 1990. The Office is now extending the public comment period until 5:00 p.m., August 30, 1990. Comments or questions relating to the proposed rules should be directed to:

Cristine Leavitt
Minnesota Office of Waste Management
1350 Energy Lane
St. Paul, MN 55108
612-649-5771 or 1-800-652-9747 (Minnesota Toll-Free)

Michael Robertson
Director

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.

Department of Agriculture

Program and Management Support Division

Notice of Solicitation of Outside Information or Opinions Regarding Proposed Rules Governing Agricultural Contracts

NOTICE IS HEREBY GIVEN that the State Department of Agriculture is seeking information or opinions from sources outside the department in preparing to propose adoption of new rules governing agricultural contracts. The adoption is authorized by *Minnesota Statutes*, section 17.945 which allows the department to adopt rules to implement *Minnesota Statutes*, sections 17.90 to 17.98 which govern agricultural contracts.

The State Department of Agriculture requests information and opinions concerning the subject matter of the rule. Interested persons or groups may submit data or views on the subject matter of concern in writing or orally. Written statements should be addressed to: Carol Milligan, Planning Division, Minnesota Department of Agriculture, 90 West Plato Blvd., St. Paul, MN 55107. Oral statements will be received during regular business hours over the telephone at (612) 296-6906 and in person at the above address.

All statements of information and opinions shall be accepted until September 7, 1990. Any written material received by the department shall become part of the rulemaking record to be submitted to the attorney general or administrative law judge in the event that the rule is adopted.

Dated: 25 July 1990

Jim Nichols
Commissioner

Department of Agriculture

Plant Industry Division

Notice of Solicitation of Outside Information or Opinions Regarding Proposed Rules Governing Wholesale Produce Dealers

NOTICE IS HEREBY GIVEN that the State Department of Agriculture is seeking information or opinions from sources outside the department in preparing to repeal current rules and propose adoption of new rules governing wholesale produce dealers. The adoption is authorized by *Minnesota Statutes*, section 27.14 which requires the department to adopt rules to carry out and enforce *Minnesota Statutes* Chapter 27, governing wholesale produce dealers.

The State Department of Agriculture requests information and opinions concerning the subject matter of the rule. Interested persons or groups may submit data or views on the subject matter of concern in writing or orally. Written statements should be addressed to: Carol Milligan, Planning Division, Minnesota Department of Agriculture, 90 West Plato Blvd., St. Paul, MN 55107. Oral statements will be received during regular business hours over the telephone at (612) 296-6906 and in person at the above address.

All statements of information and opinions shall be accepted until September 7, 1990. Any written material received by the department shall become part of the rulemaking record to be submitted to the attorney general or administrative law judge in the event that the rule is adopted.

Dated: 25 July 1990

Jim Nichols
Commissioner

Minnesota State Agricultural Society—Minnesota State Fair

Meeting Notice

The first scheduled meeting of the Minnesota State Agricultural Society's board of managers during the 1990 State Fair, Aug. 23 through Sept. 3, will be at 10 a.m. Friday, Aug. 24 in the Administration Building on the State Fairgrounds.

Subsequent meetings will be at the call of the society's president as necessary to conduct fair-related business. Dates and times will be available from the media and public relations office in the Service Building on the fairgrounds.

Minnesota State Arts Board

Notice of Board Meeting

The next regular meeting of the Minnesota State Arts Board will take place at 1:00 p.m. on Thursday, August 23, 1990 at the Arts Board offices, 432 Summit Avenue in Saint Paul. The public is invited to attend. Open meeting law guidelines will be in effect. Agenda items will include a year-end report on Arts Board activities during fiscal year 1990.

For information on this meeting or other programs, contact the Arts Board, 432 Summit Avenue, Saint Paul, MN 55102, (612) 297-2603 or toll-free from greater Minnesota at (800) 652-9747.

Minnesota Health Care Access Commission

Notice of Meeting of Health Care Access Commission

The next meeting of the Minnesota Health Care Access Commission will be Thursday, August 30, 1990, from 1:00 to 5:00 p.m. in Room 107 of the State Capitol. Please call the Health Care Access Commission office, 297-5980, for further information.

Metropolitan Council

Notice of Public Meeting for Alternative Environmental Review Process to be Used in the Designation of a Search Area for a New Major Airport

The Metropolitan Council has drafted an application to the Minnesota Environmental Quality Board (EQB) to use an "alternative environmental review" process in the designation of a search area for locating a new major airport. The use of an alternative form of state environmental review is provided for in EQB rules.

This application will be the subject of a public meeting to be held on Tuesday, Sept. 4, 1990, at 11 a.m. at the Metropolitan Council offices, Mears Park Centre, 230 E. Fifth St., St. Paul. All interested persons are encouraged to attend the meeting and offer comments. Persons may register in advance to speak by calling the Council's Community Outreach Division at 291-6500. Written comments will also be accepted; they must be received by 5 p.m. Sept. 4.

Any informational meeting describing the alternative environmental review process will be held for anyone interested on Tuesday, Aug. 28, at 3 p.m. in the Metropolitan Council chambers.

Copies of the application are available for public inspection at designated libraries throughout the region. For information on the location of these libraries or a free copy of the application, call 291-8140. Other questions should be directed to transportation staff at 291-6308.

Pollution Control Agency

Division of Hazardous Waste

Notice of Intent to Solicit Outside Opinion Regarding Proposed Rules Governing the Management of Spent or Waste Household Batteries, *Minnesota Rules Chapter 7045*

NOTICE IS HEREBY GIVEN that the Minnesota Pollution Control Agency (Agency) is seeking opinions from outside sources regarding the proposed rules governing the management of spent or waste household batteries.

The purpose of this rulemaking is to develop rules to facilitate the recycling of household batteries. The Agency is considering developing special standards for the collection, storage, and transportation of spent or waste household batteries.

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

Randy Hukriede
Minnesota Pollution Control Agency

Official Notices

520 Lafayette Road North
St. Paul, MN 55155
Telephone: (612) 643-3470

Oral statements will be received during regular business hours, 8:00 a.m. to 4:00 p.m., Monday through Friday.

Statements and comments will be accepted until August 28, 1990. Any written materials received by the Agency shall become part of the rulemaking record in the event that the rule is adopted.

Gerald L. Willet
Commissioner

Minnesota Pollution Control Agency

Water Quality Division

Notice of Intent to Solicit Outside Opinions Regarding Amendment of Rules Governing the Individual On-site Wastewater Treatment Systems Grants Program

NOTICE IS HEREBY GIVEN that the Minnesota Pollution Control Agency (Agency) is seeking information or opinions from sources outside the Agency for the improvement of the administrative rules for the state Individual On-site Wastewater Treatment Systems Grants Program (on-site program). These rules are found under *Minnesota Rules* pts. 7077.0700 through 7077.0765.

This program provides grants to municipalities to assist their residents with the costs of repairing and replacing on-site wastewater treatment systems that are failing to meet state water quality standards. Amendments are needed to implement program changes mandated by the 1990 Legislature. If the information gathered from outside the Agency identifies a need to improve parts of the administrative process, additional proposed amendments will be developed and presented to the public for comment. The amendment of these parts is authorized by *Minnesota Statutes* § 116.18, subd. 3c(f) (1990).

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

Debbie Olson
Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, MN 55155
Telephone: (612) 296-7223

All statements of information and opinion will be accepted until 4:30 p.m. Friday, September 28, 1990. Any written materials received by the Agency shall become part of the rulemaking record in the event that the rule is amended.

