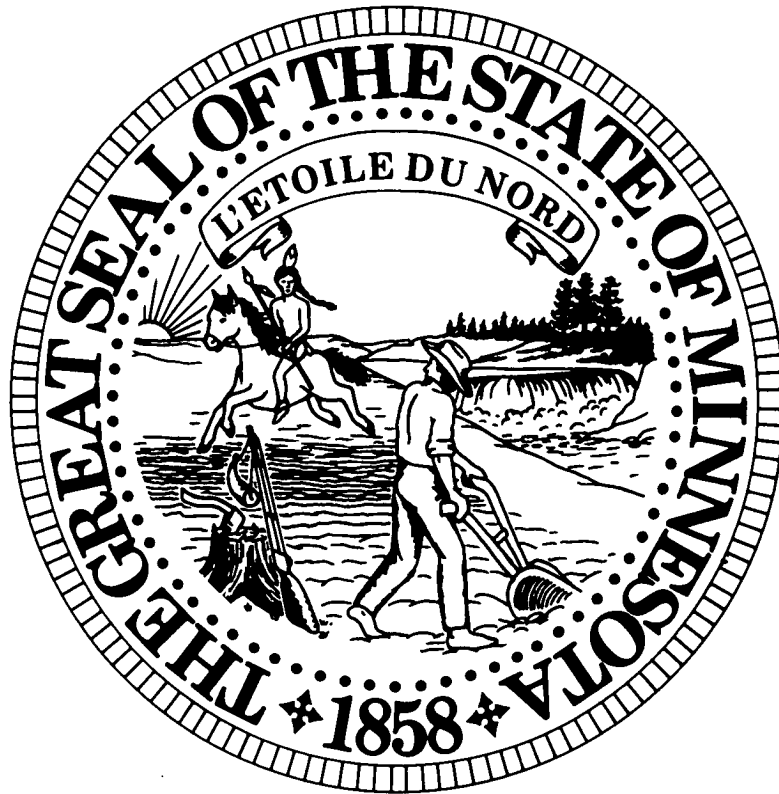


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The Minnesota
**State
Register**

Department of Administration—Print Communications Division



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

Monday 2 December 1991
Volume 16, Number 23
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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
23	Monday 18 November	Monday 25 November	Monday 2 December
24	Monday 25 November	Monday 2 December	Monday 9 December
25	Monday 2 December	Monday 9 December	Monday 16 December
26	Monday 9 December	Monday 16 December	Monday 23 December

*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

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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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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.

Department of Health

Proposed Permanent Rules Relating to Physician Assistants Registration

Alternative Notices

Notice of Intent to Adopt Rules Without a Public Hearing, Notice of Intent to Adopt Rules With a Public Hearing If 25 or More Persons Request a Hearing, and Notice of Intent to Cancel Hearing If Fewer Than 25 Persons Request a Hearing

I.

EXPLANATION OF ALTERNATIVE NOTICES

The Minnesota Department of Health (Department) is hereby giving notice of its intent to adopt rules without a public hearing under the noncontroversial rulemaking procedure of *Minnesota Statutes*, sections 14.22 to 14.28. However, if 25 or more persons request a hearing, thus necessitating that one be held pursuant to *Minnesota Statutes*, section 14.25, and in order to expedite the rulemaking process should that occur, the Department is at the same time hereby giving notice of the hearing on the proposed rules pursuant to *Minnesota Statutes*, sections 14.131 to 14.20. The hearing will, of course, be cancelled if 25 or more people do not request that one be held. The hearing will also be cancelled if a sufficient number of people withdraw their requests for a hearing. With the comment period closing on January 3, 1992 there will be 7 days before the scheduled hearing date which is January 10, 1992. This seven day period will give interested persons ample time to contact the Department to find out whether the hearing will be cancelled and to plan accordingly.

II.

NOTICE OF INTENT TO ADOPT RULES WITHOUT A PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Department proposes to adopt the above-captioned rules without a public hearing unless 25 or more persons submit written requests for a public hearing. The Department has determined that the proposed rules will be noncontroversial in nature and has elected to follow the procedures set forth in *Minnesota Statutes*, sections 14.22 to 14.28.

Interested persons shall have until January 3, 1992 to submit comments in support of or in opposition to the proposed rules. Comment is encouraged. Each comment should identify the portion of the proposed rules being addressed, the reason for the comment, and any change proposed to the rule by the comment. The proposed rules may be modified if the modifications are supported by the data and views submitted to the Department and do not result in a substantial change in the proposed language.

In addition to submitting comments, interested persons may request in writing during the comment period that a hearing be held on the proposed rules. Any person requesting a hearing should state his or her name, address, and telephone number and is encouraged to identify the portion of the proposed rules addressed, the reason for the request, and any changes they want made to the proposed rules. If a person desires that a hearing be held on only a portion of the rules, it is requested that the Department be informed of the specific amendments on which the hearing is being requested at the time that the hearing request is made. This will enable the Department to limit the hearing, if one is held, to the specific issues of concern. 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 by January 3, 1992. If a hearing is required, it will be held in accordance with the provisions of *Minnesota Statutes*, sections 14.131 to 14.20 and the hearing notice provided in Part III below.

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

Annette Spencer
Health Care Delivery Systems
Minnesota Department of Health
P.O. Box 9441
717 Delaware Street Southeast
Minneapolis, MN 55440
(612) 623-5131

The statutory authority of the Department to adopt the proposed rules is contained in *Minnesota Statutes*, section 147.34. As authorized by section 147.34, the Department is implementing prescribing and administering delegation by amending *Minnesota Rules* parts 5600.2600 to 5600.2665 (physician assistant rules) promulgated under *Minnesota Statutes*, section 214.13.

A copy of the proposed rules is attached to this notice. In general, the proposed rules will: 1) establish a system of identifying physician assistants eligible to prescribe and administer drugs and medical devices; 2) establish categories of drugs and medical devices that each physician assistant is allowed to prescribe and administer; 3) provide guidelines for documentation of prescribing and administering activities; 4) designate grounds for disciplinary actions related to physician assistant prescribing and administering; and 5) establish a system of transmitting to pharmacies a listing of physician assistants eligible to prescribe and the types of drugs and medical devices they are allowed to prescribe.

A **STATEMENT OF NEED AND REASONABLENESS** that describes the need for and reasonableness of each provision of the proposed rules has been prepared and may be obtained from the Department by writing or telephoning Annette Spencer at the address or telephone number listed above.

Promulgation of the proposed rules will not result in the expenditure of more than \$100,000 in public monies by local public bodies for the two years immediately following adoption of the rule nor have an impact on agricultural land; therefore, no further information need be provided under *Minnesota Statutes*, section 14.11.

It is the position of the Department that these proposed rules are not subject to *Minnesota Statutes*, section 14.115 regarding small business considerations in rulemaking. The basis for this position and the Department's evaluation of the applicability of the methods contained in *Minnesota Statutes*, section 14.115, subd. 2 for reducing the impact of the proposed rules if they are subject to *Minnesota Statutes*, section 14.115, are addressed in the statement of need and reasonableness.

Should it be determined that these rules are subject to *Minnesota Statutes*, section 14.115, notice is hereby provided that the rules may have an economic impact on small businesses. Although there is a fee for review of agreements containing delegation of prescribing and administering, these rules should result in time savings, and therefore cost savings for those supervising physicians who choose to delegate prescribing and administering functions to the physician assistant.

If no hearing is required, upon adoption of the rules, the rules as proposed, this notice, the statement of need and reasonableness, all written comments received, the rules as adopted, and a statement explaining any differences between the rules as proposed and as adopted will be delivered to the Attorney General for review as to form and legality, including the issue of substantial change. Persons who wish to be advised of the submission of this material to the Attorney General or who wish to receive a copy of the amendments as adopted should submit a written request to Annette Spencer at the address listed above.

III.

