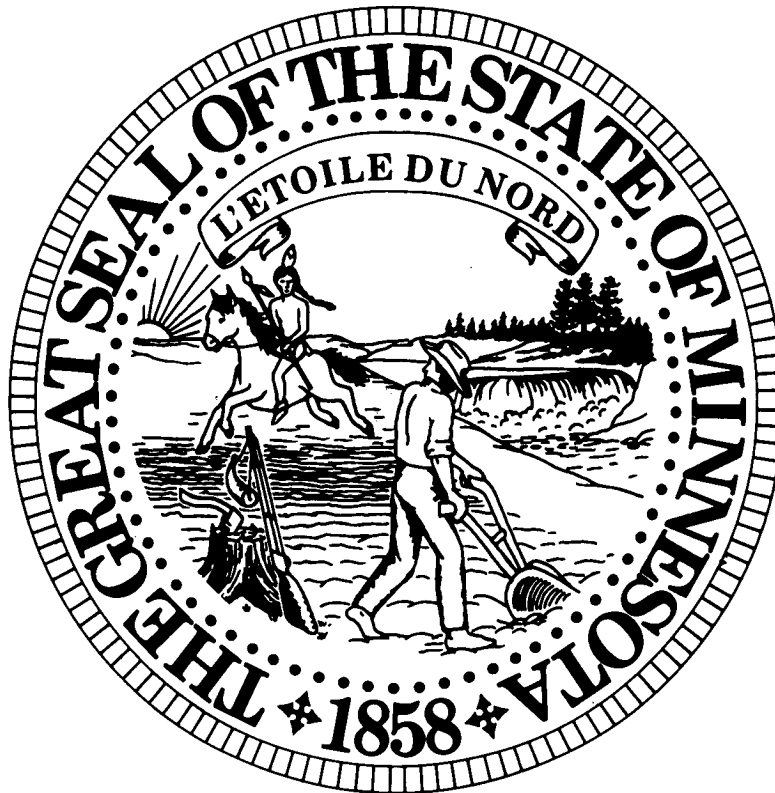


The Minnesota
**State
Register**

Department of Administration—Print Communications Division



Rules edition
Published every Monday
(Tuesday if Monday is a holiday)

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State Register

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

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

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

Printing Schedule and Submission Deadlines

| Vol. 16 Issue Number | *Submission deadline for Adopted and Proposed Rules, Commissioners' Orders** | *Submission deadline for Executive Orders, Contracts, and Official Notices** | Issue Date |
|----------------------------|--|--|---------------------|
| #12 | Friday 30 August | Monday 9 September | Monday 16 September |
| #13 | Monday 9 September | Monday 16 September | Monday 23 September |
| #14 | Monday 16 September | Monday 23 September | Monday 30 September |
| #15 | Monday 23 September | Monday 30 September | Monday 7 October |

*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.

Arne H. Carlson, Governor

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FOR LEGISLATIVE NEWS

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

SENATE

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

Perspectives—Publication about the Senate.

Session Review—Summarizes actions of the Minnesota Senate.

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

HOUSE

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

This Week—weekly interim bulletin of the House.

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

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

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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.

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Proposed Rules

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

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

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

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

Board of Pharmacy

Proposed Permanent Rules Relating to Drug Manufacturers and Wholesalers Licensing

Notice of Intent to Adopt Rules Without a Public Hearing

NOTICE IS HEREBY GIVEN that the Minnesota Board of Pharmacy (hereinafter "Board") proposes to adopt *Minnesota Rules* pts. 6800.1400, through 6800.1440 relating to the licensing of drug manufacturers and wholesale drug distributors. A copy of the proposed amendments is attached to this Notice. One additional free copy is available from the Board upon request. Procedures for the adoption of noncontroversial rules found in *Minnesota Statutes* 14.22 to 14.28 (1986) will be used.

THE PUBLIC IS HEREBY ADVISED that:

1. They have 30 days in which to submit comment in support of or in opposition to the proposed amendments, and comment is encouraged.
2. Each comment should identify the portion of the proposed rules addressed, the reason for the comments, and any change proposed.
3. In addition to submitting comments, interested persons may request in writing during the 30 day comment period that a hearing be held on the proposed rule amendment.
4. All comments, including requests for a public hearing, shall be submitted to:
David E. Holmstrom
Executive Director
Minnesota Board of Pharmacy
Room 107, Colonial Office Building
2700 University Avenue West
St. Paul, Minnesota 55114-1079
5. 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.
6. The proposed amendments may be modified if the modifications are supported by the data and views submitted and do not result in a substantial change in the proposed language.
7. A public hearing will be held only if 25 or more persons submit in writing requests for a hearing on the proposed rules or a portion thereof within 30 days of this notice. If a hearing is required, it will be held in accordance with the provisions of *Minnesota Statutes* 14.131 to 14.20 (1986).
8. Under the procedure for adopting noncontroversial rules, the Board must submit any action on its rules to the Attorney General for review of the form and legality of the rule change. Notice of the date of submission of the proposed amendments to the Attorney General for review will be mailed to any person requesting to receive the notice. Requests to receive notice must be submitted to Mr. Holmstrom at the above address.
9. Authority to adopt *Minnesota Rules* pts. 6800.1400 through 6800.1440 is contained in *Minnesota Statutes* sections 151.06 sub. 1 (c) and 151.42, et seq. Additionally, a Statement of Need and Reasonableness that describes the need for and reasonableness of the proposed amendments has been prepared and is now available. Anyone wishing to receive a copy of this document may contact Mr. Holmstrom at the above address.

10. The approval of the Commissioner of Finance for adoption of rules relating to fees is required by *Minnesota Statutes* section 214.06, subd. 1. A document entitled "Commissioner of Finance Approval" in which the Commissioner has approved the proposed Rules pt. 6800.1400 is available. Anyone wishing to receive a copy of this document may contact Mr. Holmstrom at the above address.

11. Promulgation of the proposed fee changes will not result in the expenditure of public monies by local public bodies and will not affect agricultural land in the state. Likewise, it is not believed that the changes will have a quantitative or qualitative impact on any small business. Persons representing small businesses are nevertheless invited to participate in the rulemaking process.

12. Any rules adopted pursuant to this proceeding shall be effective five working days after publication in the *State Register* of a notice of the adoption of the rules.

David E. Holmstrom
Executive Director

Rules as Proposed

6800.1400 DRUG MANUFACTURER OR WHOLESALE LICENSE.

Subpart 1. Licensing; fees. Every person engaged in manufacturing, wholesale distribution, or selling of drugs, medicines, chemicals, or poisons for medicinal purposes other than to the consuming public or patient shall annually be licensed by the board. Upon the filing of an application therefor, and upon payment of a fee of ~~\$100~~ \$150 for manufacturing or wholesale distribution of prescription drugs only, not including medical gases; \$150 for manufacturing or wholesale distribution of prescription and nonprescription drugs, not including medical gases; \$125 for manufacturing or wholesale distribution of nonprescription drugs or veterinary drugs only; \$100 for manufacturing or wholesale distribution of prescription medical gases only; and \$75 for licensed pharmacies engaged in wholesale distribution, the board may issue or renew a license in such form as it may prescribe to the manufacturer or ~~wholesaler~~ wholesale distributor. The license shall be exposed in a conspicuous place in the manufacturer's or wholesaler's place of business for which it is issued, shall expire at midnight on June 1 of each year, and shall be renewed annually upon the filing of an application therefor, on or before May 1 of each year together with a fee of ~~\$100~~ the applicable fee. Renewal applications received after June 1 shall be subject to a late filing fee of ~~\$25~~ one-half of the renewal fee in addition to the amount of the renewal fee.

Subp. 2. Prohibition. No license may be issued to any manufacturer or wholesale distributor whose intended place of business is a personal residence.

Subp. 3. Separate licenses required. A separate license is required for each separate location where drugs are stored within this state. Out-of-state wholesale drug distributors shipping drugs into Minnesota who do not maintain or operate a physical facility within Minnesota are not required to license each separate location from which drugs are shipped to Minnesota, but may instead obtain licensure for the primary location of the parent entity and any divisions, subsidiaries, or affiliated companies.

6800.1410 MINIMUM INFORMATION REQUIRED FOR LICENSURE.

The following information is required from each wholesale drug distributor applying for licensure or renewal:

- A. the name, full business address, and telephone number of the licensee;
- B. all trade or business names used by the licensee;
- C. addresses, telephone numbers, and the names of contact persons for all facilities used by the licensee for the storage, handling, and distribution of drugs;
- D. whether the ownership or operation is a partnership, corporation, or sole proprietorship; and
- E. the name of the owner and operator of the licensee, including:
 - (1) if an individual, the name of the individual;
 - (2) if a partnership, the name of each partner, and the name of the partnership;
 - (3) if a corporation, the name and title of each corporate officer and director, the corporate names, and the name of the state of incorporation; and
 - (4) if a sole proprietorship, the full name of the sole proprietor, and the name of the business entity.

Changes in any information in items A to E shall be submitted to the board within 30 days of the change.

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6800.1420 MINIMUM QUALIFICATIONS.

The board may deny, suspend, revoke, or refuse to renew any license for a wholesale drug distributor based on the board's finding of any of the following factors:

A. any convictions of the applicant under any federal, state, or local laws relating to drug samples, wholesale or retail drug distribution, or distribution of controlled substances;

B. any felony convictions of the applicant under federal, state, or local laws;

C. the lack of previous experience on the part of the applicant in the manufacture or distribution of drugs, including controlled substances;

D. the furnishing by the applicant of false or fraudulent material in any application made in connection with drug manufacturing or distribution;

E. the suspension or revocation by federal, state, or local government bodies of any license currently or previously held by the applicant for the manufacture or distribution of any drugs, including controlled substances;

F. the lack of compliance by the applicant with licensing requirements under previously granted licenses, if any;

G. the lack of compliance by the applicant with requirements to maintain or make available to the board of pharmacy or to federal, state, or local law enforcement officials those records required under this part; and

H. the lack of compliance by the applicant with requirements for the storage and handling of drugs as specified in part 6800.1440.

6800.1430 PERSONNEL.

Each wholesale drug distributor shall establish training programs which, when combined with the education and experience of the personnel, will enable the personnel to assume responsibility for positions related to compliance with state and federal licensing requirements.

6800.1440 MINIMUM REQUIREMENTS FOR STORAGE AND HANDLING OF DRUGS AND FOR ESTABLISHMENT AND MAINTENANCE OF DRUG DISTRIBUTION RECORDS.

Subpart 1. Application. The minimum requirements in this part apply to all wholesale drug distributors located in this state and to their officers, agents, representatives, and employees.

Subp. 2. Incorporation by reference. "United States Pharmacopeia/National Formulary" means the United States Pharmacopeia/National Formulary published by the United States Pharmacopeial Convention Inc. (Rockville, Maryland, 1990), which is incorporated by reference. The United States Pharmacopeia/National Formulary is subject to frequent change. The book is available for inspection and copying at the Biomedical Library, University of Minnesota, Diehl Hall, 505 Essex Street S.E., Minneapolis, Minnesota 55455, or through the Minitex interlibrary loan system.

Subp. 3. Facilities. All facilities at which prescription drugs are stored, warehoused, handled, held, offered, marketed, or displayed shall:

A. be of suitable size and construction to facilitate cleaning, maintenance, and proper operations;

B. have storage areas designed to provide adequate lighting, ventilation, temperature, sanitation, humidity, space, equipment, and security conditions;

C. have a physically separate area for storage of all prescription drugs that are outdated, damaged, deteriorated, misbranded, or adulterated, or that are in immediate or sealed, secondary containers that have been opened;

D. be maintained in a clean and orderly condition; and

E. be free from infestation by insects, rodents, birds, or vermin of any kind.

Subp. 4. Security. The requirements in items A to C govern security.

A. All facilities used for wholesale drug distribution shall be secure from unauthorized entry as follows:

(1) access from outside the premises shall be kept to a minimum and be well-controlled;

(2) the outside perimeter of the premises shall be well-lighted; and

(3) entry into areas where prescription drugs are held shall be limited to authorized personnel.

B. All facilities shall be equipped with an alarm system to detect entry after hours.

C. All facilities shall be equipped with a security system that will provide suitable protection against theft and diversion. When appropriate, the security system shall provide protection against theft or diversion that is facilitated or hidden by tampering with computers or electronic records.

Subp. 5. Storage. Items A to D govern storage of drugs.

A. All drugs shall be stored at temperatures and under conditions in accordance with the requirements, if any, in the labeling of such drugs, or with requirements in the current edition of the United States Pharmacopeia/National Formulary.

B. If no storage requirements are established for a drug, the drug may be held at "controlled room temperature," as defined in the United States Pharmacopeia/National Formulary, to help ensure that its identity, strength, quality, and purity are not adversely affected.

C. Manual, electromechanical, or electronic temperature and humidity recording equipment, devices, or logs shall be used to document proper storage of prescription drugs.

D. The record keeping requirements in subpart 8 shall be followed for all stored drugs.

Subp. 6. Examination of materials. Upon receipt, each outside shipping container shall be visually examined for identity and to prevent the acceptance of contaminated drugs or drugs that are otherwise unfit for distribution. This examination shall be adequate to reveal container damage that would suggest possible contamination or other damage to the contents.

Each outgoing shipment shall be carefully inspected for identity of the prescription drug products and to ensure that there is no delivery of drugs that have been damaged in storage or held under improper conditions.

The record keeping requirements in subpart 8 shall be followed for all incoming and outgoing drugs.

Subp. 7. Returned, damaged, and outdated drugs. Items A to D govern returned, damaged, outdated, deteriorated, misbranded, and adulterated drugs.

A. Drugs that are damaged, outdated, deteriorated, misbranded, or adulterated shall be physically separated from other drugs until they are destroyed or returned to their supplier.

B. Any prescription drugs whose immediate or sealed outer or sealed secondary containers have been opened or used shall be identified as such, and shall be physically separated from other drugs until they are either destroyed or returned to the supplier.

C. If the conditions under which a drug has been returned cast doubt on the drug's safety, identity, strength, quality, or purity, then the drug shall be destroyed or returned to the supplier, unless examination, testing, or other investigation proves that the drug meets appropriate standards of safety, identity, strength, quality, and purity. In determining whether the conditions under which a drug has been returned cast doubt on the drug's safety, identity, strength, quality, or purity, the wholesale drug distributor shall consider, among other things, the conditions under which the drug has been held, stored, or shipped before or during its return and the condition of the drug and its container, carton, or labeling, as a result of storage or shipping.

D. The record keeping requirements in subpart 8 shall be followed for all damaged, outdated, deteriorated, misbranded, or adulterated drugs.

Subp. 8. Record keeping. Items A to C govern record keeping.

A. Wholesale drug distributors shall establish and maintain inventories and records of all transactions regarding the receipt and distribution or other disposition of drugs. These records shall include the following information:

(1) the source of the drugs, including the name and principal address of the seller or transferor, and the address of the location from which the drugs were shipped;

(2) the identity and quantity of the drugs received and distributed or disposed of; and

(3) the dates of receipt and distribution or other disposition of the drugs.

B. Inventories and records shall be made available for inspection and photocopying by authorized federal, state, or local law enforcement agency officials for a period of two years following disposition of the drugs.

C. Records described in this part that are kept at the inspection site or that can be immediately retrieved by computer or other electronic means shall be readily available for authorized inspection during the retention period. Records kept at a central location apart from the inspection site and not electronically retrievable shall be made available for inspection within two working days of a request by an authorized official of a federal, state, or local law enforcement agency.

Subp. 9. Written policies and procedures. Wholesale drug distributors shall establish, maintain, and adhere to written policies and procedures, which shall be followed for the receipt, security, storage, inventory, and distribution of drugs. They must include

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policies and procedures for identifying, recording, and reporting losses or thefts and for correcting all errors and inaccuracies in inventories. Wholesale drug distributors shall include the written policies and procedures described in items A to D.

A. A procedure where the oldest approved stock of a drug product is distributed first. The procedure may permit deviation from this requirement, if the deviation is temporary and appropriate.

B. A procedure to be followed for handling recalls and withdrawals of drugs. The procedure shall be adequate to deal with recalls and withdrawals due to:

(1) any action initiated at the request of the Food and Drug Administration or other federal, state, or local law enforcement or other government agency, including the board of pharmacy;

(2) any voluntary action by the manufacturer to remove defective or potentially defective drugs from the market; or

(3) any action undertaken to promote public health and safety by replacing of existing merchandise with an improved product or new package design.