Gerald L. Willet
Commissioner

Department of Public Safety

Driver and Vehicle Services

Notice of Solicitation of Outside Information or Opinions Regarding Possible Amendment to the Rule Governing School Bus Driver Qualifications

NOTICE IS HEREBY GIVEN that the State Department of Public Safety is seeking information or opinions from sources outside the agency in preparing possible amendments to the rule governing school bus driver qualifications, specifically *Minnesota Rules*, parts 7414.1200 through 7414.1400 physical qualifications and examination. The adoption of the rule is authorized by *Minnesota Statutes*, sections 14.06 and 171.321, subdivision 2, which requires the agency to prescribe rules governing the qualifications of individuals to drive school buses.

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

Carol Manteuffel
Driver & Vehicle Services
Department of Public Safety

Room 208 Transportation Building
St. Paul, MN 55155

Oral statements will be received during regular business hours over the telephone at (612) 296-2608 and in person at the above address.

Any written material received by the State Department of Public Safety shall become part of the rulemaking record to be submitted to the attorney general or administrative law judge in the event that the rule is adopted.

Paul J. Tschida, Commissioner
Department of Public Safety

Department of Revenue

Appeals and Legal Services Division

Notice of Solicitation of Outside Information or Opinions Regarding Proposed Rule Governing the Apportionment of Business Income of Interstate Air Carriers

NOTICE IS HEREBY GIVEN that the State Department of Revenue is seeking information or opinions from sources outside the agency in preparing to propose the adoption of a rule governing the apportionment of business income of interstate air carriers. The adoption of the rule is authorized by *Minnesota Statutes*, section 290.52, which permits the agency to make rules to enforce and administer state tax laws.

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

Michael E. Boekhaus
Appeals and Legal Services Division
Minnesota Department of Revenue
Eighth Floor
10 River Park Plaza
Mail Station 2220
St. Paul, Minnesota 55146-2220

Oral Statements will be received during regular business hours over the telephone at (612) 296-1022 and in person at the above address.

All statements of information and opinions will be accepted until October 15, 1990. Any written material received by the State Department of Revenue will become part of the rulemaking record to be submitted to the attorney general or administrative law judge in the event that the rule is adopted.

Dated: 2 August 1990

Michael E. Boekhaus
Attorney

Minnesota State Retirement System

Board of Directors, Regular Meeting

A regular meeting of the Board of Directors, Minnesota State Retirement System, will be held on Friday, August 17, 1990 at 9:00 a.m. in the office of the System, 529 Jackson Street, St. Paul, Minnesota.

Board of Water and Soil Resources

Notice of Regular Monthly Meeting in Spicer

The Board of Water and Soil Resources will hold their regularly scheduled monthly meeting on Wednesday, August 22, 1990, at the Safari South, in Spicer, Minnesota. The meeting will convene at 9:00 a.m.

State Contracts and Advertised Bids

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

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

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

Materials Management Division—Department of Administration:

Contracts and Requisitions Open for Bid

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

Commodity: Meat for September delivery

Contact: Linda Parkos 296-3725
Bid due date at 2pm: August 15
Agency: Corrections Department
Deliver to: Stillwater
Requisition #: 78620-00346

Commodity: Birch chips
Contact: John Bauer 296-2621
Bid due date at 2pm: August 15
Agency: Community College, Itasca
Deliver to: Grand Rapids
Requisition #: 27144-44266

Commodity: Tables
Contact: John Bauer 296-2621
Bid due date at 4:30pm: August 13
Agency: Revenue Department
Deliver to: St. Paul
Requisition #: 67510-23691

Commodity: Physical therapy equipment
Contact: Linda Parkos 296-3725
Bid due date at 4:30pm: August 15
Agency: Northland Community College
Deliver to: Thief River Falls
Requisition #: 02310-18183

Commodity: Elevator repair
Contact: Pamela Anderson 296-1053
Bid due date at 2pm: August 15
Agency: Vets Home
Deliver to: Hastings
Requisition #: 75250-60181

Commodity: 2 copiers (30 cpm) rebid
Contact: Joseph Gibbs 296-3750
Bid due date at 2pm: August 15
Agency: Nursing Home
Deliver to: Ah-Gwah-Ching
Requisition #: 55510-03620-1

Commodity: 80286 Computers
Contact: Bernadette Vogel 296-3778
Bid due date at 4:30pm: August 16
Agency: Health Department
Deliver to: Minneapolis
Requisition #: 12200-66134

Commodity: Musicians chairs
Contact: Linda Parkos 296-3725
Bid due date at 4:30pm: August 16
Agency: State University
Deliver to: Moorhead
Requisition #: 26072-02447

Commodity: Computer equipment for the deaf
Contact: Bernadette Vogel 296-3778
Bid due date at 4:30pm: August 17
Agency: Academy for the Deaf
Deliver to: Faribault
Requisition #: 37001-01089

Commodity: Lottery seating
Contact: Joan Breisler 296-9071
Bid due date at 2pm: August 17
Agency: Lottery
Deliver to: Roseville
Requisition #: 99997-00020

Commodity: Simms Memory
Contact: Bernadette Vogel 296-3778
Bid due date at 4:30pm: August 17
Agency: Metro State University
Deliver to: St. Paul
Requisition #: 26176-03175

Commodity: CCTV System
Contact: Pamela Anderson 296-1053
Bid due date at 4:30pm: August 17
Agency: Public Safety Department
Deliver to: St. Paul
Requisition #: 07600-11031

Commodity: Lottery seating
Contact: Joan Breisler 296-9071
Bid due date at 2pm: August 20
Agency: Lottery
Deliver to: Roseville
Requisition #: 99997-00021

Commodity: Rubbish disposal
Contact: Joyce Dehn 297-3830
Bid due date at 2pm: August 20
Agency: Military Affairs Department
Deliver to: Mpls/St. Paul International Airport
Requisition #: Price contract

Commodity: Miscellaneous furniture—rebid
Contact: John Bauer 296-2621
Bid due date at 4:30pm: August 20
Agency: Trade & Economic Development Department
Deliver to: St. Paul
Requisition #: 22600-04791-1

State Contracts and Advertised Bids

Commodity: 386 Computer
Contact: Bernadette Vogel 296-3778
Bid due date at 2pm: August 20
Agency: Metro State University
Deliver to: St. Paul
Requisition #: 26176-03171

Commodity: Express 386-33 Computers
Contact: Bernadette Vogel 296-3778
Bid due date at 2pm: August 20
Agency: Anoka Ramsey Community College
Deliver to: Coon Rapids
Requisition #: 27152-46784

Commodity: IBM 8530-U31, no sub
Contact: Bernadette Vogel 296-3778
Bid due date at 2pm: August 20
Agency: Southwest State University
Deliver to: Marshall
Requisition #: 26175-01244

Commodity: Lottery seating
Contact: Joan Breisler 296-9071
Bid due date at 2pm: August 21
Agency: Lottery
Deliver to: Roseville
Requisition #: 99997-00022

Commodity: Ribbons: typewriter, calculator & printer
Contact: Ann Wefald 296-2546
Bid due date at 2pm: August 30
Agency: Central Stores
Deliver to: St. Paul
Requisition #: Price contract

Commodity: Pavement friction tester
Contact: Joseph Gibbs 296-3750
Bid due date at 2pm: August 16
Agency: Transportation Department
Deliver to: Various
Requisition #: 79000-05789

Commodity: TV/VCRs
Contact: Pam Anderson 296-1053
Bid due date at 4:30pm: August 14
Agency: Human Services Department
Deliver to: St. Paul
Requisition #: 55000-11172

Commodity: IBM PS/2 model 70—no substitute
Contact: Bernadette Vogel 296-3778
Bid due date at 2pm: August 21
Agency: State University
Deliver to: Mankato
Requisition #: 26071-38509