NOTICE OF INTENT TO ADOPT RULES WITH A PUBLIC HEARING IF 25 OR MORE PERSONS REQUEST A HEARING
PLEASE NOTE THAT IF 25 OR MORE PERSONS SUBMIT WRITTEN REQUESTS FOR A PUBLIC HEARING WITH RESPECT TO THE ABOVE-CAPTIONED RULES WITHIN THE 30 DAY COMMENT PERIOD PURSUANT TO THE NOTICE GIVEN IN PART II ABOVE, A HEARING WILL BE HELD ON JANUARY 10, 1992, IN ACCORDANCE WITH THE FOLLOWING NOTICE OF PUBLIC HEARING.

NOTICE IS HEREBY GIVEN that a public hearing in the above-captioned matter will be held pursuant to *Minnesota Statutes*, sections 14.131 to 14.20 and *Minnesota Rules*, parts 1400.0200 to 1400.1200, in Veteran's Conference Room D, fifth floor of the Veteran's Service Building, 20 West 12th Street, St. Paul, Minnesota on January 10, 1992 commencing at 1:00 p.m. All interested or affected persons, including representatives of associations or other interested groups, will have an opportunity to participate. Such persons may present their views either orally at the hearing or in writing at any time prior to the close of the hearing record. All evidence presented should be pertinent to the matter at hand. Written material not submitted at the time of the hearing which is to be included in the hearing record should be mailed to:

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

Proposed Rules

Barbara L. Neilson
Administrative Law Judge
Office of Administrative Hearings
Fifth Floor, Flour Exchange Building
310 Fourth Avenue South
Minneapolis, Minnesota 55415
(612) 341-7604

Unless a longer period not to exceed 20 calendar days is ordered by the administrative law judge at the hearing, the hearing record will remain open for the inclusion of written material for five working days after the hearing ends. Written material received during this period will be available for review at the Office of Administrative Hearings. The Department and interested persons may respond in writing within three business days after the submission period ends to any new information submitted. Any written material or responses submitted must be received at the office no later than 4:30 p.m. on the final day. No additional evidence may be submitted during the three-day period. This rule hearing procedure is governed by *Minnesota Statutes*, sections 14.131 to 14.20 and by *Minnesota Rules*, parts 1400.0200 to 1400.1200. Questions about procedure may be directed to the administrative law judge.

A copy of the proposed rules is attached to this notice. In general, the proposed rules will: 1) establish system of identifying physician assistants eligible to prescribe and administer drugs and medical devices; 2) establish categories of drugs and medical devices that each physician assistant is allowed to prescribe and administer; 3) provide guidelines for documentation of prescribing and administering activities; 4) designate grounds for disciplinary actions related to physician assistant prescribing and administering; and 5) establish a system of transmitting to pharmacies a listing of physician assistants eligible to prescribe and the types of drugs and medical devices they are allowed to prescribe.

The statutory authority of the Department to adopt the proposed rules is contained in *Minnesota Statutes*, section 147.34. As authorized by section 147.34, the Department is implementing prescribing and administering delegation by amending *Minnesota Rules*, parts 5600.2600 to 5600.2665 (physician assistant rules) promulgated under *Minnesota Statutes*, section 214.13.

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

Minnesota Statutes, Chapter 10A requires each lobbyist to register with the State Ethical Practices Board within five days after he or she commences lobbying. The statute provides certain exceptions. Questions should be directed to:

Ethical Practices Board
625 North Robert Street
St. Paul, Minnesota 55101-2520
(612) 296-5148

NOTICE IS HEREBY GIVEN that a statement of need and reasonableness is now available for review at the Department and at the Office of Administrative Hearings. This statement of need and reasonableness includes a summary of all the evidence and argument which the Department anticipates presenting at the hearing justifying both the need for and reasonableness of the proposed rules. Copies of the statement of need and reasonableness may be reviewed at the Department or the Office of Administrative Hearings and copies may be obtained from the Office of Administrative Hearings at the cost of reproduction.

Please note that any person may request notification of the date on which the administrative law judge's report will be available, after which date the Department 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 Department at any time prior to the filing of the rules with the Secretary of State.

Promulgation of the proposed rules will not result in the expenditure of more than \$100,000 in public monies by local public bodies for the two years immediately following adoption of the rule nor have an impact on agricultural land; therefore, no further information need be provided under *Minnesota Statutes*, section 14.11.

It is the position of the Department that these proposed rules are not subject to *Minnesota Statutes*, section 14.115 regarding small business considerations in rulemaking. The basis for this position and the Department's evaluation of the applicability of the methods contained in *Minnesota Statutes*, section 14.115, subd. 2 for reducing the impact of the proposed rules if they are subject to *Minnesota Statutes*, section 14.115, are addressed in the statement of need and reasonableness.

Should it be determined that these rules are subject to *Minnesota Statutes*, section 14.115, notice is hereby provided that the rules may have an economic impact on small businesses. Although there is a fee for review of agreements containing delegation of prescribing and administering, these rules should result in time savings, and therefore cost savings for those supervising physicians who choose to delegate prescribing and administering functions to the physician assistant.

IV.

NOTICE OF INTENT TO CANCEL HEARING IF FEWER THAN 25 PERSONS REQUEST A HEARING

PLEASE NOTE THAT THE HEARING, NOTICE OF WHICH IS GIVEN IN PART III ABOVE, WILL BE CANCELLED IF FEWER THAN 25 PERSONS REQUEST A HEARING IN RESPONSE TO THE NOTICE GIVEN IN PART II ABOVE. ALSO, THE HEARING WILL BE CANCELLED IF A SUFFICIENT NUMBER OF PEOPLE WITHDRAW REQUESTS FOR A HEARING IN RESPONSE TO PROPOSED REVISIONS OF THE PROPOSED RULES BY THE DEPARTMENT.

To be informed whether the hearing in Part III above will be held, please telephone Annette Spencer at the telephone number listed above in Part II of this notice before January 3, 1992 and leave your name, address, and telephone number. You will be notified if the hearing has been cancelled. You may also telephone Annette Spencer after January 3, 1992 for oral confirmation regarding the scheduled hearing.

Dated: 13 November 1991

Marlene E. Marschall
Commissioner of Health

Rules as Proposed**5600.2600 DEFINITIONS.**

Subpart 1. **Scope.** For the purposes of parts 5600.2600 to ~~5600.2665~~ 5600.2670, the following terms have the meanings given them.

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

Subp. 2a. Administer. “Administer” means to deliver by a physician assistant authorized to prescribe legend drugs, a single dose of a legend drug, excluding controlled substances, to a patient by injection, inhalation, ingestion, or by any other immediate means.

Subp. 3. Agreement. “Agreement” means a document signed by the physician and the physician assistant which includes contents specified in part 5600.2635, subpart 3. If there is a delegation of prescribing and administering of legend drugs and medical devices, the agreement includes the delegation form in part 5600.2670, subpart 6.

Subp. 4. Alternate supervising physician. “Alternate supervising physician” means a Minnesota licensed physician listed in the physician-physician assistant agreement who ~~shall be~~ is responsible for supervising the physician assistant when the supervising physician is unavailable. The alternate supervising physician shall accept full medical responsibility for the performance, practice, and activities of the physician assistant while under the supervision of the alternate supervising physician.

Subp. 5. Board. “Board” means the Minnesota Board of Medical ~~Examiners~~ Practice.

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

Subp. 7a. Delegation form. “Delegation form” refers to the form in part 5600.2670, subpart 6, used to indicate the categories of drugs for which the authority to prescribe and administer has been delegated to the physician assistant and signed by the supervising physician, any alternate supervising physicians, and the physician assistant. This form is part of the agreement as defined in subpart 3.

[For text of subp 8, see M.R.]

Subp. 8a. Drug. “Drug” has the meaning given it in Minnesota Statutes, section 151.01, subdivision 5, excluding controlled substances as defined in Minnesota Statutes, section 152.01, subdivision 4.