C. A procedure to ensure that wholesale drug distributors prepare for, protect against, and handle any crisis that affects security or operation of any facility in the event of strike, fire, flood, or other natural disaster, or other situations of local, state, or national emergency.

D. A procedure to ensure that any outdated prescription drugs shall be segregated from other drugs and either returned to the manufacturer or destroyed. This procedure shall provide for written documentation of the disposition of outdated drugs. This documentation shall be maintained for two years after disposition of the outdated drugs.

Subp. 10. Responsible persons. Wholesale drug distributors shall establish and maintain lists of officers, directors, managers, and other persons in charge of wholesale drug distribution, storage, and handling, including a description of their duties and a summary of their qualifications.

Subp. 11. Compliance with federal, state, and local law. Wholesale drug distributors shall operate in compliance with applicable federal, state, and local laws and regulations.

Wholesale drug distributors shall permit the board of pharmacy and authorized federal, state, and local law enforcement officials to enter and inspect both their premises and delivery vehicles and to audit their records and written operating procedures, at reasonable times and in a reasonable manner, to the extent authorized by law.

Wholesale drug distributors who deal in controlled substances shall register with the board of pharmacy and with the Drug Enforcement Administration, and shall comply with all applicable state, local, and Drug Enforcement Administration regulations.

Subp. 12. Salvaging and reprocessing. Wholesale drug distributors are subject to any applicable federal, state, or local laws or regulations that relate to drug product salvaging or reprocessing, including Code of Federal Regulations, title 21, parts 207, 210, and 211, and Minnesota Statutes, section 151.39.

Pollution Control Agency

Proposed Permanent Rules Relating to Water Quality Permit Fees

Notice of Intent to Adopt Rules Without a Public Hearing; and Intent to Adopt Rules With Public Hearing Upon Receiving 25 or More Requests for a Public Hearing

NOTICE IS HEREBY GIVEN that the Minnesota Pollution Control Agency (Agency) intends to adopt the above-entitled rule amendments without a public hearing following the procedures set forth in the Administrative Procedure Act in *Minnesota Statutes* §§ 14.22 to 14.28 (1990). The Agency's authority to adopt the rule is set forth in *Minnesota Statutes* § 116.07, subd. 4d (1990); and *Minnesota Statutes* § 16A.128 (1990).

The proposed rules follow this notice. All persons have until 4:30 p.m. on October 18, 1991, to submit comments on the proposed rule amendments. Comments from all interested or affected parties are encouraged. Any person can submit a written request for a public hearing on the rules within the comment period. Each comment should identify the portion of the proposed rules addressed, reason for the comment, and proposed changes.

If 25 or more persons submit a written request for a public hearing within the comment period a public hearing will be held. The hearing will be canceled if fewer than 25 persons request a hearing.

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

Scott R. Thompson
Water Quality Division

Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, Minnesota 55155
612/296-7223

If 25 or more requests for a public hearing are received, a hearing will be held pursuant to *Minnesota Statutes* § 14.14, subd. 1. The hearing will be held at 520 Lafayette Road, St. Paul, Minnesota, on Wednesday, October 23, 1991, beginning at 9:00 a.m. If necessary, the hearing will continue on additional days. All interested or affected persons are invited to attend the hearing. All interested or affected persons have an opportunity to participate in the rule making process.

If a hearing is not required, the proposed rules may be modified without a public hearing 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.

Minnesota Rules pts. 7002.0210 to 7002.0310 provides for the administration of water quality permit fees. The subject of the proposed rule amendments is to increase fees, change the fee schedule, and add storm water permit fees to the schedule. For additional information reference the proposed rules following this notice. One free copy of the proposed rules and statement of need and reasonableness is available from Scott R. Thompson at the address and telephone number stated above.

A STATEMENT OF NEED AND REASONABLENESS (SONAR) includes a summary of all evidence and arguments justifying the need for and reasonableness of the proposed rule amendments. In addition, the SONAR identifies data and information used for preparation of the proposed rules. Copies of the SONAR may be reviewed at the Agency offices or at the Office of Administrative Hearings, and copies may be obtained from the Office of Administrative Hearings at cost of reproduction.

IF A HEARING IS NOT REQUIRED, this fact will be stated in the rule adoption published by the Agency in the *State Register*. Upon adoption of the rule, the rule and required supporting documents will be submitted to the Attorney General for review as to legality and form; to the extent which form relates to legality. Any person may request notification of the date of submission to the Attorney General. Persons who wish to receive a copy of the rule as adopted, must submit a written request to Scott R. Thompson.

IF A HEARING IS REQUIRED, rule making will proceed in accordance with *Minnesota Statutes* §§ 14.14 to 14.20 and rule parts 1400.0200 to 1400.1200. Questions about these procedures can be directed to Administrative Law Judge Allan Klein, Office of Administrative Hearings, 5th Floor Flour Exchange Building, 310 Fourth Avenue South, Minneapolis, Minnesota 55415, 612/341-7609. The proposed rules are subject to change as a result of the rule hearing process.

All interested or affected persons will have an opportunity to participate in the hearing by asking questions about the SONAR and by presenting oral and written comments about the proposed rules. Comments are most helpful if commentors state objections, or support, of specific provisions in the proposed rules. Comments are helpful if specific alternative rule language is proposed and supported with reasons and data.

A person may present hearing comments on the proposed rules in one, or more of the following ways: 1) Submit written data and comments to the Administrative Law Judge at any time before the start of the hearing; 2) Submit oral or written data at the hearing; and 3) Submit written data to the Administrative Law Judge during the comment period following the hearing. Statements may be submitted without appearing at the hearing.

Written material may be submitted and recorded in the hearing record for five working days after the public hearing ends, or for a longer period not to exceed 20 calendar days if ordered by the administrative law judge at the hearing. Written material received during this period shall be available for review at the office of administrative hearings. The Agency and interested persons may respond to any new information that is submitted. Response must be made in writing within three business days after the submission period ends. No additional evidence may be submitted during this three-day comment period.

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

The proposed rule amendments may be modified if the data and views received during the hearing process warrant modification, and the modification does not result in a substantial change in the proposed rule amendments. Therefore, if you are affected in any manner by the proposed rule amendments, you are urged to participate in the rule hearing process.

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YOU ARE HEREBY ADVISED, pursuant to *Minnesota Statutes* § 14.115 (1990), "Small business considerations in rulemaking," that the proposed rule amendments will affect small businesses which hold, or require water quality permits. The proposed rule amendments will increase permit fees approximately 40 percent, change the fee schedule, and add a fee for storm water discharge permittees. The proposed rules do not impose any particular or unreasonable requirements on small businesses.

The Agency estimates that the cost of these rule amendments, for the 1992-1993 biennium immediately following their adoption, to all local public bodies in the state, will be approximately \$308,000, which is the total fee increase to municipalities. For the purpose of this estimate, "local public bodies" is defined in *Minnesota Statutes* 14.11 (1990).

Lobbyists must register with State Ethical Practices Board within five working days after commencement of lobbying, as required in *Minnesota Statutes* § 10A. A lobbyist is defined in *Minnesota Statutes* § 10A.01, subd. 11 (1990) as any individual:

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

(b) Who spends more than \$250 not including his own travel expenses and membership dues, in any year for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials. The *Statute* contains certain exceptions. Questions should be directed to the Ethical Practices Board, 625 North Robert Street, St. Paul, Minnesota 55101-2520, telephone 612/296-5148.

Dated: 29 August 1991

Charles W. Williams
Commissioner

Rules as Proposed

WATER QUALITY PERMIT FEES

7002.0210 SCOPE.

Parts 7002.0210 to 7002.0310 apply to all persons required to obtain a permit from the Minnesota Pollution Control Agency as described in part 7001.0020, items C, E, and F, and H.

7002.0220 DEFINITIONS.

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

Subp. 3a. General storm water permit. "General storm water permit" means a general permit as defined in part 7001.0010, subpart 4, issued to a municipality or nonmunicipal entity that discharges storm water.

Subp. 3b. Individual storm water permit. "Individual storm water permit" means a permit as defined in part 7001.0010, subpart 3, governing the discharge of storm water. Fees for this permit are set in part 7002.0310, subpart 2, item B, under "other nonmunicipal."

Subp. 4. Major NPDES facility; definition. "Major NPDES facility" means a wastewater treatment discharger designated by the commissioner and the regional administrator of the United States Environmental Protection Agency as part of the annual work plan that is developed in accordance with and that is subject to the public participation requirements of Code of Federal Regulations, title 40, part 35, and subject to review and approval of the agency. The agency and the United States Environmental Protection Agency shall designate the following types of facilities as major NPDES facilities unless the agency and the United States Environmental Protection Agency find that the facility does not have a potential for significantly impacting water quality:

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

Subp. 5. Municipal permit; definition. "Municipal permit" means a permit issued to a municipality as defined in part 7001.1020, subpart 18, for the discharge or disposal of wastewater which is five percent or more sewage. Permits issued to municipalities for facilities treating or disposing of waste that is less than five percent sewage shall be considered nonmunicipal permits.

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

Subp. 6a. Sanitary sewer extension permit. "Sanitary sewer extension permit" means a state disposal system permit for the extension, addition, or change of a municipal sanitary system.

[For text of subps 7 to 9, see M.R.]

7002.0230 FEE DETERMINATION.

The agency shall calculate processing and annual fees based upon the schedule in part parts 7002.0305 and 7002.0310 and shall notify the permittee of the amount due prior to each payment date.

7002.0240 PAYMENT OF FEES.

A person submitting a fee shall make the fee payable to the "Minnesota Pollution Control Agency" and submit it to the director of the ~~Division of Water Quality~~ Division.

7002.0270 ANNUAL FEE.

All persons required to obtain a permit listed in part 7002.0310, subparts 1 ~~and 2, and 3~~, shall pay an annual fee for processing of the permit and enforcement of applicable statutes and rules as described in items A to F. The annual fee shall be paid within 30 days of receipt of an invoice from the agency.

A. A permittee holding a new or reissued permit after the effective date of the amendments to parts 7002.0210 to 7002.0310 is subject to the fees established in part 7002.0310. A permittee holding an unexpired permit on the effective date of the amendments to those parts shall continue to comply with the payment schedules in part 7002.0305 until the permit expires.

B. A permittee applying for a permit modification according to part 7001.0190, subpart 1, shall pay an additional fee equal to 50 percent of the permittee's annual fee as established in part 7002.0310.

C. A permittee holding an unexpired permit on the effective date of the amendments to parts 7002.0210 to 7002.0310 that applies for the permit modification according to part 7001.0190, subpart 1, shall pay a modification fee as established in part 7002.0305.

D. An applicant for reissuance of an expired permit under part 7001.0160 must pay fees set in part 7002.0310.

E. A permittee or applicant for an individual storm water permit must pay fees set in part 7002.0310, subpart 2, item B, under "other nonmunicipal."

F. A permittee holding a general storm water permit that does not require submittal of reports to the agency is exempt from paying the annual fee as defined in part 7002.0310, subpart 3.

7002.0280 NOTIFICATION OF ERROR.

A person who thinks that a ~~basic processing fee or an~~ annual fee for a specific facility is in error shall provide written notice of the error to the director of the Division of Water Quality, along with the assessed fee. If the director of the Division of Water Quality finds, upon reviewing the data, that the assessed fee was in error, the overpayment shall be refunded to the permittee or credited to the permittee's account.

7002.0300 WATER QUALITY PERMIT FEE SCHEDULE.

Permit fees for water quality permits are established in ~~part~~ parts 7002.0305 and 7002.0310.

7002.0305 TABLE, WATER QUALITY PERMIT FEES PAID BY HOLDERS OF UNEXPIRED PERMITS.

Subpart 1. Major NPDES permit fees. The following fees shall be paid by major NPDES facility permittees that have paid separate processing and annual fees under parts 7002.0210 to 7002.0310 prior to the amendments to those parts. The following fees shall be paid during the remaining term of the permit.

A. Municipal permits:

| <u>Design Flow in Million Gallons per Day (MGD)</u> | <u>Application Fee</u> | <u>Modification Fee</u> | <u>Annual Fee</u> |
|---|----------------------------|-----------------------------|-----------------------|
| <u>50 and over</u> | <u>\$85</u> | <u>\$43,800</u> | <u>\$117,000</u> |
| <u>20 to 49.99</u> | <u>85</u> | <u>19,000</u> | <u>23,400</u> |
| <u>5 to 19.99</u> | <u>85</u> | <u>8,800</u> | <u>7,500</u> |
| <u>Up to 4.99</u> | <u>85</u> | <u>4,100</u> | <u>2,800</u> |

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B. Nonmunicipal permits:

| <u>Design Flow in Million Gallons per Day (MGD)</u> | <u>Application Fee</u> | <u>Modification Fee</u> | <u>Annual Fee</u> |
|---|----------------------------|-----------------------------|-----------------------|
| <u>20 to 49.99</u> | <u>\$85</u> | <u>\$18,900</u> | <u>\$26,400</u> |
| <u>5 to 19.99</u> | <u>85</u> | <u>10,500</u> | <u>8,700</u> |
| <u>Up to 4.99</u> | <u>85</u> | <u>5,400</u> | <u>4,400</u> |
| <u>Cooling or Mine Pit Dewatering (any flow)</u> | <u>85</u> | <u>10,400</u> | <u>8,700</u> |

Subp. 2. Nonmajor NPDES and state disposal permit fees. The fees in items A and B shall be paid by a permittee not designated as a major NPDES facility that has paid separate processing and annual fees under parts 7002.0210 to 7002.0310 prior to the effective date of the amendments to those parts and that has applied for or received a state disposal system permit. The fees shall be paid during the remaining term of the permit.

A. Municipal permits:

| <u>Design Flow in Million Gallons per Day (MGD)</u> | <u>Application Fee</u> | <u>Modification Fee</u> | <u>Annual Fee</u> |
|---|----------------------------|-----------------------------|-----------------------|
| <u>Greater than .100</u> | <u>\$85</u> | <u>\$1,800</u> | <u>\$410</u> |
| <u>0 to .100</u> | <u>85</u> | <u>900</u> | <u>155</u> |
| <u>Sewage Sludge Landspreading Facilities</u> | <u>85</u> | <u>890</u> | <u>150</u> |

B. Nonmunicipal permits:

| <u>Design Flow in Million Gallons per Day (MGD)</u> | <u>Application Fee</u> | <u>Modification Fee</u> | <u>Annual Fee</u> |
|---|----------------------------|-----------------------------|-----------------------|
| <u>Sewage 0 to .100</u> | <u>\$85</u> | <u>\$ 880</u> | <u>\$145</u> |
| <u>Other nonmunicipal (any flow)</u> | <u>85</u> | <u>1,825</u> | <u>510</u> |

7002.0310 TABLE, WATER QUALITY PERMIT FEES.

Subpart 1. Major NPDES permit fees. The following fees shall be paid for major NPDES facilities:

A. Municipal permits:

| <u>Design Flow in Million Gallons per Day (MGD)</u> | <u>Application Fee</u> | <u>Processing Fee</u> | <u>Annual Fee</u> |
|---|----------------------------|---------------------------|-------------------------|
| <u>50 and over</u> | <u>\$60 85</u> | <u>\$62,600</u> | <u>\$83,500 135,000</u> |
| <u>20 to 49.99</u> | <u>60 85</u> | <u>27,400</u> | <u>16,700 31,000</u> |
| <u>5 to 19.99</u> | <u>60 85</u> | <u>12,500</u> | <u>5,300 11,000</u> |
| <u>Up to 4.99</u> | <u>60 85</u> | <u>5,900</u> | <u>2,000 4,500</u> |

B. Nonmunicipal permits:

| Design Flow in Million Gallons per Day (MGD) | Application Fee | Processing Fee | Annual Fee |
|---|--------------------|-------------------|------------------------|
| 20 to 49.99 | \$60 <u>85</u> | \$27,100 | \$18,800 <u>34,000</u> |
| 5 to 19.99 | 60 <u>85</u> | 15,000 | 6,200 <u>14,000</u> |
| Up to 4.99 | 60 <u>85</u> | 7,700 | 3,100 <u>6,500</u> |
| Cooling or Mine Pit Dewatering (any flow) | 60 <u>85</u> | 15,000 | 6,200 <u>13,000</u> |

Subp. 2. **Nonmajor NPDES and state disposal permit fees.** The following fees shall be paid by a permittee not designated as a major NPDES facility and by a permittee that has applied for or received a state disposal system permit.