Commodity: Lottery tables
Contact: John Bauer 296-2621
Bid due date at 2pm: August 21
Agency: Lottery
Deliver to: Roseville
Requisition #: 99997-00025

Commodity: Unituf delineators
Contact: John Bauer 296-2621
Bid due date at 2pm: August 21
Agency: Transportation Department
Deliver to: Oakdale
Requisition #: 79900-81504

Commodity: Meteorological equip.
Contact: Joseph Gibbs 296-3750
Bid due date at 2pm: August 21
Agency: Transportation Department
Deliver to: Duluth
Requisition #: 79000-05816

Commodity: Panasonic printer
Contact: Bernadette Vogel 296-3778
Bid due date at 4:30pm: August 17
Agency: State University
Deliver to: Mankato
Requisition #: 26071-38513

Commodity: S-UHS editing set
Contact: Pamela Anderson 296-1053
Bid due date at 4:30pm: August 17
Agency: North Hennepin Community College
Deliver to: Brooklyn Park
Requisition #: 27153-21290

Commodity: Snowmax protein
Contact: Joan Breisler 296-9071
Bid due date at 4:30pm: August 21
Agency: Iron Range Resources & Rehabilitation Board
Deliver to: Biwabik
Requisition #: 43000-13881

Commodity: Lottery chairs
Contact: John Bauer 296-2621
Bid due date at 4:30pm: August 21
Agency: State Lottery
Deliver to: Roseville
Requisition #: 99997-00026

Commodity: Tandem axle dump truck w/body
Contact: Mary Jo Bruski 296-3772
Bid due date at 2pm: August 22
Agency: Iron Range Resources & Rehabilitation Board
Deliver to: Eveleth
Requisition #: 43000-13827

Commodity: RFP for customer file maintenance
Contact: Bernadette Vogel 296-3778
Bid due date at 4:30pm: August 27
Agency: Administration Department—PrintComm
Deliver to: St. Paul
Requisition #: 02515-10769

Commodity: Elevator maintenance
Contact: Joyce Dehn 297-3830
Bid due date at 2pm: August 28
Agency: State University
Deliver to: St. Cloud
Requisition #: Price Contract

State Contracts and Advertised Bids

Department of Administration: Print Communications Division

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

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

Commodity: DAANES residential treatment client followup form, 20M 2-part sets, 1-page, 11¼"x17" overall, blue carbonless, negs available, 1-sided

Contact: Printing Buyer's Office

Bids are due: August 15

Agency: Human Services Department

Deliver to: St. Paul

Requisition #: 10521

Commodity: *Explore Southern MN Travel Guide*, 125M 112-page book + cover, 4-color, 8¼"x10¼"; negs available, 2-sided, saddle-stitch

Contact: Printing Buyer's Office

Bids are due: August 20

Agency: Trade & Economic Development Department

Deliver to: St. Paul

Requisition #: 10530

Commodity: *Explore Northeastern MN Travel Guide*, 125M 60-page book + cover, 4-color, negs available, 2-sided, saddle stitch

Contact: Printing Buyer's Office

Bids are due: August 20

Agency: Trade & Economic Development Department

Deliver to: St. Paul

Requisition #: 10531

Commodity: Continuous feed letterhead with invoice, 50M 9½"x11" overall includes pinfeeds both sides, camera ready, 2-sided, union label required

Contact: Printing Buyer's Office

Bids are due: August 16

Agency: Jobs & Training Department

Deliver to: St. Paul

Requisition #: 10618

Commodity: *Explore North Central/West MN Travel Guide*, 125M 84-page book + cover, 4-color, negs available, 2-sided, saddle stitch

Contact: Printing Buyer's Office

Bids are due: August 20

Agency: Trade & Economic Development Department

Deliver to: St. Paul

Requisition #: 10533

Professional, Technical & Consulting Contracts

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

Department of Administration

Print Communications Division

Notice of Request for Proposal for On-Call, Short-Notice or 24-Hour Notice Binding and Offset Duplication Services

Nature of Contract:

To supply person(s) to provide, a) different types of bindery functions and, b) operation of different types of offset duplicators and/or presses; on a short, same day or 24-hour notice. The work will be completed at the Print Communications Division's facility, located at 117 University Ave., St. Paul, MN 55155.

Contractor's Duties:

To provide person(s) on an on-call, short notice or 24-hour notice for the work outlined, in Section I and/or Section II; on site at the Department of Administration, Print Communications Division. The contractor will ensure that all persons provided will be qualified as outlined in this contract.

Estimated Cost: \$20,000

Contract Duration: August 1, 1990 to June 30, 1991

Section I—Bindery Work

The following is a breakdown of the type of equipment and/or work level skills required:

Level A—Operate several, if not all, of the following equipment:

1. **Folders**

Shoei Star 30x22 with right angle, pile fed with suction Baum 11x17 friction fed.

2. **Collators**

Standard Borg 30 and 14 bin collators with stitchers, folders and face trimmers.

3. **Cutters**

Wohlenberg 54" MCS-2TV

Wohlenberg 45" programmable

4. **Stitcher/Trimmer**

Rosback; 6 pocket with 3 knife trimmer.

Level B—Operate several, if not all, of the following equipment:

1. Nyberg 3-5 hole power drill.

2. Lakeland book stitchers.

3. Heidelberg electronic counter.

4. Waldtron 14" shrinkwrap.

5. GBC punch and binder.

Level C—Hand Work

1. Hand collating and uncollating.

2. Hand inserting.

3. Hand marrying/gathering.

4. Hand stapling and unstapling.

5. Hand folding and unfolding.

6. Padding.

7. Other forms of hand bindery work.

Section II—Press Work

Person(s) with two to three years' experience, running and maintaining offset duplicators and/or presses, preferably Davidson 702 perfecter or equivalent. The work will consist of running multiple types of stock and one or multiple color work.

Qualifications for Both Sections I & II

The contractor will provide a person(s) to do the above work as requested. The person(s) must be able to work day shift (6:30 a.m. to 3:00 p.m.), night shift (3:00 p.m. to 1:30 a.m.) or any span of hours during the two shifts. The person(s) must be able to provide quality work, to follow written and verbal instruction, to read a job ticket and to follow schedules and time frames. The person(s) must be dependable, quality oriented, conscientious, neat and organized. The person(s) being supplied must have working knowledge, as well as experience on the equipment listed or equipment similar, to that which they are being asked to operate (or the operation to which they are assigned).

Compensation to the employee will be the responsibility of the contractor. The contractor will also take all responsibility and liability for said person(s), to include taxes, worker's compensation, unemployment insurance and any other insurance. Compensation to the contractor will be *approximately* \$15.00-\$17.00 per hour per person for Section I, Level A employees, \$10.00-\$12.00 per hour per person for Section I, Level B employees, \$8.50 per hour per person for Section I, Level C employees, and approximately \$10.00 to \$17.00 per hour for Section II employees (press work), depending on experience. This contract will not exceed \$20,000 in fiscal year 1991 (July 1, 1990, through June 30, 1991). The Department of Administration, Print Communications Division does not guarantee the total amount of the contract will be spent.

Potential bidders can bid on any or all of the sections of this contract. The Department of Administration, Print Communications Division, retains the right to award this contract in part or whole, according to department procedures, and based on prices quoted per section.

The Department of Administration, Print Communications Division will not be liable for any placement fee for any person(s) supplied under this contract who is eventually hired by the State of Minnesota through any open posting and/or advertisement, who passes the required exams and is processed through the State's hiring procedures.