Subp. 8b. Drug category. “Drug category” means one of the categories listed on the form in part 5600.2670, subpart 6.

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

Subp. 9a. Internal protocol. “Internal protocol” means a document written by the supervising physician and physician assistant which specifies the policies and procedures which will apply to the physician assistant’s prescribing and administering of legend drugs and medical devices and lists the specific drugs and medical devices, with any exceptions or conditions, that the physician assistant is authorized to prescribe and administer.

Subp. 9b. Legend drug. “Legend drug” has the meaning given it in Minnesota Statutes, section 151.01, subdivision 17, excluding controlled substances as defined in Minnesota Statutes, section 152.01, subdivision 4.

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Proposed Rules

Subp. 9c. Medical device. “Medical device” means durable medical equipment and assistive or rehabilitative appliances, objects, or products that are required to implement the overall plan of care for the patient.

[For text of subp 10, see M.R.]

Subp. 11. Physician assistant; registered physician assistant. “Physician assistant” or “registered physician assistant” means a person registered pursuant to parts 5600.2600 to ~~5600.2665~~ 5600.2670 who is qualified by academic or practical training or both to provide patient services as listed in part 5600.2615 under the supervision of a supervising physician.

Subp. 11a. Prescribe. “Prescribe” means to direct, order, or designate by means of a prescription the preparation, use of, or manner of using a drug or medical device.

Subp. 11b. Prescription. “Prescription” means a signed written order, or an oral order reduced to writing, given by a physician assistant authorized to prescribe drugs for patients in the course of the physician assistant’s practice, issued for an individual patient and containing the information required by part 5600.2670, subpart 4, item C.

Subp. 12. Registration. “Registration” is the process by which the board determines that an applicant has been found to meet the standards and qualifications specified in parts 5600.2600 to ~~5600.2665~~ 5600.2670.

Subp. 13. Supervising physician. “Supervising physician” means a Minnesota licensed physician who accepts full medical responsibility for the performance, practice, and activities of a physician assistant under an agreement approved by the board and pursuant to part 5600.2615. ~~“Supervising physician” shall include~~ includes “alternate supervising physician” for the purposes of parts 5600.2600 to ~~5600.2665~~ 5600.2670.

5600.2605 PURPOSE.

The purpose of parts 5600.2600 to ~~5600.2665~~ 5600.2670 is to establish the administrative structure, the procedures, and the requirements for the registration of people qualified to be physician assistants and the requirements which must be met before a physician assistant may prescribe and administer legend drugs and medical devices.

5600.2610 RESTRICTIONS ON USE OF THE TITLE OF REGISTERED PHYSICIAN ASSISTANT.

Subpart 1. Physician assistant identification. Only a registered physician assistant in active status may use the title “physician assistant” or “registered physician assistant” without restriction. A registered physician assistant in active status shall ~~identify himself or herself~~ be identified at the practice site by using a name tag or name plate or some other identifying device bearing the title “registered physician assistant.”

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

5600.2615 SCOPE OF PHYSICIAN ASSISTANT PRACTICE.

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

Subp. 2. Descriptive list of allowed services. Patient services must be limited to:

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

F. providing instructions and guidance regarding medical care matters to patients; ~~and~~

G. assisting the supervising physician in the delivery of services to patients requiring medical care in the home and in health care institutions, including recording patient progress notes, issuing diagnostic orders which must be countersigned by the supervising physician within 24 hours, and transcribing or executing specific orders at the direction of the supervising physician; and

H. prescribing and administering legend drugs other than controlled substances as defined in Minnesota Statutes, section 152.01, subdivision 4, and medical devices if this function has been delegated to the physician assistant by the supervising physician and approved by the board, pursuant to and subject to the limitations of Minnesota Statutes, section 147.34 and chapter 151, and parts 5600.2600 to 5600.2670.

5600.2635 APPLICATION PROCESS FOR APPROVAL OF AGREEMENT BETWEEN PHYSICIAN AND PHYSICIAN ASSISTANT.

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

Subp. 3. Contents of agreement. The agreement must include at least the following:

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

D. a statement by the supervising physician regarding the delegation or nondelegation of the functions of prescribing and administering legend drugs and medical devices to the physician assistant, and, if delegation is specified, the completed delegation form as required by part 5600.2670;

E. a statement that the supervising physician and alternate supervising physician assume full medical responsibility for all patient services provided by the physician assistant; and

E. F. any other information which will assist the board in determining whether the physician assistant will be adequately supervised by the supervising physician.

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

Subp. 5. Procedure to obtain delegation of prescribing and administering functions. To obtain delegation of prescribing and administering functions, a physician assistant must:

A. submit an agreement indicating delegation of prescribing and administering functions;

B. submit a copy of the physician assistant's certification card from the National Commission on Certification of Physician Assistants showing current certification;

C. submit the completed and signed delegation form in part 5600.2670, subpart 6; and

D. submit the fees required by part 5600.2655.

The board shall review each application for approval of agreements containing delegation of prescribing in a timely manner and notify the applicant in writing of action taken on the application. If the agreement is not approved, the board must indicate the grounds for its action in the notice to the applicant.

5600.2645 APPLICATION PROCESS FOR REREGISTRATION.

A physician assistant's registration expires each year on July 1. Each physician assistant must reregister on or before July 1 of each year by submitting a completed application for reregistration on a form provided by the board together with the annual reregistration fee. Physician assistants with authority to prescribe and administer legend drugs and medical devices must also provide a copy of a current certification card issued by the National Commission on Certification of Physician Assistants. The information supplied on the application for reregistration must be sufficient for the board to determine whether the physician assistant continues to meet the requirements for registration in part 5600.2625 or 5600.2640. In addition, the applicant must meet the continuing education requirements of part 5600.2650. The board may request a physician assistant to submit additional information to clarify information presented in the application for reregistration. An application submitted after the reregistration deadline date must be accompanied by a late fee.

5600.2655 APPLICATION FEES.

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

Subp. 4. Fee for approval of agreements. The fee for approval of an agreement between a physician and physician assistant by the board shall be:

A. \$30 for agreements not containing delegation of prescribing and administering functions; or

B. \$86 for agreements containing delegation of prescribing and administering functions. The delegation form must accompany the agreement.

[For text of subs 5 and 6, see M.R.]

5600.2660 PROCESS AND GROUNDS FOR DISCIPLINARY ACTION.

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

Subp. 2. Disciplinary options of board. The board shall refuse to grant or renew a registration, or shall suspend or revoke a registration, or use any reasonable lesser remedy against a physician assistant if the assistant:

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

E. violates parts 5600.2600 to ~~5600.2665~~ 5600.2670; or

F. is unable to perform patient services with reasonable skill and safety to patients due to physical or mental illness or use of alcohol, drugs, or other substance;

G. violates state or federal laws regarding prescribing or administering legend drugs or medical devices;

H. prescribes or administers legend drugs or medical devices in a manner other than under the procedures in parts 5600.2600 to 5600.2670;

I. prescribes or administers legend drugs or medical devices in a manner which is inconsistent with the training and experience of the physician assistant or in a manner which falls below the community standard of care; or

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Proposed Rules

J. prescribes or administers legend drugs or medical devices in violation of the agreement.

Subp. 3. **Disciplinary actions.** If the board finds that a physician assistant should be disciplined pursuant to subpart 2, the board may take any one or more of the following actions:

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

E. condition, limit, or restrict a registration; ~~or~~

F. place the physician assistant on probation, which probation may be vacated upon compliance with such reasonable terms as the board may impose; or

G. refuse to approve delegation of prescribing and administering authority, revoke, suspend, restrict, or condition prescribing and administering authority.

Subp. 4. **Consequences of disciplinary action.** Upon the revocation or suspension, the registrant shall return to the board ~~his or her~~ the registrant's certificate and current renewal document.

[For text of subp 5, see M.R.]