A. Municipal permits:

| Design Flow in Million Gallons per Day (MGD) | Application Fee | Processing Fee | Annual Fee |
|---|--------------------|-------------------|--------------------|
| Greater than .100 | \$60 <u>85</u> | \$2,610 | \$290 <u>1,140</u> |
| 0 to .100 | 60 <u>85</u> | 1,250 | 110 <u>505</u> |
| Sewage Sludge Landspreading Facilities | 60 <u>85</u> | 1,250 | 110 <u>500</u> |

B. Nonmunicipal permits:

| Design Flow in Million Gallons per Day (MGD) | Application Fee | Processing Fee | Annual Fee |
|---|--------------------|-------------------|------------------|
| Sewage 0 to .100 | \$60 <u>85</u> | \$1,250 | \$110 <u>495</u> |
| Other nonmunicipal (any flow) | 60 <u>85</u> | 2,610 | 360 <u>1,230</u> |

Subp. 3. **Other water quality permit fees.** The following application fees shall be paid by a permittee that has applied for or received a general permit as defined in part 7001.0010, subpart 4, a sanitary sewer extension permit, or liquid storage a general storm water permit.

A. General, \$60;

B. Sewer extension, \$170; and

C. Liquid storage, \$530.

| | Application Fee | Annual Fee |
|---------------------------------|--------------------|---------------|
| <u>General</u> | \$ 85 | \$260 |
| <u>General Storm</u> | 85 | 270 |
| <u>Sanitary Sewer Extension</u> | 240 | |

REPEALER. Minnesota Rules, part 7002.0260, is repealed.

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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.

Pollution Control Agency

Adopted Permanent Rules Relating to Clean Water Partnership Grants

The rules proposed and published at *State Register*, Volume 15, Number 44, pages 2333-2344, April 29, 1991 (15 SR 2333), are adopted as proposed.

Emergency Rules

Proposed Emergency Rules

According to Minn. Stat. of 1984, §§14.29-14.30, state agencies may propose adoption of emergency rules if: 1) expressly required; 2) authorized by statute; or 3) if the manner permitted by a directive (given by statute, federal law or court order) does not allow for compliance with sections 14.14-14.28. The agency must, however, publish a notice of intent to adopt emergency rules, along with the rules themselves, in the *State Register*. The notice must advise the public:

- 1) that a free copy of the proposed emergency rule is available upon request from the agency;
- 2) that notice of the date that the rule is submitted to the attorney general will be mailed to persons requesting notification;
- 3) that the public has at least 25 days after publication of the proposed emergency rule to submit data and views in writing; and
- 4) that the emergency rule may be modified if the data and views submitted support such modification.

Adopted Emergency Rules

Emergency rules take effect five working days after approval by the attorney general, and after compliance with Minn. Stat. §§14.29-14.365. As soon as possible, emergency rules are published in the *State Register* in the manner provided for in section 14.18.

Emergency rules are effective for the period stated in the notice of intent to adopt emergency rules. This may not exceed 180 days.

Continued/Extended Emergency Rules

Adopted emergency rules may be continued in effect (extended) for an additional 180 days. To do this, the agency must give notice by: 1) publishing notice in the *State Register*; and 2) mailing the same notice to all persons who requested notification on rulemaking. No emergency rule may remain in effect 361 days after its original effective date. At that point, permanent rules adopted according to Minn. Stat. 14.14-14.28 supercede emergency rules.

Department of Health

Proposed Emergency Rules Relating to Flush Threaded Polyvinyl Chloride (PVC) Casing and Screens Used for Monitoring Wells at Petroleum Storage Tank Sites

Notice of Intent to Adopt an Emergency Rule

NOTICE IS HEREBY GIVEN that the Minnesota Department of Health intends to adopt the above-entitled emergency rule. The statutory authority to adopt the emergency rule is contained in *Minnesota Statutes*, section 103I, subdivision 2, (5) and *Laws of Minnesota 1991*, chapter 175, section 1 as codified into *Minnesota Statutes*, section 103I.222. The Department, in adopting the rule, is following the procedures set forth in the Administrative Procedures Act for adopting emergency rules in *Minnesota Statutes*, sections 14.29 to 14.36.

All persons have 25 days or until 4:30 p.m. on October 11, 1991, after publication to submit data and views on the proposed emergency rule or any part or subpart of the rule in writing. Any comments must be submitted to:

Mr. Dan Wilson
Well Management Unit
Minnesota Department of Health
925 Southeast Delaware Street
P.O. Box 59040
Minneapolis, Minnesota 55459-0040
(612) 625-5161

A free copy of the proposed emergency rule is available by contacting Mr. Dan Wilson at the above address.

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

Upon adoption of the emergency rule by the Department, the emergency rule as adopted and its supporting documents will be delivered to the Attorney General-Administration for review as to legality and form to the extent form relates to legality. Any person may request notification of the date of submission to the Attorney General-Administration. Persons who wish to be advised of the submission of this material to the Attorney General-Administration, or who wish to receive a copy of the adopted rule, must submit the written request to:

Ms. Jane Nelson
Rules Coordinator
Minnesota Department of Health
925 Southeast Delaware Street
P.O. Box 59040
Minneapolis, Minnesota 55459-0040
(612) 627-5038

The emergency rule will take effect five working days after approval by the Attorney General-Administration and be effective for 180 days. The emergency rule will be continued in effect for an additional 180 days if the Department gives notice of continuation in accordance with *Minnesota Statutes*, section 14.35.

Adoption of these rules will not result in additional spending by local public bodies in excess of \$100,000 per year for the first two years following adoption under the requirements of *Minnesota Statutes*, section 14.11.

Dated: 28 August 1991

Marlene E. Marschall
Commissioner of Health

Rules as Proposed (all new material)

4725.7605 [Emergency] FLUSH THREADED POLYVINYL CHLORIDE (PVC) CASING AND SCREENS USED FOR MONITORING WELLS AT PETROLEUM STORAGE TANK SITES.

Notwithstanding parts 4725.6900 to 4725.7600, a monitoring well may use flush threaded polyvinyl chloride (PVC) casing and screens used for leak detection or groundwater monitoring at an underground or aboveground petroleum storage tank site if the requirements in this part are met.

- A. The screen must intersect the surface of the water table.
- B. The total depth of the monitoring well must be 50 feet or less.
- C. The monitoring well must be constructed in unconsolidated materials.

D. The annular space between the bore hole and the casing must be grouted with neat cement. The grout must be placed from within ten feet of the top of the screen to the established ground surface.

E. The flush threaded polyvinyl chloride casing must meet at least the standards in schedule 80 for polyvinyl chloride (PVC) materials of the American Society for Testing and Materials (ASTM), 1916 Race Street, Philadelphia, Pennsylvania. Schedule 80 standards are contained in the Annual Book of ASTM Standards, Volume 8, Designation D 1785-88 Standard Specification for Poly(Vinyl Chloride) (PVC) Plastic Pipe, Schedules 40, 80, and 120 Tables I and II, published December 1988. The ASTM standards are incorporated by reference, are not subject to frequent change, and are available through the Minitex interlibrary loan system.

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

Department of Natural Resources

Commissioner's Order No. 2419: Regulations Designating Certain Waters as Migratory Waterfowl Feeding and Resting Areas; Superseding Commissioner's Order No. 2388

PURSUANT TO AUTHORITY vested in me by *Minnesota Statutes* § 97A.095 and other applicable law, I, Rodney W. Sando, Commissioner of Natural Resources, hereby prescribe the following regulations designating certain waters as migratory waterfowl feeding and resting areas.

Section 1. DESIGNATED FEEDING AND RESTING AREAS.

Petitions having been filed in accordance with the provisions of *Minnesota Statutes* § 97A.095, subd. 2, and said petitions having been duly investigated and considered, the following described areas are hereby designated as migratory waterfowl feeding and resting areas during open migratory waterfowl seasons until rescinded by commissioner's order. Migratory waterfowl feeding and resting areas shall be posted as such during open migratory waterfowl seasons. The number following each water body is the county-lake basin number as listed in *Bulletin No. 25: An Inventory of Minnesota Lakes*, published by the Department of Natural Resources in 1968.

(a) All waters on: Pleasant Lake (70-98) in Scott County; Upper Rice Lake (15-59) in Clearwater County; Bear Lake (24-28) in Freeborn County; Rice Lake (31-876) in Townships 148 and 149 North, Range 27 West and Squaw Lake (31-877) in Itasca County; Nelson Lake (61-101) and Lake Johanna (61-6) in Pope County; Big Rice Lake (11-73) in Cass County; Dora Lake (40-10), Scotch Lake (40-109), Diamond Lake (40-13), and Sanborn Lake (40-27) in LeSueur County; Turtle Lake (60-32) in Polk County; Tiger Lake (10-108) in Carver County; Puposky Lake (4-198) and Little Puposky Lake (4-197) in Beltrami County; Unnamed Lake (43-53) in Section 28, Township 114 North, Range 29 West, Penn Township, and Bakers Lake (43-48) in McLeod County; Washington Lake (72-17) in Sibley County; Cottonwood Lake (7-24) in Blue Earth County; Oak Leaf Lake (52-10) in Nicollet County; and Wagonga Lake (34-169) in Kandiyohi County.

(b) All that portion of Marsh Lake (6-1) in Big Stone, Lac qui Parle and Swift Counties lying east and southeast of a line beginning at the point where the west section line of Section 10, Township 120 North, Range 44 West, meets the lake water line; thence running southeast approximately 370 rods to the southwest corner of Egret Island located in Section 15, Township 120 North, Range 44 West; thence running southeast approximately 340 rods to a point where the east section line of Section 22, Township 120 North, Range 44 West, intersects the water line of the south shore of the lake.

(c) All that portion of Lake Lizzie (56-760) in Otter Tail County in Sections 3, 4, 5, 6, 7, 8 and 9, Township 136 North, Range 42 West.

(d) All that portion of Pelican Lake (69-841) in St. Louis County within the following described area:

From the iron pipe located at the northeast corner of Section 27, Township 65 North, Range 20 West, proceed 2000 feet south 34° west to starting point; thence proceed 5600 feet south 52° east; thence proceed 6200 feet south 37° west; thence proceed 7360 feet north 9° east; thence proceed 6840 feet north 62° east closing at starting point encompassing an area of 1160 acres.

(e) That part of Heron Lake (32-57) known as South Heron Lake in Jackson County except those portions described as follows: that part lying northwest of a straight line beginning at the state-owned access on the west shore in Section 15, Township 103 North, Range 37 West; thence running northeast to the point of the peninsula on the east side of the inlet to Okabena and Division Creeks located in Section 10, Township 103 North, Range 37 West; ALSO that part lying South of a straight line beginning at Burmeisters Point in Section 13, Township 103 North, Range 37 West; thence running west to Sandy Point in Section 24, Township 103 North, Range 37 West.

(f) That part of Heron lake (32-57) known as North Heron Lake in Jackson County except those areas known as Winzer Bay and North Marsh.

(g) All of Lake Cristina (21-375) in Grant and Douglas Counties except that part lying south of a straight line beginning at the east terminus of the north line of Government Lot 3, Section 12, Township 130 North, Range 41 West, at the water's edge of Lake Christina; thence running east to the water's edge at the northwest point of the peninsula of Government Lot 1, Section 8, Township 130 North, Range 40 West, that projects into said lake.

(h) All that portion of Mud Lake (78-24) in Traverse County within the following described area:

Beginning at the point where the Bois de Sioux River enters the bed of Mud Lake north of Reservation Dam; thence northeast along the west boundary of Minnesota to a point due west of the farthest north portion of Lewis Point; thence southeast along the shoreline of Mud Lake defined by the prevailing water level to the point of beginning.

(i) All of Sandy River in Sections 1 and 2, Township 48 North, Range 24 West, and Sections 35 and 36, Township 49 North, Range 24 West, and that part of Flowage Lake (1-61) lying south of a straight line extending from the northwest point of the peninsula of Government Lot 9; thence northwest to the water's edge on the northwest side of Flowage Lake.

(j) That part of the flowage formed by the confluence of the Prairie and Savanna Rivers (part of 1-62) lying in Section 34, the West Half of Section 35, and the Southwest Quarter of the Northeast Quarter of Section 35, ALL IN Township 50 North, Range 23 West, Aitkin County.

(k) That part of Sandy River Lake (1-60) lying in Section 24, Township 49 North, Range 24 West, Aitkin County.

Sec. 2. REGULATIONS

A person may not enter a posted migratory waterfowl feeding and resting area during the open migratory waterfowl season with watercraft or aircraft propelled by a motor, except as follows:

(a) This restriction shall not apply to uniformed employees of the Department of Natural Resources and other agents of the Commissioner while in the performance of their official duties.

(b) A disabled or handicapped person, under permit from the Commissioner, may use an electric motor of less than 30 pounds thrust.

(c) On the lakes listed below, a person may use an electric motor of less than 30 pounds thrust within the designated migratory waterfowl feeding and resting area during the open waterfowl season:

- (1) Puposky Lake (4-198), Beltrami County;
- (2) Little Puposky Lake (4-197); Beltrami County;
- (3) Heron Lake (32-57), Jackson County;
- (4) Mud Lake (78-24), Traverse County;
- (5) Bakers Lake (43-48), McLeod County;
- (6) Unnamed Lake (43-53), McLeod County;
- (7) Bear Lake (24-28), Freeborn County;
- (8) North Heron Lake (32-57), Jackson County;
- (9) Tiger Lake (10-108), Carver County;
- (10) Turtle Lake (60-32), Polk County;
- (11) Flowage Lake (1-61) and the Sandy River Flowage, Aitkin County;
- (12) Sandy River Lake (1-60), Aitkin County;
- (13) Prairie and Savanna River Flowage (part of 1-62), Aitkin County; and
- (14) Wagonga Lake (34-169), Kandiyohi County.

Sec. 3. Commissioner's Order No. 2388 is hereby superseded.

Dated at St. Paul, Minnesota, this 10th day of September, 1991.

Rodney W. Sando, Commissioner
Department of Natural Resources

Department of Natural Resources

Commissioner's Order No. 2422: Regulations for the Taking of Ducks, Geese, Coots, and Moorhens (Gallinules); Superseding Commissioner's Order No. 2389

PURSUANT TO AUTHORITY vested in me by *Minnesota Statutes* §§ 97A.045, 97B.731-97B.811, and other applicable law, I, Rodney W. Sando, Commissioner of Natural Resources, hereby prescribe the following regulations for the taking of ducks, geese, coots, and moorhens (gallinules). All dates and time periods specified in this order are inclusive, unless otherwise noted.

Section 1. DUCKS, COOTS, AND MOORHENS (GALLINULES).

(a) **Season Length and Hours.** Ducks, coots, and moorhens (gallinules) may be taken during the periods from October 5 to October 13, October 17 to November 3, and November 8 to November 10. Legal shooting hours are: from 12 noon to 4 p.m. on the opening day; from one-half hour before sunrise to 4 p.m. each day from the second day of the season to the Friday nearest October 19; and from one-half hour before sunrise to sunset each day during the remainder of the season.

(b) **Daily Limit.** No person shall in any one day take more than three (3) ducks other than mergansers, five (5) mergansers, and a total of 15 coots and moorhens (gallinules). The daily limit of ducks other than mergansers shall not include more than two (2) mallards

Commissioners' Orders

of which not more than one (1) may be a female mallard, one (1) black duck, one (1) redhead, one (1) pintail and two (2) wood ducks. Canvasbacks may not be taken at any time. The daily limit of mergansers shall not include more than one (1) hooded merganser.

(c) **Possession Limit.** No person shall have in possession more than six (6) ducks other than mergansers, ten (10) mergansers, and a total of thirty (30) coots and moorhens (gallinules). The possession limit of ducks other than mergansers shall not include more than four (4) mallards of which not more than two (2) may be female mallards, two (2) black ducks, two (2) redhead, two (2) pintail and four (4) wood ducks. The possession limit of mergansers shall not include more than two (2) hooded mergansers.