Professional, Technical & Consulting Contracts

Department of Human Services

Office of Child Support Enforcement

Request for Proposals to Secure Under Contracts, the Services of Qualified Paternity Blood Testing Laboratories

I. Introduction

The Minnesota Department of Human Services, Office of Child Support Enforcement is soliciting proposals from qualified paternity testing laboratories to provide paternity testing for the 83 Minnesota County child support offices at fixed rates.

Upon review of the proposals by an evaluation committee, three to five laboratories will be selected to perform testing for the Minnesota child support program. A list of the successful bidders will be provided to the 83 local offices who will have the sole discretion as to which laboratory or laboratories they will utilize.

Approximately \$750,000 per year is expended by the county child support offices for paternity blood testing, however, there will be no guarantee of the amount of work for any particular laboratory.

II. Qualifications

Responders must demonstrate experience and expertise in the field of paternity blood testing and must be AABB certified.

III. Proposal Content

A complete Request for Proposal is available from the Minnesota Office of Child Support Enforcement. Contained within the Request for Proposal is an extensive outline of the work to be performed, the required information to be submitted in the proposal, the evaluation methodology, and the necessary bidding forms. Those firms wishing for a copy of the proposal should contact either by mail or phone the

Minnesota Department of Human Services
Office of Child Support
444 Lafayette Road
St. Paul, MN 55155-3846
(612) 297-1113

Proposals must be sent to and received by James Olson at the above address by 4:30 p.m. Wednesday September 5, 1990. Late proposals will not be accepted.

Department of Human Services

St. Peter Regional Treatment Center

Notice of Request for Proposal for Psychiatric Services

NOTICE IS HEREBY GIVEN that the St. Peter Regional Treatment Center, Residential Facilities Administration, Department of Human Services, is seeking the services which are to be performed as requested by the Administration of the St. Peter Regional Treatment Center. The following contract will be written for the period October 1, 1990 through June 30, 1991.

1. Services of a psychiatrist to serve the needs of the dangerously mentally ill. Estimated amount of the contract is \$37,620.00.

Responses must be received by August 31, 1990. Direct inquiries to:

Gloria Duffus
Contract Coordinator
St. Peter Regional Treatment Center
100 Freeman Drive
St. Peter, MN 56082
Phone: 507 931 7714

Department of Human Services

Health Care Programs Division

Notice of Availability of Physician and Pharm.D./Pharmacist Consultant Contracts

The Department of Human Services (DHS) intends to issue consultant contracts to five (5) physicians and pharm.D./pharmacists for the purpose of reviewing Medicaid recipient medications/diagnosis profiles in the administration of the Medical Assistance (MA) and General Assistance Medical Care (GAMC) Drug Utilization Review Program. All physicians and pharmacists must be registered in the state by their respective licensing board. Specialty areas being sought are:

- Psychiatry
- Internal Medicine
- Infectious Disease
- Cardiology
- Gastroenterology

DHS also intends to issue consultant contracts to two (2) physicians and three (3) pharmacists for the purpose of reviewing medications and giving recommendation to the Department in the context of the Medicaid Drug Formulary coverage.

All contracts will be awarded to candidates based on their experience, education, achievements, professional standing and the Department's need. DHS shall make the final selection of consultants and issue contracts of varying amount of time and money for the period of September 1, 1990 through June 30, 1992 with option for up to a two year renewal to June 30, 1994. This notice does not obligate DHS to complete the project, and DHS reserves the right to cancel the solicitation if it is considered to be in its best interest.

Interested parties should submit resumes and direct inquiries by August 31, 1990 to:

Marie Nguyen, Pharm.D.
Pharmacist Clinician
Health Services Policy Section
444 Lafayette Road
St. Paul, MN 55155-3853

Iron Range Resources & Rehabilitation Board

Giants Ridge

Notice of Request for Proposals from Qualified Consultants to Assist in the Planning of a Shooting Sports Training Facility

Project Tasks

Following is a list of tasks that will be expected to be performed by the consultant. Responder may propose additional tasks or activities if they will substantially improve the results of the project.

1. Advise architect, engineer and Giants Ridge staff as to particular ranges to develop, provide specifications for these ranges and oversee construction suggesting modifications if and when needed.
2. Develop utilization plan. This will be a many faceted objective which will include;
 - a. Close contact with local and regional arms of the NGBs in determining needs.
 - b. Development of educational programs to meet these needs.
 - c. Implementation of these programs including promotion and teaching.
 - d. Solicitation of regional and national shooting sports competitions.
 - e. Organizing shooting sports competitions.
3. Develop a maintenance program for the ranges.

Professional, Technical & Consulting Contracts

Department Contact

Prospective responders who have any questions regarding this request for proposal may call or write:

Gary Larson
Sports Coordinator
Giants Ridge
P.O. Box 190
Biwabik, MN 55708
(218) 865-4143
1-800-475-7669

Please note that other department personnel are not allowed to discuss the project with responders before the submittal of proposed deadline.

Submission of Proposals

All proposals must be sent to and received by:

Mike Gentile
Director
Giants Ridge
P.O. Box 190
Biwabik, MN 55708

Not later than 4:30 p.m. Wednesday, September 15, 1990. Late proposals will not be accepted. Please submit an original and 2 copies of the proposal. Proposals are to be sealed in mailing envelopes or packages with the responder's name and address clearly written on the outside. Such envelopes or packages should be written in bold letters, **SHOOTING SPORTS COORDINATOR—DO NOT OPEN**. Each copy of the proposal must be signed, in ink, by an authorized member of the firm.

Project Costs

The department has estimated that the cost of this project should not exceed \$55,000.00.

Time Schedule

The proposed starting date of the project is October 1, 1990, with the term of this contract running through September 30, 1991. An option for a second year renewal will be maintained.

Proposal Contents

The following will be considered minimum contents of the proposal:

1. Current resume
2. List of references in the shooting sports NGBs
3. A restatement of the objectives, goals and tasks to demonstrate the responder's view of the project.

Tentative Proposal/Contract Timelines

Publication in <i>State Register</i> :	Mon., August 13, 1990
Response period:	Tue., August 14, 1990 to Wed., September 5, 1990 at 4:30 p.m.
Tentative Response Interviews:	September 10-20, 1990
Anticipated Date of Award:	September 21, 1990
Contract Start Date:	October 1, 1990
Term of Contract:	Oct. 1, 1990 to Sept. 30, 1991

Evaluation Criteria

All proposals received by the deadline will be evaluated by representatives of the IRRRB/Giants Ridge and members of the Minnesota Shooting Sports Task Force. In some instances, an interview will be part of the evaluation process. Factors upon which proposals will be judged, but are not limited to, the following:

1. Expressed understanding of project objectives.
2. Qualifications of responder.

Evaluation and selection will be completed by Wednesday September 26, 1990.

Affirmative Action

In accordance with the provisions of *Minnesota Statutes, 1990 Supplement*, section 363.073; for all contracts estimated to be *in excess of \$50,000*, all responders having more than 20 full-time employees at any time during the previous 12 months must have an affirmative action plan approved by the Commissioner of Human Rights before a proposal may be accepted. *Your proposal will not be accepted unless it includes one of the following:*

- A. A copy of the firm's current certificate issued by the Commissioner of Human Rights.
- B. A statement certifying that the firm has a current certificate of compliance issued by the Commissioner of Human Rights.
- C. A statement certifying that the firm has not had more than 20 full-time employees in Minnesota at any time during the previous 12 months.

Any questions concerning a Certificate of Compliance may be referred to the Contract Compliance Unit of the Minnesota Department of Human Rights at (612) 296-5663.