5600.2665 PHYSICIAN ASSISTANT ADVISORY COUNCIL.

Subpart 1. **Membership.** Subject to approval by the board, the commissioner shall appoint seven persons to a physician assistant advisory council. The seven persons must include:

A. two public members, as defined in *Minnesota Statutes*, section 214.02;

B. three physician assistants registered under parts 5600.2600 to ~~5600.2665~~ 5600.2670; and

C. two licensed physicians one of whom must be a representative of the board.

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

Subp. 3. **Duties.** The council shall:

A. advise the board regarding physician assistant registration standards;

B. advise the board on enforcement of parts 5600.2600 to ~~5600.2665~~ 5600.2670;

C. provide for distribution of information regarding physician assistant registration standards;

D. review applications and recommend applicants for registration or reregistration;

E. receive and process complaints about applicants and registrants ~~in accordance with~~ according to *Minnesota Statutes*, sections 214.10 and 214.13, subdivisions 6 and 7;

F. perform disciplinary investigations; ~~and~~

G. perform other duties authorized for the council by *Minnesota Statutes*, chapter 214, as directed by the board; and

H. review delegation of prescribing and administering authority in agreements, request a copy of the internal protocol or other additional information for clarification of delegation terms if necessary, and recommend approval, disapproval, or modification of the agreement based upon the standards in *Minnesota Statutes*, section 147.34 and parts 5600.2600 to 5600.2670.

5600.2670 DELEGATION OF AUTHORITY TO PRESCRIBE AND ADMINISTER DRUGS AND MEDICAL DEVICES.

Subpart 1. Delegation. A physician assistant may prescribe and administer legend drugs and medical devices under the following conditions:

A. the physician assistant is currently certified by the National Commission on Certification of Physician Assistants as evidenced by a copy of the certification card with expiration date;

B. the physician assistant is registered with the board;

C. the physician assistant's supervising physician and the physician assistant have completed and signed the delegation form in subpart 6;

D. the agreement has been approved by the board based upon the standards in *Minnesota Statutes*, section 147.34 and parts 5600.2600 to 5600.2670; and

E. the physician assistant's prescription writing privileges are not currently restricted by the board.

Subp. 2. Documentation. The physician assistant shall enter each prescription on the patient's chart.

The supervising physician shall retrospectively review the physician assistant's prescribing and administering practices on a daily basis. Review may either be in person or by telecommunication.

A. If the supervising physician performs this review in person, the supervising physician shall document the retrospective

review by signature on the patient's chart or other permanent practice record.

B. For facilities staffed by the physician assistant that are separate from the usual practice site of the supervising physician, the physician assistant or the supervising physician shall document the retrospective review by signature on the patient's chart or other permanent practice record. At each site visit, the supervising physician shall document by signature and date on the patient's chart or other permanent practice record that the physician assistant's prescribing and administering practices have been reviewed.

Subp. 3. Termination and reinstatement of prescribing authority.

A. The authority of a physician assistant to prescribe and administer legend drugs and medical devices shall end immediately when:

(1) the agreement is terminated;

(2) the authority to prescribe and administer is terminated or withdrawn by the supervising physician; or

(3) the physician assistant reverts to inactive status, loses National Commission on Certification of Physician Assistants certification, or loses or terminates registration status.

B. The physician assistant must notify the board in writing within ten days of the occurrence of any of the circumstances listed in item A.

C. Physician assistants whose authority to prescribe and administer has been terminated shall reapply for approval of the agreement under part 5600.2635 and meet the requirements of subpart 1, and any other requirements established by the board prior to reinstatement of the prescribing and administering authority.

Subp. 4. Other requirements and restrictions.

A. The supervising physician and the physician assistant must complete, sign, and date an internal protocol which lists each drug or medical device the physician assistant may prescribe and administer. The supervising physician and physician assistant shall submit the internal protocol to the board upon request. The supervising physician may amend the internal protocol as necessary, within the limits of the completed delegation form in subpart 6. The supervising physician and physician assistant must sign and date any amendments to the internal protocol. Any amendments resulting in a change to the delegation form in subpart 6 must be submitted to the board according to part 5600.2635, subpart 4, along with the fee required in part 5600.2655.

B. The supervising physician and physician assistant shall review delegation of prescribing and administering authority on an annual basis at the time of reregistration. The internal protocol must be signed and dated by the supervising physician and physician assistant after review. Any amendments to the internal protocol resulting in changes to the delegation form in subpart 6 must be submitted to the board according to part 5600.2635, subpart 4, along with the fee required in part 5600.2655.

C. Each prescription initiated by a physician assistant shall indicate the following:

(1) the date of issue;

(2) the name and address of the patient;

(3) the name and quantity of the drug prescribed;

(4) directions for use; and

(5) the name, address, and telephone number of the prescribing physician assistant and of the physician serving as supervisor.

D. In prescribing and administering legend drugs and medical devices, a physician assistant must conform with the agreement, Minnesota Statutes, section 147.34 and chapter 151, and parts 5600.2600 to 5600.2670.

Subp. 5. Notification of pharmacies.

A. The board shall, within six months of adoption of parts 5600.2600 to 5600.2670 and annually thereafter, provide to the Board of Pharmacy and to registered pharmacies within the state a list of those physician assistants who are authorized to prescribe legend drugs and medical devices.

B. The board shall provide to the Board of Pharmacy a list of physician assistants authorized to prescribe legend drugs and medical devices every two months if additional physician assistants are authorized to prescribe or if physician assistants have authorization to prescribe withdrawn.

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Proposed Rules

C. The list must include the name, address, telephone number, and Minnesota registration number of the physician assistant, and the name, address, telephone number, and Minnesota license number of the supervising physician.

D. The board shall provide the form in subpart 6 to pharmacies upon request.

Subp. 6. Delegation form for physician assistant prescribing. The delegation form for physician assistant prescribing must contain the following:

DELEGATION FORM FOR PHYSICIAN ASSISTANT PRESCRIBING

The below-named physician assistant may prescribe and administer drugs and medical devices as indicated on this form. This form is hereby made a part of the agreement as required by Minnesota Statute section 147.34 and Minnesota Rules part 5600.2635, subpart 3, item D.

Physician Assistant _____

Minn. Registration # _____

Supervising Physician _____

Minn. License # _____

The physician assistant may prescribe from those categories checked in the following list:

Restrictions applicable to each category:

A. Drugs*

- 01 _____ Anesthetics
 - 02 _____ Antiinfectives
 - 03 _____ Antineoplastics/Immunosuppressants
 - 04 _____ Cardiovascular Medications
 - 05 _____ Autonomic and Central Nervous System Drugs
 - 06 _____ Dermatological Medications
 - 07 _____ Diagnostic Agents
 - 08 _____ Ear-Nose-Throat Medications
 - 09 _____ Endocrine Medications
 - 10 _____ Gastrointestinal Medications
 - 11 _____ Immunologicals and Vaccines
 - 12 _____ Musculoskeletal Medications
 - 13 _____ Nutritional Products, Blood Modifiers and Electrolytes
 - 14 _____ Obstetrical and Gynecological Medications
 - 15 _____ Ophthalmic Medications
 - 16 _____ Respiratory Medications
 - 17 _____ Urological Medications
- B. _____ Medical Devices

- 01 _____
 - 02 _____
 - 03 _____
 - 04 _____
 - 05 _____
 - 06 _____
 - 07 _____
 - 08 _____
 - 09 _____
 - 10 _____
 - 11 _____
 - 12 _____
 - 13 _____
 - 14 _____
 - 15 _____
 - 16 _____
 - 17 _____
- B. _____

Physician assistants may not prescribe controlled substances regulated under Minnesota Statutes Chapter 152. Other specific drugs or medical devices which the physician assistant may not prescribe include:

Supervising Physician
(sign)

Physician Assistant
(sign)

(type name/date)

(type name/date)

address

address

telephone # _____

telephone # _____

1. _____
Alternate Supervising Physician

(type name/date)

2. _____
Alternate Supervising Physician

(type name/date)

3. _____
Alternate Supervising Physician

(type name/date)

4. _____
Alternate Supervising Physician

(type name/date)

5. _____
Alternate Supervising Physician

(type name/date)

6. _____
Alternate Supervising Physician

(type name/date)

7. _____
Alternate Supervising Physician

(type name/date)

8. _____
Alternate Supervising Physician

(type name/date)

9. _____
Alternate Supervising Physician

(type name/date)

10. _____
Alternate Supervising Physician

(type name/date)

11. _____
Alternate Supervising Physician

(type name/date)

12. _____
Alternate Supervising Physician

(type name/date)

* The listed drug categories are based upon the chapter heading used in the Physicians Health Plan Drug Formulary: Copyright 1988. United HealthCare Corporation. Used with permission of copyright owner.