Sec. 2. REGULAR SEASON GEESE, INCLUDING BRANT.

(a) Season Length.

(1) In the West Central Goose Zone, as described below, Canada and white-fronted geese may be taken during the 40-day period beginning the Saturday nearest October 1, except that the season may close earlier in the Lac qui Parle Zone as prescribed in Sec. 2(e). The West Central Goose Zone is the area lying within the following boundary:

Beginning at the intersection of State Trunk Highway (STH) 29 and U.S. Highway 212; thence West along U.S. Highway 212 to U.S. Highway 59; thence South along U.S. Highway 59 to STH 67; thence West along STH 67 to U.S. Highway 75; thence North along U.S. Highway 75 to County State Aid Highway (CSAH) 30, Lac qui Parle County; thence West along CSAH 30 to County Road 70, Lac qui Parle County; thence West along County Road 70 to the west boundary of the state; thence North along the west boundary of the state to the point due south of the intersection of STH 7 and CSAH 7, Big Stone County; thence due North to said intersection; thence North along CSAH 7 to CSAH 6, Big Stone County; thence East along CSAH 6 to CSAH 21, Big Stone County; thence South along CSAH 21 to CSAH 10, Big Stone County; thence East along CSAH 10 to CSAH 22, Swift County; thence East along CSAH 22 to CSAH 5, Swift County; thence South along CSAH 5 to U.S. Highway 12; thence East along U.S. Highway 12 to CSAH 17, Swift County; thence South along CSAH 17 to CSAH 9, Chippewa County; thence South along CSAH 9 to STH 40; thence East along STH 40 to STH 29; thence South along STH 29 to the point of beginning.

(2) In the Southeast Goose Zone composed of Isanti, Chisago, Washington, Anoka, Hennepin, Carver, Scott, Ramsey, Dakota, Rice, Goodhue, Wabasha, Winona, Olmsted, Dodge, Steele, Freeborn, Mower, Fillmore, and Houston Counties, Canada and white-fronted geese may be taken during the 70-day period beginning the Saturday nearest October 1.

(3) In the remainder of the state Canada and white-fronted geese may be taken during the 50-day period beginning the Saturday nearest October 1.

(4) Snow geese may be taken statewide during the 80-day period beginning the Saturday nearest October 1, except that the snow goose season will close in the Lac qui Parle Goose Zone with the Canada and white-fronted goose seasons as prescribed by Sec. 2(e) of this order.

(b) **Hours.** Geese may be taken from one-half hour before sunrise to 4 p.m. from the opening day of the season to October 4 and from October 6 to the Friday nearest October 19; from 12 noon to 4 p.m. on October 5 and from one-half hour before sunrise to sunset each day during the remainder of the prescribed seasons.

(c) **Daily Limit.** No person shall take more than seven (7) geese in any one day. The daily limit shall not include more than two (2) white-fronted geese and two (2) Canada geese or subspecies except in the West Central Goose Zone where the daily limit of Canada geese is one.

(d) **Possession Limit.** No person shall have more than fourteen (14) geese in possession at any time. The possession limit shall not include more than four (4) white-fronted geese and four (4) Canada geese or subspecies except in the West Central Goose Zone where the possession limit of Canada geese is two (2).

(e) **Lac qui Parle Zone.** In the area known as the Lac qui Parle Zone, and described below, the season on all geese shall be closed prior to the last day of the season for the West Central Goose Zone if and when the harvest index of Canada geese in the Lac qui Parle Zone reaches 6000 as determined by the commissioner. For the purpose of notifying the public of such closing, no less than 48 hours prior to the effective time thereof the commissioner shall (1) issue a news release specifying the time of closing and describing the zone, and (2) post written notices including the same information as the news release at the headquarters of the Lac qui Parle Game refuge and at four other points around the perimeter of the zone. The Lac qui Parle Zone is the area lying within the following boundary:

Beginning at the intersection of U.S. Highway 212 and County State Aid Highway (CSAH) 27, Lac qui Parle County; thence along CSAH 27 to CSAH 20, Lac qui Parle County; thence along CSAH 20 to State Trunk Highway (STH) 40; thence along STH 40 to STH 119; thence along STH 119 to CSAH 34, Lac qui Parle County; thence along CSAH 34 to CSAH 19, Lac qui Parle County; thence along CSAH 19 to CSAH 38, Lac qui Parle County; thence along CSAH 38 to U.S. Highway 75; thence along U.S. Highway 75 to STH 7; thence along STH 7 to CSAH 6, Swift County; thence along CSAH 6 to County Road 65, Swift County; thence along County Road 65 to County Road 34, Chippewa County; thence along County Road 34 to CSAH 12, Chippewa County; thence along CSAH 12 to CSAH 9, Chippewa County; thence along CSAH 9 to STH 7; thence along STH 7 to Montevideo; thence along the municipal boundary of Montevideo to U.S. Highway 212; thence along U.S. Highway 212 to the point of beginning.

(f) West Central Goose Zone Permit.

(1) A person must have a valid permit issued by the Commissioner of Natural Resources in his or her possession to take Canada, snow, blue, or white-fronted geese in the West Central Goose Zone as prescribed in Sec. 2(a)(1) or to possess or transport geese taken in that zone.

(2) Application for the permit must be made by mailing or delivering a West Central and Lac qui Parle Special Goose Hunt application to Lac qui Parle WMA, Route 1, Box 23, Watson, MN 56295. During the season, permits can also be purchased directly at the Lac qui Parle WMA headquarters and at selected license agents in the West Central Goose Zone. Applicants must provide all information requested on the application, and sign the application, or it will be rejected.

(3) Each applicant must submit along with his or her application a cashier's check, money order, or personal check in the amount of \$3.00 payable to the "Minnesota Department of Natural Resources." Any checks that are returned to the Department of Natural Resources for nonpayment will invalidate the application and the check will be destroyed. The fee is non-refundable.

Sec. 3. DECEMBER TWIN CITIES METROPOLITAN CANADA GOOSE ZONE AND OLMSTED COUNTY HUNTS.

(a) **Season Length and Hours.** Canada geese may be taken in the Twin Cities Metropolitan Canada Goose Zone as described in Section 1(c) of Commissioner's Order No. 2414 and in Olmsted County during the 10-day period beginning December 14, 1991, from one-half hour before sunrise to sunset each day.

(b) **Daily and Possession Limits.** No person shall in any one day take more than two (2) Canada geese. No person shall have in possession more than four (4) Canada geese.

(c) Permits for the Twin Cities Metropolitan Canada Goose Zone Hunt.

(1) A person must possess a valid permit issued by the Commissioner of Natural Resources to take Canada geese during the season established by this section in the Twin Cities Metropolitan Canada Goose Zone.

(2) A valid permit must have been obtained pursuant to Sec. 4(a) and 4(b) of Commissioner's Order No. 2414, or by mailing or delivering a special Canada goose hunt application together with the \$3.00 application fee to the appropriate address between October 28 and 4:30 p.m. November 22.

(d) **Surface Waters and Roads, Twin-Cities Zone.** In the Twin Cities Metropolitan Canada Goose Zone, taking Canada geese during the above-established season is prohibited on or within 100 yards of all surface waters, including but not limited to wetlands, lakes, rivers, and streams, except on specific waters as described or shown on a map that shall be provided to the permittees by the commissioner. Taking Canada geese from public roads and their rights-of-way is prohibited in the Twin Cities Metropolitan Canada Goose Zone during the season established in this section.

Sec. 4. REFUGE GOOSE HUNTS.

(a) **Douglas County Goose Refuge.** The Douglas County Goose Refuge in Douglas County is open to the taking of geese from September 28 to November 16, 1991, pursuant to the established goose regulations for the zone in which it is located. During the dates the Douglas County Goose Refuge is open to the taking of geese, waterfowl hunting is prohibited upon or from all public roads and their rights-of-way within the refuge boundary.

(b) **Fox Lake Game Refuge.** The Fox Lake Game Refuge in Martin County is open to the taking of geese from September 28 to October 6, 1991, and from November 9 to November 16, 1991, pursuant to the established goose regulations for the zone in which it is located.

(c) **Otter Tail County Goose Refuge.** The Otter Tail County Goose Refuge in Otter Tail County is open to the taking of geese from September 28 to November 16, 1991, pursuant to the established goose regulations for the zone in which it is located. During the dates the Otter Tail County Goose Refuge is open to the taking of geese, waterfowl hunting is prohibited upon or from all public roads and their rights-of-way within the refuge boundary.

(d) **Sauk Rapids-Rice Goose Refuge.** The Sauk Rapids-Rice Goose Refuge in Stearns and Benton Counties is open to the taking of geese from September 28 to November 16, 1991, under the established goose regulations for the zone in which it is located. During the dates the Sauk Rapids-Rice Goose Refuge is open to the taking of geese, all waterfowl hunting is prohibited upon or from all public roads and their rights-of-way within the refuge boundary.

(e) **St. James Game Refuge.** The St. James Game Refuge in Watonwan County is open to the taking of geese from September 28 to October 6, 1991, and from November 9 to November 16, 1991, pursuant to the established goose regulations for the zone in which it is located.

Sec. 5. AIRBOATS PROHIBITED ON DESIGNATED LAKES.

The use of airboats is prohibited at all times on lakes which have been designated for wildlife management purposes pursuant to Commissioner's Order No. 2405 or superseding orders.

Commissioners' Orders

Sec. 6. OPENING DAY POSSESSION LIMIT.

No person shall have in possession on the opening day of each of the above established seasons more than a single daily limit. Thereafter the possession limits shall apply.

Sec. 7. FIELD LIMIT.

No person shall possess, have in custody, or transport more than the daily bag limit or aggregate daily bag limit, whichever applies, of migratory game birds, tagged or not tagged, at or between the place where taken and either (a) his/her automobile or principle means of land transportation; or (b) his/her personal abode or temporary or transient place of lodging; or (c) a migratory bird preservation facility; or (d) a post office; or (e) a common carrier facility.

Sec. 8. FEDERAL REGULATIONS.

Nothing in this order shall be construed as allowing any hunter to hunt or take any migratory game birds in violation of applicable federal regulations.

Sec. 9. GAME REFUGES AND STATE PARKS.

Except as specifically authorized, none of the provisions of this order shall be construed as modifying or superseding any other establishing game refuges within the state nor as permitting the taking of any wild animals within such refuges or within state parks.

Sec. 10. STEEL SHOT REGULATIONS.

On all lands and waters within the boundaries of the state it is unlawful to take geese, ducks, mergansers, coots or moorhens (gallinules) with lead shot or while having any lead shot in possession. Only shot made of steel or such non-toxic material as may be approved by the Director of the U.S. Fish and Wildlife Service may be used.

Sec. 11. BLINDS AND DECOYS ON PUBLIC LANDS AND PUBLIC WATERS.

(a) **Blinds Deemed Public.** When not in use, any blind located on public land or in public waters is deemed public and not the exclusive property of the person or persons who constructed it. Such blinds are open to use by the public on a first come first served basis. Any use of threat or force against another to gain possession of any such blind shall be unlawful.

(b) **Erecting Blinds and Placing Decoys.** A person may not erect a blind or place decoys in public waters or on public land more than one hour before the open season. During the open season, a person may not place decoys in public waters or on public lands more than one hour before lawful shooting hours.

Sec. 12. MINNESOTA MIGRATORY WATERFOWL STAMP.

Except for residents under the age of 18 and over the age of 65 years, no person who is otherwise required to possess a Minnesota small game license shall hunt or take migratory waterfowl within this state without first purchasing a stamp and having the stamp in possession while hunting or taking migratory waterfowl. Each stamp shall be validated by the signature of the licensee written across its face. People who are hunting on their own property shall not be required to possess a Minnesota waterfowl stamp.

Sec. 13. TRANSPORTATION OF MIGRATORY GAME BIRDS AND WATERFOWL.

At all times until delivery to the taker's residence or a commercial processing facility or until disposed of, migratory game birds must be transported in an undressed condition. An undressed migratory game bird, excluding migratory waterfowl, is one with feet and feathered head intact. An undressed migratory waterfowl is one with a fully feathered wing attached.

Sec. 14. LIVE ANIMALS.

All animals taken pursuant to this order must be killed before being removed from the site where taken.

Sec. 15. DISCHARGE OF FIREARMS BEFORE SHOOTING HOURS PROHIBITED.

Persons who are afield intending to take migratory waterfowl shall not load or discharge any firearm lawful for the taking of migratory waterfowl before legal shooting hours.

Sec. 16. Commissioner's Order No. 2389 is hereby superseded.

Dated at St. Paul, Minnesota, this 10th day of September, 1991.

Rodney W. Sando, Commissioner
Department of Natural Resources

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.

Ethical Practices Board

Notice of Advisory Opinion #113 re: Contribution

Issued 8-22-91 to the Honorable Arne H. Carlson, Office of the Governor—SUMMARY—113.

The interchange of a private industry employee with state government is not a contribution to a candidate within the meaning of *Minnesota Statutes* § 10A.01, subs. 7, 7a, and 7b (1990). The full text of the opinion is available upon request from the Ethical Practices Board, 625 North Robert Street, St. Paul, MN 55101-2520; (612) 296-5148.

Department of Human Services

Public Notice of Medical Assistance Home Care Assessment Protocol

The 1991 Minnesota Legislature mandated that Medical Assistance home care providers conduct an assessment and complete a care plan using forms and protocols specified by the commissioner pursuant to *Minnesota Statutes*, section 256B.0627. The protocol to conduct the assessment and complete the care plan are set forth below. This is effective October 1, 1991.

The Department of Human Services will publish an Instructional Bulletin to be distributed to local agencies and Medical Assistance enrolled home care providers regarding the protocol and forms to use.

Questions on the Medical Assistance home care assessment protocol should be addressed to:

Karen Gibson
Department of Human Services
444 Lafayette Road
St. Paul, Minnesota 55155-3844
(612) 297-2517

September 3, 1991

HOME CARE ASSESSMENT PROTOCOL

I. INTRODUCTION

A. Background/Assessment Process

The 1991 Minnesota Legislature (*Minnesota Statutes*, Section 256B.0627) mandated the Department of Human Services (DHS) to develop and implement a new reimbursement system for Medical Assistance Home Care which is effective on October 1, 1991. The new system will be based on the client's need for medically necessary home care services and will require prior authorization for services beyond certain limits. Prior authorization must be based on both medical necessity and cost-effectiveness when compared with other care options.

The client assessment and rating process for this proposed reimbursement system, is outlined in this instruction manual. In order to classify client service needs for purposes of establishing Medical Assistance reimbursement for home care services, all clients who need home care services must be assessed. Under this client-centered reimbursement system, the assessment will provide the Department with information which will establish both the limits and the client specific requirements for medically necessary care which shall be provided in the home.

The assessment instrument is the combination of current assessment tools developed under section 256B.0911 and 256B.501 with an addition for seizure activity. It also reflects the needs and conditions of children, nonelderly adults, and recipient's who exhibit complex medical needs and/or complex behavior.

The HIRS must be completed by a registered nurse (R.N.), who is responsible for the supervision of home care services. The assessment must reflect the client's condition as observed and assessed by the R.N.

The supervising nurse is responsible for completing the assessment form, submitting Request for Prior Authorization of Home Care Services, and contacting the Department of Human Services for authorization of services. The Provider shall make photocopies of the HIRS and mail the original copy to the Home Care Nurse Consultant. A photocopy is retained for the provider's client file.

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B. Definitions

HOME CARE SERVICE: Means a health service that is:

- A. determined by the Commissioner of the Department of Human Services to be medically necessary; and
- B. ordered by a physician; and
- C. documented in a plan of care that is reviewed by the physician at periodic intervals based on medical necessity and rules that specifically pertain to the type of home care service provided; and
- D. provided to the recipient at their place of residence that is not a hospital, long term care facility or a foster care residence with more than four residents.

MEDICALLY NECESSARY: A health service that is consistent with the recipient's diagnosis or condition and:

- A. is recognized as the prevailing standard or current practice by the provider's peer group; and
- B. is rendered in response to a life-threatening condition or pain; or to treat an injury, illness, or infection; or to treat a condition that could result in physical or mental disability; or to care for the mother and child through the maternity period; or to achieve a level of physical or mental function consistent with prevailing community standards for diagnosis or condition; or

II. INSTRUCTIONS FOR COMPLETING THE HOME CARE ASSESSMENT PROTOCOL

A. GENERAL INFORMATION

The Supervising Nurse will complete the form titled *Medical Assistance Home Care Assessment/Care Plan*.