Worker's Compensation

The successful responder will be required to submit acceptable evidence of compliance with worker's compensation insurance coverage requirements prior to execution of the contract.

Iron Range Resources and Rehabilitation Board

Notice of Request for Proposals from Qualified Consultants for Professional Services Required to Produce the 1989-90 IRRRB Biennial Report

Background

Pursuant to *Minnesota Statutes* 298.22, Subdivision 2, the IRRRB must biannually report to the governor and legislature concerning its recent activities, projects and programs prior to November 15 of each even numbered year. The next such report is due on November 15, 1990.

The agency desires a polished and professional report that might best be designed and produced by a private vendor with specialized staff, expertise and equipment required for such an undertaking. IRRRB staff will be responsible for copy research and writing.

The IRRRB will be celebrating its 50th Anniversary in 1991, so this report shall also commemorate the anniversary and the accomplishments of the IRRRB over the last fifty years.

Project Scope and Work Program

1. Creative Design

Services include all creative research and design necessary to provide recommendations as to the format and appearance of the report, including special interest placed on the 50th Anniversary. This will also include all page make-up services.

2. Film Assembly and Color Separations

Services include all film work, negatives, stripping and laser scanned color separations.

3. Professional Photography

Services include all costs associated with providing any photographs required for the report.

4. Financial Information Assimilation

Services include the assimilation of all financial information into tables, graphs, etc., which will be understandable to the legislature as well as the general public.

5. Preparation for Printing

Services will include providing plate-ready materials, including key-lines, necessary for the report to be printed. This shall also include providing all necessary specifications as to print, paper, color, etc., and monitoring the actual printing of the report to insure that all specifications and timelines are met.

Cost of Contract

The cost of this contract for all services and all costs, direct and indirect, shall not exceed \$10,000.00.

Professional, Technical & Consulting Contracts

Tentative Proposal/Contract Timelines

Publication in the *State Register*: Monday, August 13, 1990
Response Deadline: Friday, August 24, 1990
Tentative Respondent Interviews: August 27-31, 1990
Anticipated Date of Contract Award: September 1, 1990
Anticipated Term of Contract: September 15-November 15, 1990

Submission of Proposals

Completed proposals should be mailed or delivered to:

IRON RANGE RESOURCES AND REHABILITATION BOARD
Highway #53 South, P.O. Box 441
Eveleth, MN 55734
218-744-2993

Proposals responding to this RFP must be received by **4:30 p.m., Friday, August 24, 1990.**

Late proposals will not be accepted. Please provide one original and four copies of the proposal signed by an authorized member of the responding firm. Proposals should be sealed in mailing envelopes or packages with the respondent's name and address clearly written on the outside.

Such envelopes or packages should be stamped in bold letters, **1990 IRRRB BIENNIAL REPORT—DO NOT OPEN.**

The Iron Range Resources and Rehabilitation Board shall not be responsible for any costs incurred in responding to this RFP.

Cancellation of Solicitation

This request for proposal does not obligate the IRRRB to complete the project, and the IRRRB reserves the right to cancel the solicitation if it is considered to be in its best interest.

For further information and formal RFP documents, contact Jodi Phelps at (218) 744-2993.

Department of Jobs and Training

Notice of Proposed Contracts for Federal Fiscal Year 1991

The Minnesota Department of Jobs and Training, Services for the Blind is publishing notice that the contracts listed below are available and will be awarded for federal fiscal year 1991 (October 1, 1990 to September 30, 1991).

A. Notice of Proposed Contracts for Reader Services

SSB is seeking individuals/organizations to provide reader services as a reasonable accommodation to blind or visually handicapped employees of the agency. As a Reader, the individual will read incoming correspondence, case file information, regulations, grants/grant applications, etc. and record information on fiscal documents, rehabilitation plans, applications and client information system forms as dictated by the blind or visually handicapped employee. The following approximate number of contracts will be let:

1. 7 Readers for the Metro area: 1 of these must have a working knowledge or familiarity of computer-related technical terms and language;
2. 1 Reader for the Duluth area;
3. 1 Reader for the Rochester area.

All individuals will be paid at a starting rate of \$4.50 per hour. For each full consecutive Federal Fiscal Year that the individual remains under contract, the rate of pay will be increased by a percentage determined by SSB management by July 1 of the preceding Federal Fiscal Year. Contracts will range from 10-20 hours per week based on the individual needs of the employee. Total cost of all contracts is not expected to exceed \$20,000.00.

Inquiries and/or proposals including a brief statement of qualifications and training/work experience should be directed to:

Cindy Farrell, Accounting Officer
Services for the Blind and Visually Handicapped
1745 University Avenue
St. Paul, MN 55104
(612) 642-0888

Professional, Technical & Consulting Contracts

All proposals must be received by 4:30 p.m., Friday, 8/24/90 for consideration. Individuals responding after this date, as well as those individuals who responded by the date but were not selected, will have their name on file for a period of one year, and will be contacted if vacancies occur or additional services are needed during this period.

B. Notice of Proposed Contracts for Driver Services

SSB is seeking individuals/organizations to provide driver services as a reasonable accommodation to blind or visually handicapped employees of the agency. As a Driver, the individual will drive the blind or visually handicapped employee to meetings, client interviews or appointments and return to the office in their own or a state-owned vehicle. The following approximate number of contracts will be let:

1. 7 Drivers for the Metro area;
2. 1 Driver for the Duluth area serving Aitkin, Carlton, Cook, Itasca, Kanabec, Koochiching, Lake, Pine, and St. Louis counties;
3. 1 Driver for the Rochester area serving Dodge, Fillmore, Freeborn, Houston and Mower counties;
4. 1 Driver for the Marshall area serving Chippewa, Lac Qui Parle, Lincoln, Lyon, Murray, Nobles, Pipestone, Redwood, Rock, and Yellow Medicine counties.

Candidates must possess a valid driver's license and good driving record and provide proof of insurance if their own vehicle is to be used.

All individuals will be paid at a starting rate of \$4.50 per hour. For each full consecutive Federal Fiscal Year that the individual remains under contract, the rate of pay will be increased by a percentage determined by SSB management by July 1 of the preceding Federal Fiscal Year. Contracts will range from 10-20 hours per week based on the individual need of the employee. An individual providing driver services who uses his/her own vehicle shall be reimbursed as part of the contract at a rate of \$.27 per mile. Total cost of all contracts is not expected to exceed \$20,000.00.

Inquiries and/or proposals including a brief statement of qualifications and training/work experience should be directed to:

Cindy Farrell, Accounting Officer
Services for the Blind and Visually Handicapped
1745 University Avenue
St. Paul, MN 55104
(612) 642-0888

Individuals interested in being both a reader and a driver should indicate this in their brief statement. All proposals must be received by 4:30 p.m. Friday, 8/24/90 for consideration. Individuals responding after this date, as well as those individuals who responded by the date but were not selected, will have their names on file for a period of one year, and will be contacted if vacancies occur or additional services are needed during this period.

C. Notice of Proposed Contract for Tape Evaluation Services

SSB is seeking an individual to provide tape evaluation services. As a Tape Evaluator, the individual will:

1. evaluate the Oral Reading Audition of each prospective volunteer and job applicant in order to select the highest calibre of employee/volunteer;
2. maintain on-going quality control of the reading and technical skills of 139 volunteer broadcasters using a 17 point evaluation guide; and
3. maintain on-going quality control of the reading and technical skills of 140 volunteer tape textbook transcribers using an 18 point evaluation guide.

The individual will provide these services at the 1745 University Avenue location.