Department of Human Services

Proposed Permanent Rules Relating to Prior Authorization under Medical Assistance and General Assistance Medical Care

Notice of Intent to Adopt a Rule Without a Public Hearing

NOTICE IS HEREBY GIVEN that the State Department of Human Services intends to adopt the above entitled rule amendment without a public hearing following the procedures set forth in the Administrative Procedure Act for adopting rules without a public hearing in *Minnesota Statutes*, sections 14.22 to 14.28. The statutory authority to adopt the rule is in *Minnesota Statutes*, sections 256.991 and 256D.03.

All persons have 30 days or until 4:30 p.m. on January 2, 1992 in which to submit comment in support of or in opposition to the proposed rule or any part or subpart of the rule. Comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

Proposed Rules

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

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

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

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

Minnesota Rules, part 9505.5015 is a component of the set of rules, parts 9505.5000 to 9505.5030, which establish procedures for prior authorization of health services provided to recipients of medical assistance or general assistance medical care. Prior authorization is a condition of reimbursement under the medical assistance and general assistance program for certain health services as designated under parts 9505.0170 to 9505.0475 and 9505.5025 and *Minnesota Statutes*, section 256B.0625, subdivision 25. The proposed amendments will: 1. assist providers to obtain authorization based on the criteria of medical necessity and appropriateness rather than compliance with procedural requirements; 2. assist medical assistance and general assistance medical care recipients to receive necessary and appropriate services in a timely manner; 3. extend the time in which to request after the fact authorization to 180 days in the case of emergency services, services to a recipient who is retroactively eligible for medical assistance or general assistance medical care, or the denial or partial payment for a health service by a third party payer; 4. clarify the availability of after the fact authorization of removable dental prostheses; and 5. extend eligibility for after the fact authorization to medical supplies and equipment needed by recipients being discharged to their homes from hospitals and nursing facilities.

A free copy of the rule is available upon request from:

Nancy Bishop
Rules and Bulletins Division
Department of Human Services
444 Lafayette Road
St. Paul, MN 55155-3816
(612) 296-7454

A copy of the rule may also be viewed at any of the 87 county welfare or human service agencies in the State of Minnesota.

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

Nancy Bishop
Rules and Bulletins Division
Department of Human Services
444 Lafayette Road
St. Paul, MN 55155-3816
(612) 296-7454

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.

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

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

Natalie Haas Steffen
Commissioner of Human Services

Rules as Proposed**9505.5010 PRIOR AUTHORIZATION REQUIREMENT.**

Subpart 1. **Provider requirements.** Except as provided in part 9505.5015, a provider shall obtain prior authorization as a condition of reimbursement under the medical assistance and general assistance medical care programs for health services designated under parts ~~9500.1070, subparts 1, 4, 6, 12 to 15, and 23;~~ 9505.0170 to 9505.0475; and 9505.5025; and *Minnesota Statutes*, section 256B.0625, subdivision 25. Prior authorization shall assure the provider reimbursement for the approved health service only if the service is given during a time the person is a recipient and the provider meets all requirements of the medical assistance or general assistance medical care programs.

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

9505.5015 AFTER THE FACT AUTHORIZATION.

Subpart 1. **Exceptions.** As provided in subparts 2 to 4, medical assistance or general assistance medical care programs reimbursement shall be given for a health service for which the required authorization was requested after the health service was delivered to the recipient. The provider of the health service shall submit the request on form DHS-1856 or DHS-1855 as required in part 9505.5010, subpart 3, and shall submit materials, reports, progress notes, admission histories, or other information that substantiates that the service was necessary to treat the recipient.

Subp. 2. **Emergencies.** A health service requiring prior authorization shall retroactively receive ~~prior~~ authorization in an emergency if the provider submits the request for authorization ~~no later than five working days~~ after providing the initial service and the provider documents the emergency. Billing for emergency services must comply with part 9505.0450.

Subp. 3. **Retroactive eligibility.** When the health service was provided on or after the date on which the recipient's eligibility began, but before the date the case was opened, a health service requiring prior authorization shall be authorized retroactively if the health service meets the criteria in part 9505.5030, and if an authorization request is submitted to the department within ~~20 working~~ 180 days of the date the case was opened.

Subp. 4. **Third party liability.** A provider of a health service originally billed to Medicare or a third-party payer as defined in part 9505.0015, subpart 46, for which Medicare or the third-party payer denied payment or made a partial payment may retroactively submit a request for authorization if the provider wants to receive payment of the difference between the medical assistance or general assistance medical care payment rate for the service and the payment by the third-party payer. The service is eligible for medical assistance or general assistance medical care reimbursement if it meets the criteria in part 9505.5030 and if the authorization request is submitted to the department along with a copy of the notice explaining the denial or partial payment within ~~20 working~~ 180 days of the date of the notice.

Subp. 5. Authorization of dental prostheses. A dental services provider who wants to obtain after the fact authorization of a removable dental prosthesis for which authorization is required under part 9505.0270, subpart 4, must submit the request on form DHS-1856 before submitting an invoice for the removable prosthesis. To obtain after the fact authorization, the removable prosthesis must meet a criterion specified in part 9505.0270, subpart 4, items A to C.

Subp. 6. Authorization of medical supplies or equipment for recipient being discharged from hospital or long-term care facility. Medical supplies or equipment requiring prior authorization under part 9505.0310, subpart 3, or Minnesota Statutes, section 256B.0625, subdivision 25, shall receive after the fact authorization in the case of a recipient being discharged from a hospital or long-term care facility if:

- A. the provider submits a request for authorization after providing the initial service;
- B. the provider documents the date of the recipient's discharge from the long-term care facility or hospital;
- C. the recipient's discharge plan specifies the medical supplies or equipment as medically necessary and appropriate for the recipient's home care; and
- D. the medical supplies and equipment are eligible for medical assistance payment under part 9505.0310.

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Pollution Control Agency

Proposed Permanent Rules Relating to Hazardous Waste

Notice of Intent to Adopt Rules Without a Public Hearing

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

All persons have until 4:30 p.m. on January 2, 1992, to submit comments in support of or in opposition to the proposed rule amendments or any part or subpart of the rules. Comment is encouraged. Each comment should identify the portion of the proposed rule amendments addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the proposed rule amendments within the comment period. If 25 or more persons submit a written request for a public hearing within the comment period, a public hearing will be held unless a sufficient number withdraw their requests in writing. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule amendments addressed, the reason for the request, and any change proposed. If a public hearing is required, the MPCA will proceed pursuant to *Minnesota Statutes* §§ 14.131 to 14.20 (1990).

Comments or written requests for a public hearing must be submitted to: Nathan Brooks Cooley, Hazardous Waste Division, Minnesota Pollution Control Agency, 520 Lafayette Road, St. Paul, MN 55155. Telephone 612/297-7544.

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

The proposed rule amendments adopt two sets of federal regulations governing organic air emissions at permitted treatment, storage, and disposal facilities and listing as hazardous waste certain by-products of producing 1,1-dimethylhydrazine. The federal regulations were promulgated by the U.S. Environmental Protection Agency (EPA) on May 2, 1990, (listing Vol. 55, *Federal Register*, page 18496) and June 21, 1990, (emission standards, Vol. 55, *Federal Register*, page 25454).