1. Use black ink pen in all areas.
2. Fill in bubbles completely.
3. Complete care plan area in detail, printing or typing the response, with documentation which supports the need for medically necessary care. Remember, you are justifying the need for home care as requested! **Remember to address all of the needs of your client so that the Department has a clear understanding of your client's specific needs.**
4. If an area does not apply to your client, print N/A.
5. Providers are to retain a photocopy, submit the original to the Department.
6. Time required to complete a task shall be recorded in units of service. One unit of service will equal one hour length in time. Any sub-unit of one hour shall be recorded in fifteen minute increments and recorded as follows:
 - 15 minutes = .25 units of service
 - 30 minutes = .50 units of service
 - 45 minutes = .75 units of service
 - 1 hour = 1 unit of service

B. SPECIFIC INFORMATION ON ASSESSMENT ITEMS

- 0.01 Client's Name: Enter last name, first name, middle initial.
 - 0.02 Medical Assistance Number: Enter the Medical Assistance Number following visual verification of the card and date it is valid. (Note: A recipient qualifies for MA home care services if the third digit of the MA number is a 2 or an 8.)
 - 0.03 Address: Enter complete address including rural route/street, city, and zip code.
 - 0.04 Telephone number: Document the client's telephone number including area code.
 - 0.05 County: Enter the county in which the client *currently resides*.
 - 0.06 Diagnosis/ICD-9 CODE: Enter the client's current active diagnoses/ICD-9 CODE and secondary conditions which will assist to establish the need for medically necessary home care.
 - 0.07 Birthdate: Enter Two digits for the month, two digits for the day, three digits for the year. Example: 01/04/899.
 - 0.08 Sex: Enter the client's sex as "F" for female or "M" for male.
- If a temporary authorization by telephone has been given complete the following, otherwise write N/A:**
- 0.09 Home Care Nurse Consultant's Name.
 - 0.10 Date DHS Contacted.
 - 0.11 Document verbal authorization which was given.

0.12 Level of Care: PCA, PDN -LPN/RN, etc.

0.13 Authorization number.

DOCUMENTATION REQUIREMENTS

For a client to be assessed as requiring and receiving intervention under Activities of Daily Living, the documentation must establish the client's care requirements both through the rating system and supportive documentation as written in the care plan. It is important that the Supervising Nurse assess the client in the following activities as defined by the rating system and then show further support for the client's need for medically necessary home care in the care plan.

Furthermore, the tool will be considered incomplete if not all areas are addressed. It is the Supervising Nurse's responsibility to document the cares to be provided, their frequency, duration, expected goal for the cares and expected date of goal accomplishment (D/C). Areas which are not applicable to the client should be labeled N/A. Therefore, it is important to complete this document to the fullest extent for reimbursement of services.

III. ACTIVITIES OF DAILY LIVING

1.0 DRESSING: Includes the entire process of dressing or being clothed (change from bed clothing into the set of clothing worn during the day, and change to bed clothing at night). Does NOT include management of clothing during toileting or bathing.

NOTE: If client is dependent in dressing, it may be appropriate to include laundering of soiled clothes as an integral part of personal care. This may be recorded in the section 17.0 Homemaking.

0 = Independent: does not need help or supervision of another person in any part of this activity.

1 = Intermittent Supervision: needs and receives occasional reminders or instruction, but does not need physical presence of another person at all times to dress. (Record for person who receives assistance to lay out clothes, fasten clothes, or whose performance is monitored.)

2 = Constant Supervision: needs and receives help of another person constantly present during this activity to instruct or watch for problems, but does not need physical help.

3 = Help of Another: needs and receives physical help and presence of another person during all of this activity. Client is able to physically participate.

4 = Dependent on Another: needs and receives physical help from other person to carry out this activity. Client is unable to physically participate.

NOTE: A CHILD MUST BE OLDER THAN 5.0 YEARS OF AGE IN ORDER TO BE EVALUATED FOR DEPENDENCIES IN THIS TASK. FILL IN BUBBLE "N" IF THE CHILD YOU ARE EVALUATING IS < 5.0 YEARS OLD.

2.0 GROOMING: Includes all of the following areas: combing or brushing, but not washing of hair; shaving; brushing/flossing teeth or cleaning dentures; care of fingernails; application of cosmetics; applying deodorant.

0 = Independent: does not need help or supervision of another person in any part of this activity.

1 = Intermittent Supervision: needs and receives occasional reminders or instruction, but does not need physical presence of another person at all times to groom.

2 = Constant Supervision: needs and receives help of another person constantly present during this activity to instruct or watch for problems, but does not need physical help.

3 = Help of Another: needs and receives physical help and presence of another person during all of this activity. Client is able to physically participate.

4 = Dependent on Another: needs and receives physical help from other person to carry out this activity. Client is unable to physically participate.

NOTE: A CHILD MUST BE OLDER THAN 5.0 YEARS OF AGE IN ORDER TO BE EVALUATED FOR DEPENDENCIES IN THIS TASK. FILL IN BUBBLE "N" IF THE CHILD YOU ARE EVALUATING IS < 5.0 YEARS OLD.

3.0 BATHING: Includes all of the activities of bathing/washing, (whether tub or shower or bed bath is used): entry into tub or shower, wetting, soaping, rinsing, exit, and drying body. Does NOT include dressing or undressing. Includes washing of hair.

NOTE: If client is dependent in bathing, it may be appropriate to include cleansing of the tub or shower site as an integral part of personal care. This may be recorded in section 17.0 Homemaking.

0 = Independent: does not need help or supervision of another person in any part of this activity.

1 = Intermittent Supervision: needs and receives occasional reminders or instruction, but does not need physical presence of another person at all times during bath.

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2 = Constant Supervision: needs and receives help of another person constantly present during this activity to instruct or watch for problems, but does not need physical help.

3 = Needs and receives help in and out of the tub.

4 = Help of Another: needs and receives physical help and presence of another person to help carry out washing and/or drying. Client is able to physically participate.

5 = Dependent on Another: needs and receives physical help from other person to carry out washing and/or drying. Client is physically unable to participate.

NOTE: A CHILD MUST BE OLDER THAN 5.0 YEARS OF AGE IN ORDER TO BE EVALUATED FOR DEPENDENCIES IN THIS TASK. FILL IN BUBBLE "N" IF THE CHILD YOU ARE EVALUATING IS < 5.0 YEARS OLD.

4.0 EATING: Process of getting food into the digestive system.

NOTE: If client is dependent in eating, it may be appropriate to include meal prep, dish washing, grocery shopping as an integral part of personal care. This may be recorded in section 17.0 Homemaking.

0 = Independent: feeds self without help of any kind (includes drinks from glass and cuts food with knife).

1 = Needs and receives personal supervision in eating.

2 = Needs and receives personal assistance from staff to cut meat, arrange foods, butter bread, etc. at meal time.

3 = Needs and receives partial feeding from another person (including drinking from a cup, observation for choking).

4 = Needs and receives total feeding from another person.

NOTE: A CHILD MUST BE OLDER THAN 3.0 YEARS OLD IN ORDER TO BE EVALUATED FOR DEPENDENCIES IN THIS TASK UNLESS THE CHILD RECEIVES TUBE FEEDINGS OR BECAUSE OF A DOCUMENTED MEDICAL CONDITION TAKES GREATER THAN 1.0 HOURS TO FEED. FILL IN BUBBLE "N" IF THE CHILD YOU ARE EVALUATING DOES NOT MEET THESE CONDITIONS.

5.0 TRANSFER: Process of moving between positions (ie: to/from bed, chair, standing, bath, and toilet).

0 = Independent: requires no supervision or physical assistance to complete necessary transfers. May use equipment, such as railings, trapeze.

1 = Intermittant Supervision: needs and receives guidance only. Requires physical presence of another person during transfer. (ie: verbal cueing, guidance).

2 = Needs and receives physical help from another when transferring. Client may participate in transfer.

3 = Needs and receives physical help from another or mechanical device. Client is unable to participate.

4 = Remains bedfast.

NOTE: A CHILD MUST BE OLDER THAN 3.0 YEARS IN ORDER TO BE EVALUATED FOR DEPENDENCIES IN THIS TASK. FILL IN BUBBLE "N" IF YOU ARE EVALUATING A CHILD < 3.0 YEARS OLD.

6.0 MOBILITY: How a client moves about. This includes walking and wheeling.

0 = Independent: ambulatory without a device.

1 = Needs and receives help of a device such as: cane, walker, crutch, wheelchair.

2 = Needs and receives physical help of another person (to negotiate stairs, ramp, and elevator with wheelchair or other device; to lock and unlock wheelchair brakes).

3 = Needs and receives constant physical help from another person (to totally help with wheeling).

4 = Remains bedfast.

NOTE: A CHILD MUST BE OLDER THAN 15 MONTHS OLD IN ORDER TO BE EVALUATED FOR DEPENDENCIES IN THIS TASK. FILL IN BUBBLE "N" IF YOU ARE EVALUATING A CHILD LESS THAN 15 MONTHS OLD.

7.0 POSITIONING

0 = Positions self in bed or chair without help.

1 = Needs and receives occasional help from another person to sit up.

2 = Always needs and receives help from another person to sit up.

3 = Needs and receives turning and positioning.

8.0 TOILETING: Process of bowel and bladder elimination. Includes: use of toileting equipment, such as commode, cleansing self after elimination, and adjusting clothes.

0 = Independent: needs no supervision or physical assistance (includes client who manages the problem of dribbling or incontinence).

1 = Intermittent Supervision: needs and receives intermittent supervision or programming for safety or encouragement, or minor physical assistance (For example, clothes adjustment or washing hands). No incontinence.

2 = Occasional incontinence, not more than once a week.

3 = Usually continent of bowel and bladder, but needs and receives supervision and/or physical assistance with major/all parts of the task, including bowel/bladder programs and appliances (ie: colostomy, ileostomy, urinary catheter).

4 = Incontinent of bowel and/or bladder, and is not taken to bathroom.

5 = Incontinent of bowel and/or bladder, but is taken to a bathroom every two to four hours during the day and as needed during the night.

NOTE: A CHILD MUST BE OLDER THAN 3 YEARS OF AGE IN ORDER TO BE EVALUATED FOR DEPENDENCIES IN THIS TASK. FILL IN BUBBLE "N" IF YOU ARE EVALUATING A CHILD LESS THAN 3 YEARS OLD.

9.0 BEHAVIOR: Use the code that best describes the client's behavior. The behavior should be considered within the context of the environment, age, and the life circumstance of the client before coding as a "problem." Consider unpredictability, severity, and frequency of the behavior.

0 = Fully cooperative.

1 = Needs prompts/assistance to initiate due to behavior, but no assistance once personal care/treatment is begun.

2 = Needs prompts/assistance intermittently during personal care/treatment due to behavior.

3 = Needs consistent, on-going support/assistance throughout duration of personal care/treatment due to behavior.

4 = Exhibits one or more of the complex behaviors less than daily.

NOTE: A CHILD MUST BE OLDER THAN 5.0 YEARS OF AGE IN ORDER TO BE EVALUATED FOR DEPENDENCIES IN THIS TASK. FILL IN BUBBLE "N" IF CHILD IS LESS THAN 5.0 YEARS OLD.

10.0 COMPLEX BEHAVIORS: Complex behaviors shall be defined as one or more of the following behaviors as listed below which occur on a **DAILY** basis. These specific behaviors may occur in addition to the above behavior classification.

10.1 Self Injurious Behavior

Engages in behavior that causes injury or has potential for causing injury to his/her own body. Examples include: self-hitting, self-biting, head banging, self-burning, self-poking, or stabbing, ingesting foreign substances, or pulling out hair.

10.2 Unusual/Repetitive Habits

Performs unusual stereotypic behavior that inhibits or prohibits participation in daily life activities. Examples include: head-weaving, rocking, grinding teeth, spinning objects, or hand-flapping. Collects and hoards items to a point where it interferes with participation in normal daily activities.

10.3 Withdrawal Behavior

Excessively avoids others or situations calling for personal interaction to a point where this behavior significantly interferes with participation in normal daily activities. Examples include: refusing to talk to others, remaining in his/her room for inordinate periods of time, repeatedly declining opportunities to recreate with others, extreme passivity which leads to victimization.

10.4 Hurtful to Others

Engages in behaviors that causes physical pain to other people or to animals. Examples include: hitting, biting, pinching, scratching, kicking, and inappropriate sexual contacts.

10.5 Socially Offensive Behavior

Behavior offensive to others or that interferes with the activity of others. Examples include: spitting, urinating in inappropriate places, stealing, screaming, verbal harassment, bullying, and masturbating in public places.

10.6 Destruction of property

Damages, destroys, or breaks things. Examples include: breaking windows, lamps, or furniture; tearing clothes; setting fires; using tools or objects to damage property.

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10.7 1:1 Supervision for Self Preservation

Requires constant 1:1 supervision due to behavior for self preservation. Self preservation is the process of taking necessary actions to insure personal safety during an emergency situation. This includes, but is not limited to, fire emergencies and tornado. NOTE: Self preservation is not to be utilized for children less than 4.5 years of age. 4.5 years and below are dependent on the parent by nature of age to provide self preservation to them and will not be considered a complex behavior until greater than 4.5 years old.

11.0 SEIZURES: Includes the following:

Minor: absence seizures requiring no physical intervention to maintain safety.

Major: myoclonic, tonic-clonic, jacksonian, psychomotor, infantile spasms, seizures requiring physical intervention to maintain safety.

Controlled: without seizures for one year or greater.

Uncontrolled: more than one seizure occurring within a year.

- 0 - No history or evidence of seizures.
- 1 - History of seizures
- 2 - Minor seizures - controlled.
- 3 - Major seizures - controlled.
- 4 - Minor seizures - uncontrolled.
- 5 - Major seizures - uncontrolled.
- 6 - Other (specify)

12.0 COMPLEX MEDICAL NEEDS: For coding complex medical needs, documentation must establish that:

a. The physician has completed a medical evaluation and participated in developing a plan of care to meet the client's immediate and long-term needs, and will periodically reassess and document continued need for home care services. Documentation such as hospital discharge summary, medical history, and physician orders should be maintained in the provider's client file; and

b. A registered nurse has assessed the health needs of the client as they relate to complex medical needs. These needs are communicated to the physician; and

c. A registered nurse has implemented a plan for complex medical needs including clinical monitoring/observation and interventions which may be performed in collaboration with other health team members or may be delegated to other qualified personnel. The submitted care plan shall reflect the interventions which are required as a result of the complex medical needs; and

d. A registered nurse will periodically reassess the health needs of the client as they relate to the need for complex medical needs and will regularly communicate these needs to the physician.

NOTE: The following list of complex needs are included to denote the severity of the client's condition. Some of the interventions listed below are not cares which can not be delegated to an unlicensed professional. It is the responsibility of the supervising nurse to be knowledgeable in the Nurse Practice Act in order to identify the tasks which can be delegated.

12.1 Daily tube feedings; nasogastric, gastrostomy.

12.2 Daily parental therapy: includes intravenous medications, Hickman Catheter, Heparin lock.

12.3 Wound or decubiti care: includes wound and decubitus dressing and care, ostomy dressing and warm moist packs ordered for inflamed areas.

12.4 Tracheostomy care/suctioning

12.5 Oxygen and Respiratory Therapy: Special measures to improve respiratory function including postural drainage, percussion, blow bottles, IPPB, respirators, suctioning, and oxygen. Stand by oxygen would not be coded unless actually administered on a weekly basis.

12.6 Catheters: Code if routine care is provided at least daily. Includes indwelling catheters and intermittent catheterization.

12.7 Ostomies: Code if routine care is provided. Includes colostomy, ileostomy, ureterostomy, cystostomy.

12.8 Other comparable medical conditions or treatments that the commissioner determines would otherwise require institutional care. Document specifically.

IV. GENERAL ASSESSMENT INFORMATION**13.0 COMMUNICATION:** How the client makes their needs known.

- 0 = Communicates needs.
- 1 = Communicates needs with difficulty but can be understood.
- 2 = Communicates needs with sign language, symbol board, written messages, gestures or an interpreter.
- 3 = Communicates inappropriate content, makes garbled sounds.
- 4 = Does not communicate needs.
- N = Child with age appropriate communication.