The individual will be paid at a rate of \$8.00 per hour and will provide services for approximately 24/hours per week. For each full consecutive Federal Fiscal Year that the individual remains under contract, the rate of pay will be increased by a percentage determined by SSB management by July 1 of the preceding Federal Fiscal Year. Total cost of the contract is not expected to exceed \$10,000.00.

Inquiries and/or proposals including a brief statement of qualifications and training/work experience should be directed to:

Cindy Farrell, Accounting Officer
Services for the Blind and Visually Handicapped
1745 University Avenue
St. Paul, MN 55104
(612) 642-0888

All proposals must be received by 4:30 p.m., Friday, 8/24/90 for consideration. Individuals responding after this date, as well as those individuals who responded by the date but were not selected, will have their name on file for a period of one year, and will be contacted if vacancies occur or additional services are needed during this period.

Professional, Technical & Consulting Contracts

Minnesota Department of Jobs and Training

State Job Training Office

Notice of Request for Proposals to Conduct Training Sessions on Client Recruitment, Retention and Followup for Direct Client Service Delivery Staff

The State Job Training Office is seeking the services of an experienced professional to conduct training sessions on client recruitment, client retention, and followup for direct client service delivery staff of statewide employment and training agencies. This request for proposal does not obligate the state to complete the project, and the state reserves the right to cancel the solicitation if it is considered to be in its best interest.

This training will start in October, 1990, and be completed by December 15, 1990. An estimated 200 persons will attend. All materials will be provided by the trainer.

Prospective responders who have any questions regarding this request for proposal may call or write:

C. Elaine Pizner
Technical Assistance & Training Coordinator
State Job Training Office
690 American Center Building
150 East Kellogg Boulevard
St. Paul, Minnesota 55101
Phone: 612/297-4572

All proposals must be sent to and received by C. Elaine Pizner, address above, no later than 4:30 p.m. on August 24, 1990. Late proposals will not be accepted. Submit 5 copies of proposals; each copy must be signed by the person submitting the proposal. Prices and terms as stated must be valid for the length of the project. The department has estimated that the cost of this project should not exceed \$10,000.

Minnesota Pollution Control Agency

Air Quality Division

Notice of Request for Proposals for Consultant Services to Assist the Minnesota Pollution Control Agency in Determinations Regarding the Issuance of Air Emission Permits for the Koch Refining Company Petroleum Refinery in the Pine Bend Industrial Area, Rosemount, Minnesota

NOTICE IS HEREBY GIVEN that the Minnesota Pollution Control Agency (MPCA) is seeking proposals for consultant services to assist it in analyzing Koch Refining Company's applications for issuance of air emissions permits and in determining under what conditions to issue air emission permits for various projects currently proposed for development at Koch's petroleum refinery in Rosemount, Minnesota. The selected consultant may also be retained for other projects involving the refinery, if funding permits. To be qualified, a consultant must have extensive knowledge of and experience in dealing with air quality issues at petroleum refineries and federal and state air quality programs. This Request for Proposals does not obligate the MPCA to enter into a contract for these services, and the MPCA reserves the right to cancel the solicitation if the MPCA considers that to be in its best interest.

Contact Person:

George Pruchnofski
Minnesota Pollution Control Agency
Division of Air Quality
520 Lafayette Road
St. Paul, Minnesota 55155-3898
Telephone (612) 296-8632

Submission Deadline: 4:30 p.m., September 7, 1990

Interested persons may obtain a copy of the Request for Proposal from and submit proposals to Mr. Pruchnofski.

Gerald L. Willet
Commissioner

Non-State Public Contracts

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

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

Sherburne County

Request for Proposal to Assist With a Review and Re-Writing of a Comprehensive Land Use Plan and Zoning Ordinance

Sherburne County is seeking an individual or company to assist with a review and with the re-writing of its Comprehensive Land Use Plan and Zoning Ordinance for unincorporated areas of the County. The County began a Land Use Study in 1965, which culminated with the adoption of the Comprehensive Plan and County Land Use Zoning Ordinance in 1971. The Comprehensive Plan and Zoning Ordinance currently in effect date from that time.

Sherburne County is one of the fastest growing areas in Minnesota, with significant development pressure for the Minneapolis/St. Paul Metropolitan Area to the southeast, and from St. Cloud, on the northwest corner of the County. Sherburne County also is a very productive agricultural area, which brings the inevitable conflict between the competing interests. This conflict makes it necessary that the County take a new look at the changes which have taken place since 1971, determine the goals and direction of the County for the next ten years, and finally to establish policies to reach those goals. The result will be an updated and effective Comprehensive Land Use Plan and Zoning Ordinance.

Sherburne County has received notification from the Department of Natural Resources to incorporate the new Shoreland Rules into our local ordinances within two years. Review and adoption of the Shoreland Rules are to be considered part of this project.

A copy of the current Comprehensive Land Use Plan and Zoning Ordinance is available for your review at the Zoning Office.

Proposals must be submitted to the following address:

Ann Oster, Administrative Assistant
Sherburne County Administration Building
P.O. Box 320, 327 King Avenue
Elk River, MN 55330
(612) 441-1441

Twelve copies of the proposal must be submitted no later than 5:00 p.m., Sept. 10, 1990. Responses will be reviewed by the Sherburne County Planning Commission, Sherburne County Board of Commissioners, and Staff. The individual or entity submitting shall establish to the satisfaction of the Zoning Administrator the reliability and responsibility of the persons or entities proposed to perform the work as described in the call.

No financial obligation shall be incurred by Sherburne County for any costs incurred by individuals or companies in the preparation of their proposal. The scope and duration of the work to be done is dependent upon funding. If funding is not available or is limited, the proposal format may either be withdrawn by the individual or company submitting the same or the proposal may be renegotiated. Sherburne County reserves the right to accept or reject any proposal and waive any irregularity of the same. It is the intent of the County to award the proposal to the lowest responsible submission of proposal provided it does not exceed the funds available.

Responses will be evaluated according to the following criteria:

1. Qualifications
2. References
3. Compatibility of work plan to County needs
4. Total costs

The individual or entity providing the proposal shall be an independent contractor and no agent of such shall be entitled to any benefits or entitlements of Sherburne County employees.

To the fullest extent permitted by law, the individual or entity agrees to indemnify, hold harmless and defend Sherburne County and its agents and employees from and against all claims, loss, damages, costs and expenses, including reasonable professional fees arising from any act or omission of the individual or entity. This indemnification does not constitute a waiver of any statutory immunity that the County of Sherburne may have by law.

Non-State Public Contracts

The proposal should be structured in four parts:

I. STATEMENT OF QUALIFICATIONS

II. PROPOSED PROGRAM FOR REVIEW, AND IF NECESSARY, RE-DRAFTING OF THE COMPREHENSIVE PLAN

III. PROPOSED PROGRAM FOR CHANGING ZONING ORDINANCE TO COMPLY WITH NEW COMPREHENSIVE PLAN

IV. TOTAL COSTS

I. Qualifications

A. Organization and Staff Qualifications—This section of the proposal must contain at least the following information:

1. Name and telephone number of the person designated as the contact person for the proposal.
2. A brief description of the firm's capabilities, history, and organizational structure.
3. Resumes of individuals who would carry out the proposed program.
4. Documentation which shows the proposer's experience in the areas of land use planning and agricultural land preservation.
5. References from previous related projects.
6. The individual or entity submitting the proposal shall file evidence that all individuals shall be covered by workers' compensation coverage.
7. Evidence of an approved Affirmative Action Plan.

II. Proposed Program for Review and Re-Drafting of Comprehensive Plan

A. Proposed work plan explaining the type and scope of information necessary to analyze the changes which have taken place in the County since 1971.