The proposed rule amendments are published below. The MPCA has also documented the need for and the reasonableness of the proposed rule amendments. One free copy of the rules and/or the **STATEMENT OF NEED AND REASONABLENESS** is available upon request at the address and telephone number stated above.

You are hereby advised, pursuant to *Minnesota Statute* § 14.115 (1990), "Small business considerations in rulemakings," that the proposed rule amendments were in effect in Minnesota under federal authority on their federal effective dates in lieu of this rulemaking. This rulemaking shifts primary enforcement authority for existing regulations from the EPA to the MPCA. This rulemaking has no substantive effect on any business subject to the amendments, including small businesses, since the regulations were already in effect.

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

Charles W. Williams
Commissioner

Rules as Proposed

7001.0560 GENERAL INFORMATION REQUIREMENTS FOR PART B OF APPLICATION.

Part B of the application must contain the following information:

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

E. A copy of the general inspection schedule required by part 7045.0452, subpart 5, item B, including, if applicable, the information set forth in parts 7045.0526, subpart 5; 7045.0528, subparts 5 and 7; 7045.0532, subpart 5; 7045.0534, subparts 5 and 6; 7045.0536, subpart 4; 7045.0538, subpart 5; 7045.0539, subpart 3; and 7045.0542, subpart 7; and the process vent and equipment leak standards in Code of Federal Regulations, title 40, sections 264.1033, 264.1052, 264.1053, and 264.1058, as amended.

[For text of items F and G, see M.R.]

H. A description of procedures, structures, or equipment used at the facility to:

[For text of subitems (1) to (3), see M.R.]

- (4) mitigate effects of equipment failure and power outages; ~~and~~
- (5) prevent undue exposure of personnel to hazardous waste, such as protective clothing; and
- (6) prevent releases to the atmosphere.

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

7001.0626 FEDERAL PART B INFORMATION REQUIREMENTS FOR PROCESS VENTS.

Subpart 1. Federal regulation adopted. If the applicant proposes to treat, store, or dispose of hazardous waste in a facility that uses process vents, as defined in Code of Federal Regulations, title 40, section 264.1031, as amended, the applicant must supply the information required by Code of Federal Regulations, title 40, section 270.24, Specific Part B Information Requirements for Process Vents, as amended.

Subp. 2. Exceptions to adopted federal regulation. Exceptions to the federal regulation adopted in subpart 1 are as follows:

- A. references in the adopted regulation to other federal regulations also refer to the corresponding Minnesota rules; and
- B. references in the adopted regulation to "regional administrator" mean "agency commissioner."

7001.0627 FEDERAL PART B INFORMATION REQUIREMENTS FOR EQUIPMENT.

Subpart 1. Federal regulation adopted. If the applicant proposes to treat, store, or dispose of hazardous waste in a facility that uses equipment as defined in Code of Federal Regulations, title 40, section 264.1031, as amended, the applicant must supply the information required by Code of Federal Regulations, title 40, section 270.25, Specific Part B Information Requirements for Equipment, as amended.

Subp. 2. Exceptions to adopted federal regulation. Exceptions to the federal regulation adopted in subpart 1 are as follows:

- A. references in the adopted regulation to other federal regulations also refer to the corresponding Minnesota rules; and
- B. references in the adopted regulation to "regional administrator" mean "agency commissioner."

7045.0125 MANAGEMENT OF WASTE BY USE, REUSE, RECYCLING, AND RECLAMATION.

[For text of subs 1 to 8, see M.R.]

Subp. 9. Facility requirements. Except as provided in subpart 3a, 4, 5, or 6, or parts 7045.0692 and 7045.0695, owners or operators of facilities which recycle hazardous waste are subject to the following requirements:

A. If the recyclable hazardous waste is stored before it is recycled, the owners or operators are subject to the requirements of parts 7045.0450 to 7045.0534, 7045.0552 to 7045.0632, and 7045.1300 to 7045.1380, and chapter 7001. The recycling process itself is exempt from regulation except as provided in item C.

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

C. Owners or operators of facilities subject to RCRA permitting requirements with hazardous waste management units that recycle hazardous wastes are subject to the process vent and equipment leak standards in parts 7045.0547 and 7045.0548 and 7045.0647 and 7045.0648.

[For text of subp 12, see M.R.]

7045.0135 LISTS OF HAZARDOUS WASTES.

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

Subp. 3. Hazardous waste from specific sources. Hazardous wastes from specific sources are listed with the industry and hazardous waste number and hazard code in items A to Q.

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

C. Organic chemicals:

[For text of subitems (1) to (37), see M.R.]

(38) K118, spent adsorbent solids from purification of ethylene dibromide in the production of ethylene dibromide via bromination of ethene: (T); ~~and~~

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Proposed Rules

(39) K136, still bottoms from the purification of ethylene dibromide in the production of ethylene dibromide via bromination of ethene: (T);

(40) K107, column bottoms from product separation from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazines: (C,T);

(41) K108, condensed column overheads from product separation and condensed reactor vent gases from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazides: (L,T);

(42) K109, spent filter cartridges from product purification from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazides: (T); and

(43) K110, condensed column overheads from intermediate separation from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazides: (T).

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

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

7045.0139 BASIS FOR LISTING HAZARDOUS WASTES.

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

Subp. 2. **Constituents.** The constituents which are the basis for listing the wastes identified in part 7045.0135, subparts 2 and 3 are listed in items A and B.

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

B. Constituents of wastes identified in part 7045.0135, subpart 3 are listed in subitems (1) to ~~(97)~~ (101).

[For text of subitems (1) to (82), see M.R.]

(83) K107: 1,1-Dimethylhydrazine (UDMH);

(84) K108: 1,1-Dimethylhydrazine (UDMH);

(85) K109: 1,1-Dimethylhydrazine (UDMH);

(86) K110: 1,1-Dimethylhydrazine (UDMH);

(87) K111: 2,4-Dinitrotoluene;

~~(84)~~ (88) K112: 2,4-Toluenediamine, o-toluidine, p-toluidine, aniline;

~~(85)~~ (89) K113: 2,4-Toluenediamine, o-toluidine, p-toluidine, aniline;

~~(86)~~ (90) K114: 2,4-Toluenediamine, o-toluidine, p-toluidine;

~~(87)~~ (91) K115: 2,4-Toluenediamine;

~~(88)~~ (92) K116: Carbon tetrachloride, tetrachloroethylene, chloroform, phosgene;

~~(89)~~ (93) K117: Ethylene dibromide;

~~(90)~~ (94) K118: Ethylene dibromide;

~~(91)~~ (95) K123: Ethylene thiourea;

~~(92)~~ (96) K124: Ethylene thiourea;

~~(93)~~ (97) K125: Ethylene thiourea;

~~(94)~~ (98) K126: Ethylene thiourea;

~~(95)~~ (99) K131: Dimethyl sulfate, methyl bromide;

~~(96)~~ (100) K132: Methyl bromide; and

~~(97)~~ (101) K136: Ethylene dibromide.

7045.0452 GENERAL FACILITY STANDARDS.

[For text of subs 1 to 4, see M.R.]

Subp. 5. **General inspection requirements.** General inspection requirements include the following:

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

C. The frequency of inspection may vary for the items on the schedule. However, it must be based on the rate of possible deterioration of the equipment and the probability of an environmental or human health incident if the deterioration or malfunctions

or any operator error goes undetected between inspections. Areas subject to spills, such as loading and unloading areas, must be inspected daily when in use. The inspection schedule must include the terms and frequencies called for in parts 7045.0526, subpart 5; 7045.0528, subparts 4, 5, and 7; 7045.0532, subpart 5; 7045.0534, subparts 5 and 6; 7045.0538, subpart 5; 7045.0539, subpart 3; and 7045.0542, subpart 7; and the process vent and equipment leak standards in Code of Federal Regulations, title 40, sections 264.1033, 264.1052, 264.1053, and 264.1058, as amended, where applicable. The inspection schedule must be submitted with the permit application. The commissioner shall evaluate the schedule along with the rest of the application to ensure that it adequately protects human health and the environment. As part of this review, the commissioner may modify or amend the schedule as necessary.