14.0 HEARING: Code client's ability to hear with hearing aid if customarily worn.

- 0 = No hearing impairment.
- 1 = Hearing difficulty at level of conversation.
- 2 = Hears only very loud sounds.
- 3 = No useful hearing.
- 4 = Not determined.

15.0 VISION: Code client's ability to see if corrective lenses are customarily worn.

- 0 = Has no impairment of vision.
- 1 = Has difficulty seeing at level of print.
- 2 = Has difficulty seeing obstacles in environment.
- 3 = Has no useful vision.
- 4 = Not determined.

16.0 ORIENTATION: Orientation is defined as the awareness of an individual to his/her present environment in relation to time, place and person.

- 0 = Oriented
- 1 = Minor forgetfulness.
- 2 = Partial or intermittent periods of disorientation.
- 3 = Totally disoriented; does not know time, place, identity.
- 4 = Comatose.
- 5 = Not determined.

17.0 DIRECT CARE/RESPONSIBLE PARTY: The ability to direct care shall be defined as a recipient's functional impairment status as determined by the recipient's ability to communicate:

- A. orientation to person, place, and time;
- B. an understanding of the recipient's plan of care, including medications and medication schedule;
- C. needs; and
- D. an understanding of safety issues, including how to access emergency assistance.

- 0 = Can direct own care.
- 1 = Unable to direct own care.

2 = Responsible Party: Shall be defined as one residing with a qualified recipient who is capable of providing the support care necessary to assist a qualified recipient to live independently, is at least 18 years old, and is not a personal care assistant. The foster care provider cannot be the responsible party if the responsible party is an employee of, under contract with, or has any direct or indirect financial relationship with the personal care provider or a personal care assistant. Document the name and address of the responsible party for the recipient who is unable to direct their own care.

18.0 HOME MAKING INTEGRAL TO PERSONAL CARE: May include the following tasks as listed below. As envisioned by this definition, household chores which are performed by the worker are essentially ancillary to the provision of the recipient-centered care. Thus, if food is spilled, it may be cleaned, and when bed linen is soiled, it may be changed, washed, and put away. However, at

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no time would household chores become the central activity furnished by a personal care assistant. These activities would more properly be classified as homemaker or chore services and as such, are not reimbursed by Medical Assistance as home care.

Code only if you are able to document the personal care in which the homemaking is related to. Time required should be documented in units of service required per week.

- 18.01 Clean bathroom.
- 18.02 Dishes.
- 18.03 Wipe off counters.
- 18.04 Clean up spills.
- 18.05 Grocery shopping.
- 18.06 Linen change.
- 18.07 Laundry.
- 18.08 Clean/Maintain medical equipment.
- 18.09 Dust—May be coded only if the client has a respiratory or immune deficiency.
- 18.10 Vacuum—May be coded only if the client has a respiratory or immune deficiency.
- 18.11 Other—specify.

19.0 INFORMAL SUPPORTS: Document other support systems client accesses in order to remain in a home environment. This may include family, friends, as well as church, social organizations, etc. It is important to document who will provide documented cares at times when paid caregivers are not in the home.

20.0 MEDICATIONS: Document meds as described.

- 20.1 Number of medications.
- 20.2 Code if client requires assistance in taking medications.

21.0 LIVING ARRANGEMENTS: Specify client's current living arrangement.

- 21.1 Alone in own home/apartment.
- 21.2 Lives with spouse and/or others.
- 21.3 Licensed foster home. Specify number of foster care residents. Specify total monthly foster care rate for client. Specify amount and source of client's monthly income such as RSDI, SSI, VA, etc.
- 21.4 Licensed corporate foster care. Specify number of foster care residents. Specify total monthly foster care rate for client. Specify amount and source of client's monthly income such as RSDI, SSI, VA, etc.

22.0 OTHER: Document any other factors which support the need for home care and the justification for the time which is required to provide the home care. Such factors might include environmental factors such as stairs, no indoor plumbing, etc. This area may also include other reimbursable services such as accompanying recipient to obtain medical diagnosis or treatment, range of motion exercises, respiratory assistance, etc. Clearly document the intervention, frequency, duration, goal, and expected date of goal accomplishment (D/C). Additional pages may be attached as necessary.

23.0 SUPERVISING NURSE: The signature of the supervising nurse should be present.

24.0 HOME CARE PROVIDER AGENCY: Document the name and address of the home care agency.

25.0 PROVIDER'S MA ENROLLMENT NUMBER: Document the provider's identification number.

26.0 DATE: Document the date the assessment was completed.

27.0 TELEPHONE: Document the telephone number including area code of the home care agency.

Department of Labor and Industry

Division of Labor Standards

Notice of Correction to Prevailing Wage Rates

Prevailing wage rates certified August 1, 1991 for labor class code 415—PAINTER for commercial construction in the following counties have been corrected, Itasca, Carlton, St. Louis, Koochiching, and Lake. Also prevailing wage rates certified June 1, 1991 for labor class code 107—PIPELAYER (WATER, SEWER & GAS) for commercial construction in Anoka county has been corrected.

Copies of the corrected certifications may be obtained by contacting the:

Minnesota Department of Labor and Industry
Prevailing Wage Section
443 Lafayette Road
St. Paul, Minnesota 55155

or calling (612) 296-6452.

John Lennes Commissioner
Department of Labor and Industry

Metropolitan Council

Notice of Public Meeting/Hearing

Draft Environmental Impact Statement (DEIS) and Preliminary Staff Report on Analysis and Recommendations Regarding Issuance of a Certificate of Need (CON) for expansion of the Burnsville Sanitary Landfill

Edward Kraemer and Sons, Inc., has requested that the Metropolitan Council prepare an environmental impact statement (EIS) and issue a Certificate of Need (CON) on a proposed expansion of the Burnsville Sanitary Landfill. The existing landfill covers approximately 98.4 acres, and the proposed expansion includes an additional 63 acres. Under Environmental Quality Board (EQB) rules, this project falls under the mandatory EIS category. On February 28, 1991 the Council adopted a Scoping Decision Document that describes the issues to be addressed in the EIS. The DEIS was prepared in response to the Scoping Document. The DEIS incorporates by reference three technical reports, including: alternatives to the project; ground and surface water impacts; and human health and ecological risk assessment. The Scoping Document requires the EIS to include information that is necessary to reach a decision regarding the need for the landfill expansion. Although the EIS does not make a judgement about whether a CON should be granted or not or whether alternatives are feasible or prudent, it provides the information to reach conclusions about these issues. In accordance with requirements of the Regional Solid Waste Policy Plan, a preliminary staff report on analysis and recommendations have been prepared regarding issuance of a CON. In accordance with EQB rules and Council policies, a public meeting on the DEIS and a public hearing on the preliminary CON report must be held. Since the two documents are very much interrelated, the DEIS public meeting and CON public hearing will be held on the same evening as back-to-back agenda items. Separate public records will be established for the two documents.

A public meeting and hearing will be held Wednesday, Oct. 16, 1991, at the Burnsville City Hall, 100 Civic Center Parkway, Burnsville, Minnesota. The public meeting on the DEIS will begin at 7 p.m., and the public hearing on the CON report will begin immediately after the public testimony has been received on the DEIS (estimated at approximately 8 p.m.). Contact Donna Mattson of the Metropolitan Council at 291-6493 if you wish to speak at the meeting. Please indicate whether you wish to comment on the DEIS, the CON report or on both documents. Written comments will also be accepted, but must be received by 4 p.m., Oct. 31, 1991. Comments should be sent to Paul Smith, Metropolitan Council Solid Waste Division, 230 E. 5th St., St. Paul, MN 55101.

Copies of the DEIS and CON reports have been provided to the following libraries for public review:

Dakota County Library System:

Burnhaven Library, 1101 W. Co. Rd. 42, Burnsville
Eagan Library, 1340 Wescott Rd., Eagan
Farmington Library, 325 Oak St., Farmington
Galaxie Library, 14955 Galaxie Av., Apple Valley
Hastings Library, 830 Vermillion St., Hastings
West St. Paul Library, 40 Emerson Av. E., West St. Paul

Hennepin County Library System:

Oxboro Library, 8801 Portland Av. S., Bloomington
Penn Lake Library, 8800 Penn Av. S., Bloomington

Scott County Library System:

Shakopee Library, 235 S. Lewis, Shakopee
Savage Library, 4341 W. Hwy. 13, Savage

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Inver Hills Community College Library, 8445 E. College Trail, Inver Grove Heights

Metropolitan Council Library, 230 E. 5th St., St. Paul

Copies of an DEIS Summary and the CON report are available free of charge, and copies of the DEIS and three technical reports are available at cost. To request copies of the documents, please call the Metropolitan Council's Data Center at 291-8140.

Department Of Public Safety

Office of Pipeline Safety

Notice of Solicitation of Outside Information or Opinions Regarding Proposed Rules Related to Pipeline Safety Funding

NOTICE IS HEREBY GIVEN that the State Department of Public Safety is seeking information or opinions from sources outside the agency in preparing to propose the adoption of rules governing the assessment of pipeline operators to cover the costs of operation of the Office of Pipeline Safety. The Commissioner of Public Safety has authority to assess pipeline operators for these costs under *Minnesota Statutes*, sections 299F.631 and 299J.12. The adoption of the rules is authorized by *Minnesota Statutes*, sections 299F.631 and 299J.04.

The State Department of Public Safety 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 statements should be addressed to:

Rose Keller
Office of Pipeline Safety
175 Aurora Avenue
St. Paul, Minnesota 55103

Oral statements will be received during regular business hours over the telephone at (612) 296-0649 and in person at the above address.

All statements of information and opinions will be accepted until further notice is published in the *State Register* that the Department intends to adopt or to withdraw the rules. Any written material received by the State Department of Public Safety will become part of the rulemaking record to be submitted to the attorney general or administrative law judge in the event that the rules are adopted.

Dated: 5 September 1991

Ralph Church, Commissioner
Department of Public Safety

Department of Revenue

Notice of Meeting of Advisory Commission on Intergovernmental Relations

The Advisory Commission on Intergovernmental Relations will hold its first general meeting from 9:00-12:00 a.m. on September 20, 1991. The meeting will be held at the Association of Minnesota Counties, 125 Charles Avenue, St. Paul.

Department of Social Work

Notice of Amended Governing Laws Requiring Mandatory Licensure for School Social Workers

The Minnesota Legislature has amended the governing laws for the Board of Social Work. The amendment requires mandatory licensure for School Social Workers by the Board of Social Work. The Legislature established two mechanisms for licensure of school social workers: grandparenting and examination. Both provisions require licensure by the Board of Teaching (dates are specified). The application deadline for grandparenting is **September 30, 1991**. The application deadline for the remaining examination is **November 15, 1991** (for the February 15, 1992 examination). No other examination will be given for this provision. Please contact the Board office at 612/643-2580 for an application packet for school social worker licensure or for more information.

Minnesota State Retirement System

Notice of Regular Meeting of Board of Directors

A regular meeting of the Board of Directors, Minnesota State Retirement System, will be held on Friday, September 20, 1991 at 8:30 a.m. in the office of the System, 175 W. Lafayette Frontage Rd, St. Paul, Minnesota.

State Grants

In addition to requests by state agencies for technical/professional services (published in the State Contracts section), the *State Register* also publishes notices about grant funds available through any agency or branch of state government. Although some grant programs specifically require printing in a statewide publication such as the *State Register*, there is no requirement for publication in the *State Register* itself.

Agencies are encouraged to publish grant notices, and to provide financial estimates as well as sufficient time for interested parties to respond.

Department of Corrections

Request for Proposals for Women Offenders Programming Grants

The Minnesota Department of Corrections, Office of Planning for Women Offenders, is requesting proposals for mini grants for programming for women offenders. Twenty thousand dollars (\$20,000) is available for approximately four to ten mini grants. Program parameters are not defined for these mini grants in order to let counties and agencies address the needs they are experiencing in their areas. For a copy of the RFP contact Genny Johnston at (612) 642-0275. For more information call Mary Scully Whitaker at the number listed below.

Proposals must be submitted by **4:30 p.m. on October 31, 1991** to:

Mary Scully Whitaker
(612) 642-0121
Minnesota Department of Corrections
Office of Planning for Women Offenders
300 Bigelow Building
450 North Syndicate Street
St. Paul, Minnesota 55104

Department of Health

Grant Funds Available for Family Planning Special Projects and a Family Planning Hotline

Due to amendments to the Family Planning Act (*Minnesota Statutes* 145.924) and the Family Planning Rule, (*Minnesota Rule* Parts, 4700.1900-4700.2500) which change the procedures for distribution of funds for CY 1992-1993, the deadline for submission of the Notice of Intent to Apply for Funds has been extended to 4:30 p.m., September 27, 1991.

Family Planning Special Projects

Family Planning is voluntary planning and action by individuals to attain or prevent pregnancy. Family Planning Special Projects (FPSP) grants will be made available to local government agencies and non-profit corporations to continue, expand, or develop prepregnancy family planning services in accordance with the Family Planning Act (*Minnesota Statutes* 145.925) and the Family Planning Rule (*Minnesota Rule* Parts 4700.1900-4700.2500). The amount of funding available for allocation in CY 1992-1993 is approximately \$4,448,900.

Applications will be reviewed and scored, and award recommendations made according to the Criteria for Award in part 4700.2300.

Substantive changes to the statute and rules relative to the application process include the following:

1. Agency Priority

The extent applicants propose to provide *family planning methods services* was added as a criteria for award of funds.

2. Funding Allocation

Funds will be set aside for a family planning hotline grant. Remaining funds will be allocated on a regional basis according to a needs-based distribution formula. Applications will be funded *within each region* in rank order from highest to lowest, as funds are available.

Applications for a family planning hotline shall be limited to five percent of the total funds available or \$100,000 per year, whichever is less. Applications, other than those for a family planning hotline grant, shall be limited to an annual application request of \$75,000 per year per region.

3. Conscience Clause

If an organization signs and submits with the application the "Conscience Clause Documentation" form, it shall not be reduced in priority for funding because it does not make available, directly or through referral, all methods of contraceptives for reasons of conscience.

All agencies that submit Notices of Intent will be provided application forms and instructions upon receipt of the notice of intent to apply for funds.

State Grants

Family Planning Hotline

Funds are available specifically for a statewide family planning hotline. The amount of funds available for a statewide family planning hotline is \$100,000 per year. Funds for the family planning hotline are available to a local government agency, or a non-profit corporation to provide services for the hotline in accordance with the Family Planning Act (*Minnesota Statute 145.925*) and the Family Planning Rule (*Minnesota Rule Parts 4700.1900-4700.2500*).

The application must contain identifiable plans and budget allocations for both the operation of the hotline and its promotion statewide.

Applications for the hotline will be reviewed and scored, and award recommendations made according to the Criteria for Award in part 4700.2300.

All agencies that submit a Notice of Intent to Apply for Funds will be provided application forms and instructions upon receipt of such notice.

Procedures and Information for Applying for Grants

Step 1: Applicants Must Provide Notice of Intent to Apply for Funds

Any organization interested in applying for funds should submit a Notice of Intent to:

Commissioner of Health
Minnesota Department of Health
717 Delaware St. S.E.
Minneapolis, MN 55440
ATTN: Grants Mgmt, Room 265

A copy of the Notice of Intent should also be sent to the Family Planning Special Projects and Family Planning Hotline Grant Manager:

Erica L. Fishman, MSW
Family Planning Department of Health
717 Delaware St. S.E.
P.O. Box 9441
Minneapolis, MN 55440
612/623-5267

The Notice of Intent must be received by the Department of Health no later than 4:30 p.m., Friday, September 27, 1991. A copy of the Notice of Intent must also be sent to the grant manager identified in the last section of this notice. In addition, non-Community Health Boards must submit a copy of the Notice of Intent to the Community Health Board in their geographical service area.

The Notice of Intent must include the following information:

- Name of Applicant Organization
- Type of Organization (e.g., "Community Health Board", "Non-Profit Hospital")
- Name, Address, and Telephone Number of a Contact Person
- Name of Grant Program(s)

(Note: If interested parties intend to submit a proposal that the Department Health judges is of statewide significance, the Department will provide one copy of the written Notice of Intent to each Community Health Board in the state. Any Community Health Board may subsequently request one copy of the completed application form from the applicant for review and comment.)