B. Proposed work plan for providing assistance to the County in review and proposing changes in the Comprehensive Plan.

C. Time frame for the proposed work plan, including public input.

III. Proposal for Re-Drafting and Approval of Necessary Changes in the Zoning Ordinance

A. Proposed work plan for providing assistance to the County in review and proposing changes in the Zoning Ordinance.

B. Time frame for the proposed work plan, including public input.

IV. Total Costs

A. Cost estimates of:

1. Comprehensive Plan research, drafting, and public meetings.
2. Ordinance research, drafting, and public meetings.
3. Identification of miscellaneous expenses—estimated costs.

B. Hourly rates of individuals identified, as well as the number of hours to be worked by each identified individual.

The County is interested in providing in-kind services whenever possible to reduce costs.

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.

Bureau of Mediation Services

Applications Accepted for Funding Under the Minnesota Area Labor-Management Committee Program for 1991 Grants

The Bureau of Mediation Services is now accepting applications for funding of new or existing Area Labor-Management Committee programs pursuant to *Minnesota Statutes* § 179.81-.85 (1990).

Persons interested in applying for such funds may secure an application form and program policies by requesting them in writing from:

Earl R. Willford, Program Director
Office of Cooperative Labor-Management Programs
Bureau of Mediation Services
1380 Energy Lane, Suite Two
St. Paul, Minnesota 55108-5253

Applications for funding during fiscal year 1991 will be accepted until October 15, 1990. All grants awarded will be effective January 1, 1991.

Joyce M. Wood,
Deputy Commissioner

Supreme Court Decisions, Opinions & Rules

Decisions Filed 10 August 1990

C5-89-1768 State of Minnesota, petitioner, Appellant v. Rolando Thomas Alayan. Court of Appeals.

Police lawfully conducted limited sweep of defendant's house after properly seizing defendant outside open door of house. Police had probable cause to believe house was being used as drug outlet to drug runners, and a sweep to preserve evidence was needed because of high likelihood that people still in house, if left unchecked, would destroy evidence while police were obtaining search warrant. Thereafter, police obtained voluntary consent to search and were, therefore, justified in searching house for the evidence without first obtaining a warrant.

Reversed and judgment of conviction reinstated. Yetka, J.

C8-89-95 State of Minnesota v. David G. Lanam, Appellant. Court of Appeals.

1. Criminal defendant's right of confrontation under state and federal constitutions was not violated by admission of out-of-court statements by minor victim who was incompetent to testify where totality of circumstances surrounding making of statements show statements were sufficiently trustworthy for confrontation clause purposes.

2. Evidence identifying defendant as person who abused child was sufficient.

Affirmed. Keith, J.

Dissenting, Kelley, J., Popovich, C.J., and Yetka, J.

Announcements

Environmental Quality Board (EQB): The EQB has revised the EAW form and prepared a new "EAW Guidelines" booklet to accompany the new form. Copies of the revised form and guidelines were recently mailed and can be requested by contacting the EQB at (612) 296-2603 or 300 Centennial Bldg, 658 Cedar St., St. Paul, MN 55155. The new EAW form should be used for any EAW or EIS initiated from now on. EAWs already begun on the old form may be completed on the old form, however, the EQB staff intends to refuse to publish notice of EAWs on the old form as of Jan. 1, 1991. • Comments are due August 6 on EAWs (environmental assessment worksheets) for the following projects at their listed regional governing unit: **Pines at Grand View**, City of Nisswa (218) 963-4444; **Anderson Corporation Building 14S Expansion**, City of Bayport (612) 439-2530; **Warroad Airport Expansion**, (218) 386-1454; **Wal-Mart Store**, City of Hermantown (218) 729-6331; **Byron Sanitary Sewer Improvement Project**, Minn. Pollution Control Agency (MPCA) (612) 296-7432. • Petitions for environmental review have been received for the following projects: **KQYB Radio Tower**, Fillmore County, Norman Craig, Zoning Administrator, Courthouse, Preston, MN 55965; **Mathisen Gravel Mine**, Cook County, Tim Kennedy, Zoning Administrator, Courthouse, Grand Marais, MN 55604. • A Special Local Need Registration has been issued by the Minn. Dept. of Agriculture for **Gramoxone Extra herbicide** permits the use of this product for the desiccation of grass seed production fields. Comment deadline is Sept. 6 to Clavin E. Blanchard, MDA, Agronomy Services Div., 90 W. Plato Blvd., St. Paul, MN 55107.

Announcements

People With Health Problems May Bring Own Food to Public Places: People with diabetes—or other health problems that require special diets—can now bring their own food to theaters, sports stadiums and other public facilities. Under a new state law, people with special diets can get an exemption card, authorizing them to bring food or beverages into public facilities. The card—which must be signed by a physician—can be used in places like theaters, auditoriums, concert halls, stadiums and arenas. People who have the cards must show them to an employee of the facility, before entering with food or drink. People with diabetes had previously been denied admission to those types of facilities, if they attempted to bring in their own refreshments. Facilities can still limit the amount of food or drink brought in, allowing only the amount that can reasonably be consumed by one person. Facilities can also limit the size of containers used to bring in food or beverages, to avoid possible inconvenience or safety hazards for other customers. In addition, people with the cards may be asked to show a second form of identification. The cards can be obtained from the American Diabetes Association, Minnesota Affiliate, or the Minnesota Department of Health, but individual cardholders are responsible for having them validated by a physician. Physicians must validate the cards for anyone diagnosed as having diabetes. The cards are good for five years. People with diabetes can get the cards by writing to **Special Diet Exemption Card, American Diabetes Association—Minnesota Affiliate, 715 Florida Ave. S./ Suite 307, Minneapolis 55426**—or by calling (612) 593-5333. People with other conditions can get the cards by writing to **Special Diet Exemption Card, Division of Health Promotion and Education, Minnesota Department of Health, 717 Delaware St. S.E./ Box 9441, Minneapolis 55440**.

Labor-Management Awards Announced: A new program in Minnesota will recognize individuals and teams for innovative labor-management partnerships in the public and private sectors, announced Governor Rudy Perpich. The awards are meant to encourage and recognize the most creative Minnesota labor-management relationships that have advanced beyond adversarial roles to the point where both sides realize the other can contribute to business and employee growth. Nominations for these awards will be solicited from unions, employers, and persons involved in state or federal efforts to improve cooperation among Minnesota unions and employers. A review committee consisting of representatives from the State Labor-Management Council, the Bureau of Mediation Services (BMS) and the Federal Mediation and Conciliation Service will evaluate nominations and recommend finalists to the BMS Commissioner. “Too often, the only time we take notice of labor-management affairs is when something goes wrong and we’re faced with a strike or dispute,” said BMS Commissioner Paul Goldberg. “This program will help to focus public attention on many important and successful efforts now underway in Minnesota to maintain and improve a genuine sense of partnership between labor and management.” The network of Area and Industry Labor-Management Committee will distribute nomination forms and information about the awards program. The first awards will be presented at the 1990 Governor’s Conference on Labor-Management Relations on September 27 and 28 at the Minneapolis Convention Center.