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

7045.0458 WASTE ANALYSIS REQUIREMENTS.

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

Subp. 2. **Waste analysis plan.** The owner or operator shall develop and follow a written waste analysis plan which describes the procedures ~~which he or she that~~ will carry out be used to comply with subpart 1. The owner or operator shall keep this plan at the facility. The plan must specify:

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

F where applicable, the methods ~~which that~~ will be used to meet the additional waste analysis requirements for specific waste management methods as specified in parts 7045.0456; 7045.0538, subpart 10; 7045.0542, subpart 2; and 7045.1315; and the process vent and equipment leak test methods and procedures in Code of Federal Regulations, title 40, sections 264.1034(d) and 264.1063(d), as amended;

[For text of items G and H, see M.R.]

7045.0478 OPERATING RECORD.

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

Subp. 3. **Record information.** ~~All of The following~~ information in items A to Q must be recorded, as it becomes available, and maintained in the operating record until closure of the facility.

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

E. Records and results of waste ~~analysis~~ analyses performed as specified in parts 7045.0456, 7045.0458, 7045.0538, subpart 10, 7045.0542, subpart 2, 7045.1310, and 7045.1315; and the process vent and equipment leak test methods and procedures in Code of Federal Regulations, title 40, sections 264.1034 and 264.1063, as amended.

[For text of items F and G, see M.R.]

H. Monitoring, testing, or analytical data and corrective action where required by parts 7045.0484; 7045.0528, subparts 2, 4, 5, and 7; 7045.0532, subpart 5; 7045.0534, subparts 5 and 6; 7045.0536, subparts 5, 6, and 8; 7045.0538, subparts 5 and 6; 7045.0539, subpart 3; and 7045.0542, subpart 7; and the process vent and equipment leak test methods and procedures and record keeping requirements in Code of Federal Regulations, title 40, sections 264.1034(c) to (f), 264.1035, 264.1063(d) to (i), and 264.1064, as amended.

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

7045.0482 REQUIRED REPORTS.

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

Subp. 4. **Additional reports.** In addition to submitting the manifest discrepancy report described in part 7045.0476, subpart 3, and the annual reports and the unmanifested waste reports described in subparts 2 and 3, the owner or operator shall also report to the commissioner:

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

C. as otherwise required by parts 7045.0484, ~~and~~ 7045.0532 to 7045.0538; and the process vent and equipment leak standards in Code of Federal Regulations, title 40, part 264, subparts AA and BB, as amended.

7045.0547 FEDERAL AIR EMISSION STANDARDS FOR PROCESS VENTS.

Subpart 1. **Federal regulation adopted.** If the applicant proposes to treat, store, or dispose of hazardous waste in a facility that

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Proposed Rules

uses process vents as defined in Code of Federal Regulations, title 40, section 264.1031, as amended, the applicant must comply with the air emission standards for process vents in Code of Federal Regulations, title 40, subpart AA, sections 264.1030 to 264.1049, as amended.

Subp. 2. Exceptions to adopted federal regulation. Exceptions to the federal regulation adopted in subpart 1 are as follows:

A. references in the adopted regulation to other federal regulations also refer to the corresponding Minnesota rules; and

B. references in the adopted regulation to "regional administrator" mean "agency commissioner."

7045.0548 FEDERAL AIR EMISSION STANDARDS FOR EQUIPMENT LEAKS.

Subpart 1. Federal regulation adopted. If the applicant proposes to treat, store, or dispose of hazardous waste in a facility that uses equipment as defined in Code of Federal Regulations, title 40, section 264.1031, as amended, the applicant must comply with the air emission standards for equipment leaks in Code of Federal Regulations, title 40, subpart BB, sections 264.1050 to 264.1079, as amended.

Subp. 2. Exceptions to adopted federal regulation. Exceptions to the federal regulation adopted in subpart 1 are as follows:

A. references in the adopted regulation to other federal regulations also refer to the corresponding Minnesota rules; and

B. references in the adopted regulation to "regional administrator" mean "agency commissioner."

7045.0556 GENERAL FACILITY STANDARDS.

[For text of subs 1 to 4, see M.R.]

Subp. 5. General inspection requirements. The following are the General inspection requirements: are listed in items A to E.

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

C. The frequency of inspection may vary for the items on the schedule. However, it must be based on the rate of possible deterioration of the equipment and the probability of an environmental or human health incident if the deterioration or malfunction or any operator error goes undetected between inspections. Areas subject to spills, such as loading and unloading areas, must be inspected daily when in use. The inspection schedule must include the ~~items~~ terms and frequencies called for in parts 7045.0626, subpart 5; 7045.0628, subparts 4, 5, and 7; 7045.0630, subpart 5; 7045.0640, subpart 4; and 7045.0642, subpart 4; and the process vent and equipment leak standards in Code of Federal Regulations, title 40, sections 264.1033, 264.1052, 264.1053, and 264.1058, as amended.

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

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

7045.0564 WASTE ANALYSIS REQUIREMENTS.

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

Subp. 2. Waste analysis plan. The owner or operator shall develop and follow a written waste analysis plan which describes the procedures the owner or operator will carry out to comply with subpart 1. The owner or operator shall keep this plan at the facility. The plan must specify:

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

F. Where applicable, the methods ~~which that~~ will be used to meet the additional waste analysis requirements for specific waste management methods as specified in parts 7045.0628, subpart 12; 7045.0630, subpart 4; 7045.0632, subpart 3; 7045.0634, subpart 3; 7045.0638, subpart 7; 7045.0640, subpart 2; 7045.0642, subpart 3; and 7045.1315; and the process vent and equipment leak test methods and procedures in Code of Federal Regulations, title 40, sections 264.1034(d) and 264.1063(d), as amended.

[For text of items G and H, see M.R.]

7045.0584 OPERATING RECORD.

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

Subp. 3. Record information. The following information must be recorded, as it becomes available, and maintained in the operating record until closure of the facility:

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

E. Records and results of waste ~~analysis~~ analyses and trial tests performed as specified in parts 7045.0564; 7045.0628, subpart 12; 7045.0630, subpart 4; 7045.0632, subpart 3; 7045.0634, subpart 3; 7045.0638, subpart 7; 7045.0640, subpart 2; 7045.0642, subpart 3; 7045.1310; and 7045.1315; and the process vent and equipment leak test methods and procedures in Code of Federal Regulations, title 40, sections 264.1034 and 264.1063, as amended.

[For text of items F and G, see M.R.]

H. Monitoring, testing, or analytical data where required by parts 7045.0590, subparts 1, 6, and 7; 7045.0592, subparts 1 and 7; 7045.0628, subparts 2, 4, 5, and 7; 7045.0634, subparts 4 and 6, item D, subitem (1); 7045.0636; and 7045.0640, subpart 4; and the process vent and equipment leak test methods and procedures and record keeping requirements in Code of Federal Regulations, title 40, sections 264.1034(c) to (f), 264.1035, 264.1063(d) to (i), and 264.1064, as amended. As required by parts 7045.0590, subparts 6 and 7; and 7045.0592, subpart 7, monitoring data at disposal facilities must be kept throughout the post closure period.

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

7045.0588 REQUIRED REPORTS.

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

Subp. 4. **Additional reports.** In addition to submitting the manifest discrepancy report described in part 7045.0582, subpart 3, and the annual report and the unmanifested waste reports described in subparts 2 and 3, the owner or operator shall also report to the commissioner and the Environmental Protection Agency Region V Administrator:

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

B. groundwater contamination and monitoring data as specified in part 7045.0590, subparts 6 and 7; and 7045.0592, subpart 6; ~~and~~

C. facility closure as specified in part 7045.0594, subpart 3; ~~and~~

D. as otherwise required by the process vent and equipment leak emission standards in Code of Federal Regulations, title 40, part 265, subparts AA and BB, as amended.