Step 2: The Department will Provide Application Materials

An organization expressing an intent to apply will be provided with pertinent application materials, information on the review and award process, and the name and telephone number of the Minnesota Department of Health consultant available to provide technical assistance concerning preparation of the grant application.

Step 3: Applicants Must Submit Completed Applications According to the Following Schedule

The original plus six additional copies of each completed application must be received by the:

Minnesota Department of Health
Maternal and Child Health Technical Services Section
717 S.E. Delaware St.
P.O. Box 9441
Minneapolis, MN 55440-9441

Professional, Technical & Consulting Contracts

no later than 4:30 p.m. on October 15, 1991. The completed application must also be submitted to appropriate Regional Development Commissions (RDCs) and Community Health Boards in the applicant's proposed geographic service area no later than the deadline of receipt of the application at the Minnesota Department of Health.

Other applications not received by the deadline will be reviewed and considered for funding only after all other applications are reviewed and funded (in accordance with available funds).

Step 4: The Department will Award Funds According to the Following Schedule

Applications will be reviewed as submitted except that, at its discretion, the Department may request further clarification. Grants will be awarded in accordance with priority areas and criteria identified in the application materials. Applicant organizations will be notified in writing of the grant award decisions and contracts will be completed to begin according to the following schedule:

| | <u>Award Decision</u> | <u>Contract</u> |
|---------------------------------|-----------------------|-----------------|
| Family Planning Special Project | December 1991 | January 1, 1992 |
| Family Planning Hotline | December 1991 | January 1, 1992 |

Duration of Funding

Funds will be awarded for the period of January 1, 1992 through December 31, 1993. Funding for the full award period will be dependent upon state appropriations for the biennium beginning July 1, 1993.

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.

Minnesota Department of Health

AIDS/STD Prevention Services Section

Request for Proposals for Program Evaluation Consultation Services

Purpose

The Minnesota Department of Health has funds available for the provision of program evaluation consultation to staff of the AIDS/STD Prevention Services Section of the Minnesota Department of Health.

Amount

Up to \$50,000 for initial contract period.

Duration

The contractor shall provide consultation services from December 1, 1991 through December 31, 1992. Continuation funding will be dependent upon the availability of HIV prevention funds to the MDH and satisfactory performance by the contractor during the first year.

Proposals

The complete request of proposals packet is available upon request, including instructions, format, necessary forms, and selected readings. Interested agencies or professionals are required to submit 6 copies of the completed proposal by **4:30 p.m., Friday, October 18, 1991** to:

Jill D. Isensee, M.P.H., Program Manager
Prevention Programs Unit
AIDS/STD Prevention Services Section
Minnesota Department of Health
717 S.E. Delaware Street
P.O. Box 9441
Minneapolis, Minnesota 55440
(612) 623-5698

Professional, Technical & Consulting Contracts

Minnesota Historical Society

Notice of Contract Availability to Provide and Apply Carpet Tile Material

The Minnesota Historical Society is soliciting bids for the provision and application of carpet tile material for its Minnesota History Center pursuant to technical specifications dated September 3, 1991.

Copies of the specifications may be obtained by calling Gary W. Goldsmith, Contracting Officer, at (612) 296-2155.

A mandatory pre-bid conference will be conducted September 20, 1991. Bids are due at 2:00 p.m. October 4, 1991.

The work will be performed under contract. All employees performing work under the contract must be paid according to Minnesota prevailing wage statutes.

Metropolitan Council

Request for Proposals to Perform an Analysis of Options for the Design and Operation of a Region-Wide 800 Mhz Trunked Radio System

The Metropolitan Council solicits a proposal for entering in a contract to analyze and evaluate design configurations for a region-wide radio communications system to serve local government agencies in the Twin Cities Metropolitan Area.

Ten copies of the proposal should be submitted to the:

Metropolitan Council
Mears Park Centre
230 E. Fifth St.
St. Paul, MN 55101
Attention: John McGough, contract manager.

The deadline for submission is 4 p.m. on Monday, Oct. 7, 1991.

The Council, by this RFP, does not promise to accept the lowest, or any other, proposal, and specifically reserves the right to reject any or all proposals, waive any formal requirements, reject any provision in any proposal, obtain new proposals, or proceed to do the work otherwise.

Targeted group businesses are encouraged to submit proposals. No proposer shall be subjected to discrimination on the basis of race, color, creed, sex, age, affectional preference, religion, disability, public-assistance status, marital status, national origin or political affiliation.

Request a copy of the RFP from John McGough at 612/291-6388.

Metropolitan Waste Control Commission

Public Notice for Prequalification for Engineering Services

NOTICE IS HEREBY given that the Metropolitan Waste Control Commission is soliciting prequalifications for engineering services for the following:

| <u>Service Type</u> | <u>Project Number</u> | <u>Project Name</u> |
|---------------------|-----------------------|--|
| Planning & Design | 875390 | Chaska WWTP Expansion |
| Planning Study | 920100 | Study of Service Options, Centralization or Decentralization |
| Planning Study | 920200 | Study of Future Technological Needs at Treatment Plants |

All firms interested in being considered for these projects are invited to submit a letter asking for the project Request For Qualifications (RFQ).

All inquiries and submittals are to be addressed to:

Mr. Joseph H. Edwards, PE, CCS, CSI
Contracts and Drafting Manager
Metropolitan Waste Control Commission
Mears Park Centre
230 East Fifth Street

St. Paul, Minnesota 55101
(612) 229-2137

By Order of the
Metropolitan Waste Control Commission
Mr. Gordon O. Voss
Chief Administrator

Department of Natural Resources

Request for Proposals to Contract for Services of a Full-Service Public Relations Agency

The Minnesota Department of Natural Resources (DNR) wishes to enter into a contract with a full-service public relations agency to provide services to the DNR-Division of Fish and Wildlife for Fiscal Year 1992.

I. Introduction

To enable the Department of Natural Resources to more effectively manage and control detrimental non-native species (i.e. Eurasian Water Milfoil, Purple Loosestrife, and Zebra Mussel) it is essential that citizens of Minnesota have an awareness of these exotic species and an understanding of how they can affect the spread or control of them.

II. Goals

- a. Raise general awareness among the state population and visitors about the issue of non-native plant and animal species which can, and are having a detrimental effect on the ecology of Minnesota's lakes and wildlife habitats.
- b. Increase understanding among boaters, and other recreational users of Minnesota's natural resources how they can help control the spread of these non-native species.

III. Objectives

- a. Create a comprehensive public relations and communications plan that will guide the Department of Natural Resources in reaching the stated goals.
- b. Develop funding mechanisms that will allow the Department to fully implement the communications plan.

IV. Project tasks

The following tasks are the minimum required for successful completion of the project:

1. Develop and provide a public relations/communications plan that lays out a detailed set of actions, specific time lines, costs, and expected results that will realistically allow the DNR to reach the stated goals of this request.
2. Help develop specific funding sources, including but not limited to the development of corporate partnerships, cause-related marketing ventures, etc. that will fund the implementation of the plan (estimated to be \$100,000 to \$150,000).
3. Provide general counsel in the implementation of the plan.

V. Contacts

Prospective respondents who have any questions regarding this request may call or write:

Tom Baumann
MN/DNR Bureau of Information and Education
Box 46
500 Lafayette Road
St. Paul, MN 55155
(612) 297-4192

Please note: Mr. Baumann will inform prospective contractors about authorized contacts in the DNR: other DNR personnel are not allowed to discuss the project with respondents before the deadline for submitting proposals

VI. Submission of Proposals

All proposals must be sent and received by:

Tom Baumann
MN/DNR Bureau of Information and Education
Box 46
500 Lafayette Road
St. Paul, MN 55155

Professional, Technical & Consulting Contracts

no later than 4:30 p.m., September 30, 1991. Late proposals will not be accepted. Submit five copies of the proposal. Each copy must be signed in ink by an authorized member of the firm.

VII. Project Costs

The cost of this project, for agency time only, is estimated not to exceed \$20,000.

VIII. Project Completion Date

The project will be completed by June 30, 1992

IX. Proposal Contents

The following will be considered minimum contents of the proposal:

- A restatement of the goals and objectives to demonstrate the respondent's understanding of the project
- A statement on the key issues related to non-native species to demonstrate an initial understanding of the concerns.
- A section describing the company and the team members who will be working on this project. This section must estimate the number of person-hours each team member will spend on the project.
- A section to clearly identify and quantify the participation in the project by the Department of Natural Resources.
- A description of potential public relations strategies.
- An outline of potential funding mechanisms, or joint venture options.
- An initial cost and work plan which will identify the major tasks to be accomplished, their costs and any deliverables. It should be of sufficient detail to be used as a project scheduling and managing tool as well as the basis for invoicing.

X. Evaluation of proposals

All qualifying proposals will be evaluated by representatives of the Department of Natural Resources. At the discretion of the DNR, an interview may be incorporated into the evaluation process. Factors on which proposals will be judged include, but are not limited to:

- Expressed understanding of the project and the issue
- Project work plan and cost
- Previous successful experience developing funding or joint ventures
- Qualifications of the firm and its personnel as it applies to the specific needs of the request
- Quality of the ideas.



Woodworking for Wildlife

Woodworking for Wildlife. Includes a variety of game bird and mammal box designs, with information on the placement of nests in proper habitat areas and maintenance requirements. Diagrams, 48 pp. Stock #9-14, \$3.95.

Landscaping for Wildlife. Gardening tips and landscaping techniques that add natural beauty to your property and habitat for wildlife. Over 70 color photos and 144 pages. Stock #9-15, \$8.95.

Wildlife Set. Order both books above as a set and save 15%. Stock #9-20, \$10.95.

Minnesota's Favorite Birds Posters. 22" x 17", full color. **Winter:** Code #9-2, \$5.00. **Summer:** Stock #9-50, \$5.00.

Mammals of Minnesota, discusses wild mammals that inhabit Minnesota today, or in the recent past. Tells how to identify them, their distribution in the state, and their natural history. U of M Press, 1977, illustrated, index, bibliography, paperbound, 290 pp. Stock #19-35, \$16.95.

Bird Portraits in Color, a total of 295 species of birds are depicted through magnificent illustrations, reproduced in seven-color lithography, accompanied by authoritative information about birds' activities, habitats, songs, and other characteristics, U of M Press, 1980, index, 92 color plates, hardbound. Stock #19-41, \$12.95.

TO ORDER: Send to Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155. Call (612) 297-3000, or toll-free in Minnesota: 1-800-657-3757. Minnesota residents please include 6½% sales tax. On all orders, add \$2.00 per order for handling. Prepayment is required. Please include daytime phone. VISA/MasterCard, American Express and Discover 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.

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: 386/20 computers
Contact: Bernadette Vogel 296-3778
Bid due date at 4:30pm: September 18
Agency: Minnesota Department of Health
Deliver to: Minneapolis
Requisition #: B 12400-81701

Commodity: Upgrade of an IBM 4381/CPU
Contact: Bernadette Vogel 296-3778
Bid due date at 2pm: September 23
Agency: Community College Board
Deliver to: St. Paul
Requisition #: B 27138-52997

Commodity: A-V equipment
Contact: Pam Anderson 296-1053
Bid due date at 4:30pm: September 18
Agency: Metropolitan State University
Deliver to: Minneapolis
Requisition #: B 26176-03344

Commodity: Voca software
Contact: Joan Breisler 296-9071
Bid due date at 4:30pm: September 18
Agency: Department of Human Services
Deliver to: St. Paul
Requisition #: B 55000-30018

Commodity: Rebuilt copier—rebid
Contact: Jack Bauer 296-2621
Bid due date at 4:30pm: September 18
Agency: Bemidji State University
Deliver to: Bemidji
Requisition #: B 26070-14490-1

Commodity: Reclining chair
Contact: Jack Bauer 296-2621
Bid due date at 4:30pm: September 20
Agency: Minnesota Housing Finance Agency
Deliver to: St. Paul
Requisition #: B 34000-06930

Commodity: PLS monument caps
Contact: Jack Bauer 296-2621
Bid due date at 2pm: September 20
Agency: Minnesota Department of Transportation
Deliver to: St. Paul
Requisition #: B 79000-21838

Commodity: 386 SX/16 computers
Contact: Bernadette Vogel 296-3778
Bid due date at 4:30pm: September 18
Agency: Minnesota Department of Health
Deliver to: Minneapolis
Requisition #: B 12500-81702

Commodity: 386 SX/16 computers
Contact: Bernadette Vogel 296-3778
Bid due date at 4:30pm: September 18
Agency: Department of Labor & Industry
Deliver to: St. Paul
Requisition #: B 42207-16977

Commodity: Lighting fixtures
Contact: Joan Breisler 296-9071
Bid due date at 4:30pm: September 18
Agency: Hibbing Community College
Deliver to: Hibbing
Requisition #: B 27143-43243

Commodity: Copier rent (used)
Contact: Jack Bauer 296-2621
Bid due date at 4:30pm: September 18
Agency: Minnesota Department of Jobs & Training
Deliver to: Rochester
Requisition #: B 21200-41707

Commodity: Folder
Contact: Jack Bauer 296-2621
Bid due date at 4:30pm: September 13
Agency: Normandale Community College
Deliver to: Bloomington
Requisition #: B 27156-10810

Commodity: Calculators
Contact: Jack Bauer 296-2621
Bid due date at 4:30pm: September 20
Agency: Minnesota Department of Education/Accounts Payable
Deliver to: St. Paul
Requisition #: B 37010-92833

Commodity: Welding supplies
Contact: Jack Bauer 296-2621
Bid due date at 4:30pm: September 20
Agency: Minnesota Department of Transportation
Deliver to: Golden Valley
Requisition #: B 79500-22504

Commodity: Pontoon boat and outboard
Contact: Mary Jo Bruski 296-3772
Bid due date at 4:30pm: September 19
Agency: Willow River Camp
Deliver to: Willow River
Requisition #: B 78890-42007

State Contracts and Advertised Bids

Commodity: Romer vomitoxin tests mill
Contact: Bernadette Vogel 296-3778
Bid due date at 4:30pm: September 19
Agency: Minnesota Department of Agriculture
Deliver to: Minneapolis
Requisition #: B 04131-21282

Commodity: Telebit modem
Contact: Bernadette Vogel 296-3778
Bid due date at 4:30pm: September 19
Agency: Minnesota Department of Health
Deliver to: Minneapolis
Requisition #: B 12000-81841

Commodity: Laserjet II P
Contact: Bernadette Vogel 296-3778
Bid due date at 4:30pm: September 19
Agency: Minnesota Department of Jobs & Training
Deliver to: Various places
Requisition #: B 21607-27967

Commodity: Hei scanner
Contact: Bernadette Vogel 296-3778
Bid due date at 4:30pm: September 19
Agency: Bemidji State University
Deliver to: Bemidji
Requisition #: B 26070-14499

Commodity: Ext. controller for MAC Plus—no substitute
Contact: Bernadette Vogel 296-3778
Bid due date at 4:30pm: September 19
Agency: Winona State University
Deliver to: Winona
Requisition #: B 26074-14125

Commodity: Modem
Contact: Bernadette Vogel 296-3778
Bid due date at 4:30pm: September 19
Agency: Metropolitan State University
Deliver to: St. Paul
Requisition #: B 26176-03335

Commodity: Recharge laser cartridges
Contact: Bernadette Vogel 296-3778
Bid due date at 4:30pm: September 19
Agency: Minnesota Pollution Control Agency
Deliver to: St. Paul
Requisition #: B 32600-30531

Commodity: Modems and printers
Contact: Bernadette Vogel 296-3778
Bid due date at 4:30pm: September 19
Agency: Department of Public Safety/Finance
Deliver to: South St. Paul
Requisition #: B 07500-27031

Commodity: Back-up tape
Contact: Bernadette Vogel 296-3778
Bid due date at 4:30pm: September 19
Agency: Minnesota Department of Health
Deliver to: Minneapolis
Requisition #: B 12500-81899

Commodity: D.G. memory board
Contact: Bernadette Vogel 296-3778
Bid due date at 2pm: September 23
Agency: Bemidji State University
Deliver to: Bemidji
Requisition #: B 26070-14497