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

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

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

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

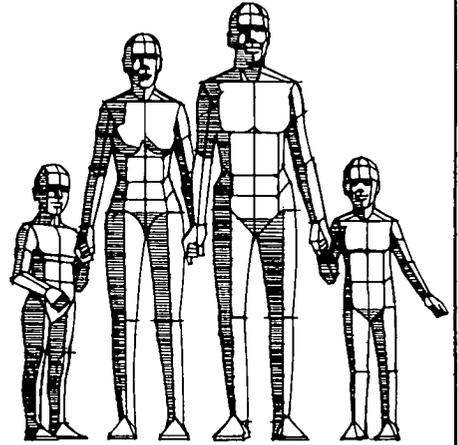
TO ORDER: Send to Minnesota Documents Division, 117 University Avenue, St. Paul, MN 55155. Call (612) 297-3000, or toll-free in Minnesota: 1-800-652-9747 and ask for “DOCUMENTS.” Please include 6% sales tax and \$2.00 postage and handling. Prepayment required. Please include daytime phone. VISA/MasterCard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

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

Adoption and Process Parenting

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

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



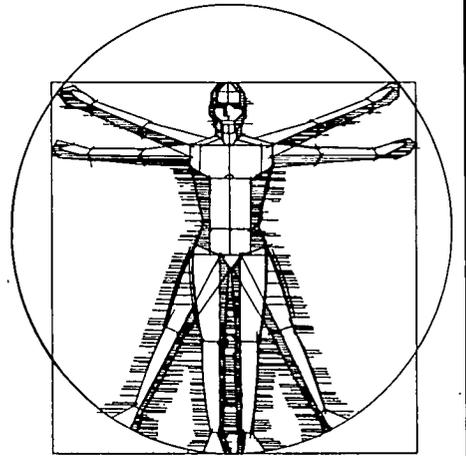
TO ORDER: Send to Minnesota Documents Division, 117 University Avenue, St. Paul, MN 55155. Call (612) 297-3000, or toll-free in Minnesota: 1-800-652-9747. Minnesota residents please include 6% sales tax. On all orders, add \$2.00 per order for postage and handling. Prepayment is required. Please include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

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

A Helping Hand for the Chemically Dependent

Directory of Chemical Dependency Programs in Minnesota.

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



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

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Minnesota: national leader in education

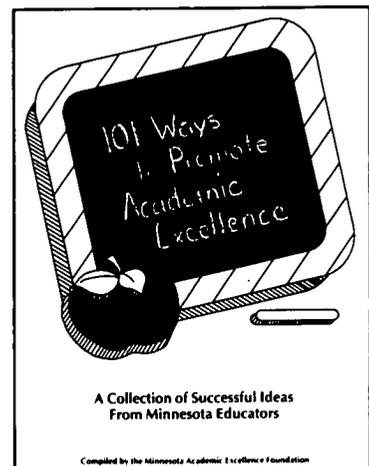
101 Ways to Promote Academic Excellence

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 the public educators' great challenge: helping every single child learn. Code #5-1, \$4.50.

Education Directory, 1989-90

This popular comprehensive directory contains Minnesota school districts, superintendents, principals, addresses, phone numbers and enrollment. 170 pages, paperbound. Code #1-93, \$8.95.

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



A Collection of Successful Ideas
From Minnesota Educators

Compiled by the Minnesota Academic Excellence Foundation

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Successful business means successful sales

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.

Find out more about our mailing lists by writing for our free mailing list catalog. In a hurry? Call (612) 297-2552 for more information. Requests can be sent to: Minnesota Documents Division, Mailing List Operation, 117 University Avenue, St. Paul, MN 55155. FAX: (612) 296-2265.

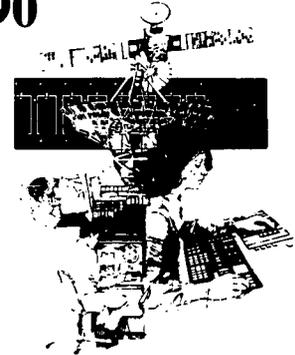
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Minnesota Manufacturer's Directory 1989-90

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



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, \$78.50.



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

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Voices of the Loon

Its voice severs the bonds to the world of cities, traffic, crowds, lights and noise. The lyrical magic of the loon, sometimes hauntingly eerie, makes the skin tingle, and the hair on the back of the neck stand on edge, awakening a primitive response. Its solitary wail turns the shadowy wilderness into a mysterious path into eternity.

Voices of the Loon, cassette tape, includes introduction and loon call identification, chorus from a distant lake, tremolo duet, wail duet, border confrontation, wails with morning songbird chorus, tremolos while running, wails during a thunderstorm, and coyotes calling with loons. Code #19-73, \$12.00.

The Loon: Voice of the Wilderness, hardbound with color plates and illustrations, 143 pages. Code #19-54, \$17.95.

Love of Loons. A Voyageur Wilderness Book, with color photos and lore of this delightful state bird make this a beautiful gift. Stock #9-22, \$12.95 + tax.

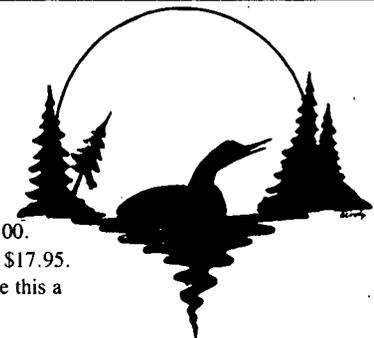
Loon Lapel Pin. Code #15-30, \$2.49.

Loon Windsock, 56 inches long in full color. Code #15-29, \$19.95.

Loon Nature Print, full-color poster 16" x 22", Code #15-18, \$3.00.

Loon with Baby-poster, 16" x 20". Code #15-48, \$3.00.

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



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NEW PUBLICATIONS:

Minnesota Rules 1989. An 11-volume set of rules from the approximately 75 agencies empowered to promulgate rules by the Administrative Procedure Act. Stock #18-200, \$160.00 + tax, or \$15 for individual volumes. **NOTE:** This is a subscription service for the set, entitling subscriber to updates as they are produced.

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

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

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

Hazardous Waste Rules 1989. Governs the storage, treatment, utilization, processing, transfer, and disposal of hazardous waste. Contains the complete requirements for application for permits for discharge of hazardous waste on construction and operation of a treatment facility. Stock No. 3-71, \$16.95 plus tax.

Environmental Quality Board Rules 1989. Essential for long-term planning. Details the scope, purpose and objectives of the rules. Explains the need for environmental impact statements and the review process. Includes a special section on large energy facilities and high voltage transmission lines. Stock No. 3-54, \$5.00 plus tax.

OTHER PUBLICATIONS

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

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

Landscaping for Wildlife. Attract songbirds, deer, butterflies, hummingbirds, pheasants, and other wildlife to your property by using the tips in this 144-page, 4-color book. Stock #9-15, \$8.95 plus tax. See "Special Set Offer" below.

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

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

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

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State Register. Minnesota's official weekly publication for agency rules and notices, executive orders of the Governor, state contracts, Supreme Court Calendar, Supreme Court and Tax Court Decisions. Annual subscription: Monday edition only \$140; Monday and Thursday's State Contract Supplement \$195; 13-week trial (includes both Monday and Thursday editions) \$60.00.

Workers Compensation Decisions. Volume 40. Selected landmark decisions of the Worker's Compensation Court of Appeals. Annual subscription. \$105.00.

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Mailing Lists. Lists of Minnesota licensed professionals and permit holders. Write or call (612) 297-2552 for a free mailing list catalog which contains available lists, selections, formats, pricing and ordering information.

American Flag. Perfect for home or office. 3' x 5' with embroidered stars. Heavy nylon bunting. Code No. 6-1. \$21.00, plus tax.

1989 Lake Map Index. Listing over 4,000 lake maps. Free.

1989 Publication Catalog of Minnesota's Bookstore. Lists publications available through Minnesota's Bookstore. Free.

State Register Binder. Durable 3½ inches, forest green binders imprinted with the *State Register* logo. \$6.50 plus 39¢ tax.