Commodity: IBM PS/2 model 55
Contact: Bernadette Vogel 296-3778
Bid due date at 4:30pm: September 19
Agency: Bemidji State University
Deliver to: Bemidji
Requisition #: B 26070-14545

Commodity: Epson printer
Contact: Bernadette Vogel 296-3778
Bid due date at 4:30pm: September 19
Agency: Southwest State University
Deliver to: Marshall
Requisition #: B 26175-02233

Commodity: Wolfe microscope
Contact: Bernadette Vogel 296-3778
Bid due date at 4:30pm: September 19
Agency: Cambridge Center
Deliver to: Cambridge
Requisition #: B 27141-48932

Commodity: Maintenance agreement—Apple Laserwriter II NTX
Contact: Bernadette Vogel 296-3778
Bid due date at 4:30pm: September 19
Agency: Minnesota Pollution Control Agency
Deliver to: St. Paul
Requisition #: B 32600-30532

Commodity: Hayes modem
Contact: Bernadette Vogel 296-3778
Bid due date at 4:30pm: September 19
Agency: Minnesota Department of Education/Accounts Payable
Deliver to: St. Paul
Requisition #: B 37010-92897

Commodity: IBM PS/2 model 30
Contact: Bernadette Vogel 296-3778
Bid due date at 4:30pm: September 19
Agency: Anoka-Metro Regional Treatment Center
Deliver to: Anoka
Requisition #: B 55100-47440

Commodity: Blood analyzer
Contact: Bernadette Vogel 296-3778
Bid due date at 4:30pm: September 19
Agency: Faribault Regional Center
Deliver to: Faribault
Requisition #: B 55303-16273

Commodity: Alldata system III
Contact: Bernadette Vogel 296-3778
Bid due date at 4:30pm: September 19
Agency: Minnesota Correctional Facility
Deliver to: St. Cloud
Requisition #: B 78830-11006

Commodity: Custom counter/cabinets—rebid
Contact: Pam Anderson 296-1053
Bid due date at 4:30pm: September 20
Agency: North Hennepin Community College
Deliver to: Brooklyn Park
Requisition #: B 27000-10361-1

Commodity: NSF equipment stand
Contact: Joan Breisler 296-9071
Bid due date at 4:30pm: September 19
Agency: Minnesota Correctional Facility
Deliver to: St. Cloud
Requisition #: B 78830-11010

Commodity: Meat for October delivery
Contact: Linda Parkos 296-3725
Bid due date at 2pm: September 18
Agency: Minnesota Correctional Facility
Deliver to: Stillwater
Requisition #: B 78620-00412

Commodity: Seagate hard drive
Contact: Bernadette Vogel 296-3778
Bid due date at 4:30pm: September 19
Agency: Department of Human Services
Deliver to: St. Paul
Requisition #: B 55000-23899

Commodity: Refurbished hematology analyzer
Contact: Bernadette Vogel 296-3778
Bid due date at 4:30pm: September 19
Agency: Faribault Regional Center
Deliver to: Faribault
Requisition #: B 55303-16272

Commodity: 386 SX-16 computer
Contact: Bernadette Vogel 296-3778
Bid due date at 2pm: September 23
Agency: Faribault Regional Center
Deliver to: Faribault
Requisition #: B 55303-16277

Commodity: Dytec scanner
Contact: Bernadette Vogel 296-3778
Bid due date at 4:30pm: September 19
Agency: Minnesota State Lottery
Deliver to: Roseville
Requisition #: B 99997-20012

Commodity: Hardware electronic
Contact: Joan Breisler 296-9071
Bid due date at 4:30pm: September 19
Agency: St. Peter Regional Treatment Center
Deliver to: St. Peter
Requisition #: B 55105-08994

Commodity: Poultry for October, November and December
Contact: Linda Parkos 296-3725
Bid due date at 4:30pm: September 18
Agency: Minnesota Correctional Facility
Deliver to: Stillwater
Requisition #: B 78620-00411

Commodity: Film processor
Contact: Jack Bauer 296-2621
Bid due date at 2pm: September 19
Agency: Minnesota Department of Administration
Deliver to: St. Paul
Requisition #: B 02520-20835

Commodity: Pressure washing
Contact: Pam Anderson 296-1053
Bid due date at 4:30pm: September 20
Agency: Department of Administration
Deliver to: St. Paul
Requisition #: B 02307-24221

Commodity: Roof-framing materials
Contact: Pam Anderson 296-1053
Bid due date at 4:30pm: September 20
Agency: Minnesota Department of Transportation
Deliver to: Brainerd
Requisition #: B 79000-21417

Commodity: Rubbish disposal
Contact: Joyce Dehn 297-3830
Bid due date at 2pm: September 26
Agency: Cambridge Regional Treatment Center
Deliver to: Cambridge
Requisition #: Price contract

Commodity: Copier rental
Contact: Jack Bauer 296-2621
Bid due date at 2pm: September 23
Agency: Department of Natural Resources—Littlefork Forestry Headquarters
Deliver to: Littlefork
Requisition #: B 29002-21792

Commodity: Aluminum canoe
Contact: Mary Jo Bruski 296-3772
Bid due date at 4:30pm: September 20
Agency: Thistledeew Youth Camp
Deliver to: Togo
Requisition #: B 78780-05003

Commodity: Ast 386/33 computers—no substitute
Contact: Bernadette Vogel 296-3778
Bid due date at 4:30pm: September 20
Agency: Mankato State University
Deliver to: Mankato
Requisition #: B 26071-64118-1

Commodity: Color monitors
Contact: Pam Anderson 296-1053
Bid due date at 4:30pm: September 20
Agency: Metropolitan State University
Deliver to: Minneapolis
Requisition #: B 26176-03343

Commodity: Poultry for October delivery
Contact: Linda Parkos 296-3725
Bid due date at 4:30pm: September 26
Agency: Minnesota Correctional Facility
Deliver to: St. Cloud
Requisition #: B 78830-11012

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: X-ray report, negs available, 1-sided, 6M sets, 3 parts 1 pg, top stub, carbonless, perf, shrink wrap, 8½"x6½" overall

Contact: Printing Buyer's Office

Bids are due: September 18

Agency: Human Services Department

Deliver to: St. Paul

Requisition #: 18646

Commodity: Achievement newsletter, 10M, 8 pp, 6 issues, camera ready copy, 22"x16" flat, 2 folds

Contact: Printing Buyer's Office

Bids are due: September 19

Agency: Minnesota State University System

Deliver to: St. Paul

Requisition #: 18617

Commodity: Determination order, negs available, 12M continuous sets, 3 parts 1 pg, set type, perf between and both sides, punch computer pinfeed strips both sides

Contact: Printing Buyer's Office

Bids are due: September 18

Agency: Department of Human Services

Deliver to: New Brighton

Requisition #: 18647

Commodity: Printing and mailing of Minnesota Department of Revenue withholding coupon books, 2 types, camera ready copy, contract term 1 yr.: to be printed, personalized w/ taxpayer information, OCR encoded, addressed from Department of Revenue data tapes, perf, collated, assembled, taped and inserted into mailing envelopes and mailed (*see specs*)

Contact: Printing Buyer's Office

Bids are due: September 19

Agency: Department of Revenue

Deliver to: St. Paul

Requisition #: 18663

Announcements

Environmental Quality Board (EQB): Comments are due October 2 on the EAWs (environmental assessment worksheets) on the following projects at their listed regional governing units: **Highland Ridge Subdivision**, Olmsted County, Jane Kansier, 2122 Campus Drive SE, Rochester, MN 55904, 507/287-8232; **Target Meadowlands**, White Bear Township, William Short, 1281 Hammond Road, White Bear, MN 55110, 429-5827; **Northwest Airlines Duluth Maintenance Base**, City of Duluth, Jim Mohn, 409 City Hall, Duluth, MN 55802, 218/723-3328.

"Minnesota Milestones" Meeting: The Environmental Quality Board will host this meeting on Wednesday, October 2 at the Natural Resources Research Institute in Duluth. The Milestones project is an effort to develop a strategic long-range plan for the State. Meetings are being held throughout the state to solicit public input. The Duluth public meeting will focus on the State's environment. Persons interested in receiving more information and future notices regarding this meeting should contact: Bob Cupit, Environmental Quality Board, 300 Centennial Bldg., 658 Cedar St., St. Paul, MN 55155, 612/296-2096.

Grants for Nongame Wildlife Research in Minnesota: The Minnesota Nongame Wildlife Program is soliciting proposals for projects to be conducted during the 1992 and/or 1993 field seasons (or longer). • Proposals should be for work contributing to the conservation and management of nongame wildlife (vertebrate or invertebrate) in Minnesota. High priority will be given to projects focusing on state endangered, threatened, or special concern species, native grassland species, wetland/aquatic species, and topics relevant to the management of state parks. • Appropriate projects may include censuses/surveys, studies of life history/population dynamics/habitat requirements, assessment or identification of habitat quality/quantity, design of long-term monitoring programs, development/evaluation of land use/management techniques, and a wide variety of other topics. • Awards average \$3000 per year, but requests up to \$10,000 per year will be considered. • **The deadline for submitting proposals is January 1, 1992. Decisions will be announced no later than March 1, 1992.** • For program guidelines, proposal format, list of research ideas, E&T species list, and other information, please contact: Richard J. Baker, Nongame Wildlife Program, Minnesota Department of Natural Resources, Box 7, 500 Lafayette Road, St. Paul, MN 55155-4007 (or call at 612-297-3764). (*Funding comes from contributions to the Minnesota Nongame Wildlife Tax Checkoff and Minnesota State Parks merchandise sales.*)

Ducks float. Duck hunters don't. That's the message from the Minnesota Department of Natural Resources (DNR) which reminds Minnesota waterfowl hunters that they are required to carry one U.S. Coast Guard approved personal flotation device (PFD or life preserver) for each person on board their boats. • That legislation became effective with the 1988 waterfowl season, and Minnesota has had no duck hunter drownings since then, said Tim Smalley, DNR boating safety specialist. • Water safety experts have found in tests that it is almost impossible to put a life jacket on after an accident takes place, due to panic and the shock of entering cold water. • Any Coast Guard approved PFD fulfills the law's requirements, but the DNR recommends the type III vest or float coat style life jackets that provide more protection from hypothermia than the orange "Mae West" devices. • "Hypothermia is a life-threatening lowering of body core temperature, and is involved in most duck hunter fatalities," Smalley noted. "With October water temperatures falling to the low 40s, hypothermia becomes a real possibility for a victim in the water for any length of time. Even strong Olympic-class swimmers have a difficult time swimming for more than a few yards in water that cold," he added. • Other water safety tips for duck hunters include: **Wear a life jacket on the way to and from the blind; don't overload the boats; keep hunting dogs under control; don't cross large expanses of open water; don't use alcohol; practice floating in hunting clothes, including waders and hip boots** (by bending their legs into a seated position, hunters can trap enough air in the waders or hip boots to keep them afloat indefinitely); **stay with the boat if it capsizes** (unless the boat is sinking, it is much better to stay with a swamped or capsized craft than to try swimming for shore. (*Hunting '91/DNR News*, August 1991. "PFD: don't leave shore without it" by Tim Smalley, DNR Boat and Water Safety Specialist, pp. 13-14.)

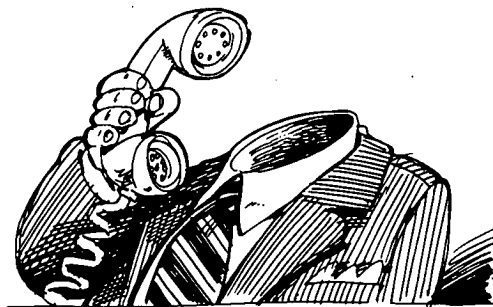
Fort Snelling/Minnesota River Valley Alternative Deer Control Program: Details have been finalized for a unique deer control program designed to lower deer populations on public lands along portions of the Minnesota River east of Interstate 35W, the Department of Natural Resources (DNR) announced today. Any licensed 1991 firearms or bow and arrow deer hunter may apply for one of 369 permits that, along with purchase of a bonus license, would allow the taking of antlerless deer only by shotgun in portions of Fort Snelling State Park and the Minnesota Valley National Wildlife Refuge. • **Permits will be issued for three time periods:** Nov. 30 to Dec. 1 (two days), Dec. 6 to Dec. 8 (three days), and Dec. 13 to Dec. 15 (three days). The bonus license would allow participants to take an antlerless deer during one of the time periods, even if the hunter tags a deer during either the regular firearms or bow and arrow seasons. DNR officials cautioned, however, that in no case can anyone tag more than two deer in a season. • **To apply for the Alternative Deer Control Program,** a postcard with the applicant's name, address, work and home telephone numbers, first and second preference for dates, and the applicant's 1991 firearms or bow and arrow license number must be submitted to: Minnesota Valley Alternative Deer Control Program, Minnesota Valley National Wildlife Refuge, 3815 E. 80th St., Bloomington, MN 55425-1600. Postcards must be received at the above address by 4:30 p.m. on Oct. 4 to be eligible for the drawing. Up to four people may apply as a party by mailing all applications in one envelope. Either the entire party will be selected or none will be selected. All members of a party must indicate the same first and second preferences for dates. • **Successful applicants will be notified by Oct. 18 and will be required to attend an orientation session.** The orientation session for the time periods beginning Nov. 30 and Dec. 6 will be held the evening of Oct. 22. The session for the time period beginning Dec. 13 will be the evening of Oct. 23. The U.S. Fish and Wildlife Service will be charging a \$2 administrative fee for each permit issued. Also, participants will be required to purchase a bonus firearms deer license (\$22) at the orientation session. The session will inform hunters of some special regulations that have been implemented for this program, including requirements that all deer be taken by shotgun from temporary or portable elevated stands, and check-in and deer registration procedures. Also, permittees under age 18 must be accompanied by an adult with a valid permit to participate. • **For copies of maps and application instructions,** call (612) 725-3723.

Public Invited to Review Plans for New State Park: Plans for the development of Grand Portage State Park, scheduled to open in the fall of 1993, will be presented at two information forums this month, hosted by the Department of Natural Resources' Parks and Recreation Division. The informal public meetings will take place on Thursday, Sept. 19, in the Grand Marais City Hall, and Friday, Sept. 20, in Room 232 of Grand Portage Lodge in Grand Portage. Park planners will be available from 3 p.m. to 7 p.m. both days to discuss the development plans with the public. • The forums will give the public, and area residents in particular, opportunities to share their thoughts regarding park development and plans for a visitor center, hiking trails and picnic areas, according to Dennis Thompson, a DNR state parks planner. • Grand Portage State Park, located within the Grand Portage Indian Reservation, is 42 miles north of Grand Marais. It is bordered by Lake Superior on the east, and the Pigeon River and Canadian border on the north. • The draft management plan is available for review at the public library in Grand Marais and the Reservation Business Council office in Grand Portage.

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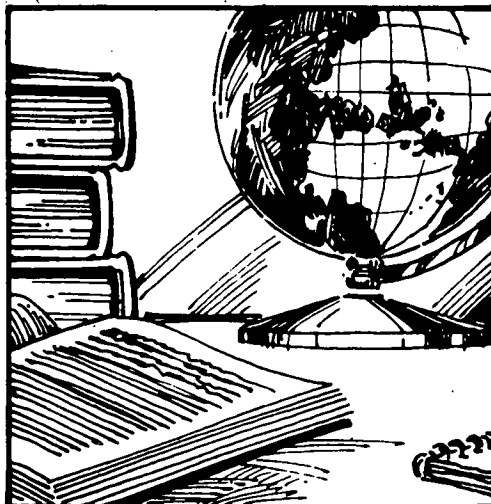
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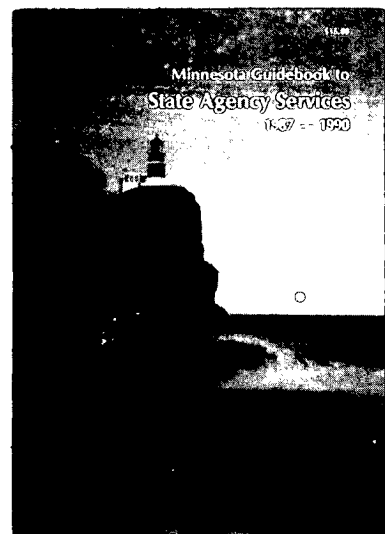
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