7045.0647 FEDERAL AIR EMISSION STANDARDS FOR PROCESS VENTS AT INTERIM STATUS FACILITIES.

Subpart 1. Federal regulation adopted. If the applicant proposes to treat, store, or dispose of hazardous waste in an interim status facility that uses process vents as defined in Code of Federal Regulations, title 40, section 264.1031, as amended, the applicant must comply with the air emission standards for process vents in Code of Federal Regulations, title 40, subpart AA, sections 265.1030 to 265.1049, as amended.

Subp. 2. Exceptions to adopted federal regulation. Exceptions to the federal regulation adopted in subpart 1 are as follows:

A. references in the adopted regulation to other federal regulations also refer to the corresponding Minnesota rules; and

B. references in the adopted regulation to "regional administrator" mean "agency commissioner."

7045.0648 FEDERAL AIR EMISSION STANDARDS FOR EQUIPMENT LEAKS AT INTERIM STATUS FACILITIES.

Subpart 1. Federal regulation adopted. If the applicant proposes to treat, store, or dispose of hazardous waste in an interim status facility that uses equipment as defined in Code of Federal Regulations, title 40, section 264.1031, as amended, the applicant must comply with the air emission standards for equipment leaks in Code of Federal Regulations, title 40, subpart BB, sections 265.1050 to 265.1079, as amended.

Subp. 2. Exceptions to adopted federal regulation. Exceptions to the federal regulation adopted in subpart 1 are as follows:

A. references in the adopted regulation to other federal regulations also refer to the corresponding Minnesota rules; and

B. references in the adopted regulation to "regional administrator" mean "agency commissioner."

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Adopted Rules

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

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

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

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

Department of Public Service

Adopted Permanent Rules Relating to Energy Information Reporting

The rules proposed and published at *State Register*, Volume 16, Number 8, pages 356-371, August 19, 1991 (16 SR 356), are adopted with the following modifications:

Rules as Adopted

7610.0170 FEDERAL REPORTS FILED BY UTILITIES.

A utility shall identify to the commissioner the energy-related forms and reports that it regularly files with the Federal Energy Regulatory Commission, the United States Department of Energy, the Rural Electrification Administration, and other federal agencies. Upon request of the commissioner, a utility shall make copies of the forms or reports available to the commissioner.

7610.0310 CONTENT OF HISTORICAL DATA AND FORECAST.

The following data must be provided:

A. the annual electrical consumption by ultimate consumers and number of customers at year's end within the utility's system and for its Minnesota service area only for the past calendar year, the present calendar year, and the subsequent 14 years, for each of the following categories:

(3) commercial, including wholesale and retail trade; communications industries; public and private office buildings, banks, and dormitories; insurance, real estate, and rental agencies; hotels and motels; personal business and auto repair services; medical and educational facilities; governmental units, excluding military bases; warehouses other than manufacturer owned; and electric, gas, water, water pumping other than pumping for agricultural irrigation, and other utilities;

7610.0320 FORECAST DOCUMENTATION.

Subpart 1. **Forecast methodology.** An applicant may use the forecast methodology that yields the most useful results for its system. However, the applicant shall detail in written form the forecast methodology employed to obtain the forecasts provided under parts 7610.0300 to 7610.0315, including:

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

E. forecast confidence levels or ranges of accuracy for annual peak demand and annual electrical consumption; and

F. a brief analysis of the methodology used, including its strengths and weaknesses, its suitability to the system, cost considerations, data requirements, past accuracy, and any other factors considered significant by the utility; and

~~G. an explanation of any discrepancies that appear between the forecasts presented by the utility in part 7610.0310 and those contained in parts 7610.0200 to 7610.0220 this year or in the past years.~~

Subp. 2. **Data base for forecasts.** The utility shall discuss in written form the data base used in arriving at the forecast presented in ~~parts 7610.0200 to part~~ 7610.0310, including:

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

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

Subp. 4. **Subject of assumption.** The utility shall discuss the assumptions made regarding the availability of alternative sources of energy, the expected conversion from other fuels to electricity or vice versa, future prices of electricity for customers in the utility's system and the effect that such price changes will likely have on the utility's system demand, the assumptions made in arriving at any data requested in ~~parts 7610.0200 to part~~ 7610.0310 that is not available historically or not generated by the utility in preparing its own internal forecast, the effect of existing energy conservation programs under federal or state legislation on long term electrical demand, the projected effect of new conservation programs that the utility deems likely to occur through future state and federal

legislation on long term electrical demand, and any other factor considered by the utility in preparing the forecast. In addition the utility shall state what assumptions were made, if any, regarding current and anticipated saturation levels of major electric appliances and electric space heating within the utility's service area. If a utility makes no assumptions in preparing its forecast with regard to current and anticipated saturation levels of major electrical appliances and electric space heating it shall simply state this in its discussion of assumptions.

[For text of subp 5, see M.R.]

7610.0430 FUEL REQUIREMENTS AND GENERATION BY FUEL TYPE.

Subp. 2. **Estimated quantity necessary.** Each utility shall estimate the quantities of the fuel which will be necessary for use by its Minnesota power plants to provide for the electrical energy growth predicted by the forecast projected in parts ~~7610.0200~~ 7610.0300 to 7610.0320. Each utility shall also estimate by fuel type the net megawatt hours electricity which will be produced by its Minnesota power plants under the forecast. A forecast of net generation from Minnesota hydropower plants shall also be provided. In preparing such estimates, each utility shall consider increases in fuel use by existing facilities and possible conversions between fuel types.

Commissioners' Orders

Department of Natural Resources

Commissioner's Order No. 2430: Regulations for the Taking of Turkeys During the Spring Season

PURSUANT TO AUTHORITY vested in me by *Minnesota Statutes* §§ 97A.045, 97A.435, 97B.603, 97B.711, 97B.723, 97B.725 and other applicable law, I, Rodney W. Sando, Commissioner of Natural Resources, hereby prescribe the following regulations for the taking of turkeys during the spring season.

Section 1. DEFINITIONS.

(a) **Legal firearms.** Only shotguns 20 gauge or larger, or muzzleloading shotguns 12 gauge or larger, using fine shot size No. 4, 5 or 6 shall be used.

(b) **Legal bow and arrow.** Bows must have a pull of no less than 40 pounds at or before full draw. It shall be unlawful to hunt turkeys with any poisoned arrow or arrow with explosive tip. The bow may not be drawn, held, or released by mechanical means, except for permits issued under *Minnesota Statute* § 97B.106, or except that a person may use a mechanical device attached to the bowstring if the person's own strength draws, holds, and releases the bowstring. Arrowheads must:

(1) be sharp, have a minimum of two metal cutting edges, be of a barbless broadhead design, and have a diameter of at least seven-eighths inch; or

(2) be of a blunthead design.

(c) **Legal turkey.** Any turkey with a visible beard (feathered appendage protruding from the breast, generally found only on males).

(d) **Drawings.** Computerized random drawings will be conducted by the Department of Natural Resources to determine those who will be eligible to apply for a turkey license. Beginning with the 1990 spring hunt drawing, preference in the drawings is given to each applicant based upon the number of times he or she has correctly applied for a permit but has been unsuccessful in the spring hunt drawing.

(e) **Agricultural or grazing land means land** (1) that is plowed or tilled; (2) that has standing crops or crop residues; or (3) within a maintained fence for the purpose of enclosing domestic livestock.

(f) **Party hunting.** Party hunting (shooting a turkey for another member of your hunting party or tagging a turkey shot by someone else) is not allowed for turkey hunting.

Sec. 2. LICENSE ELIGIBILITY.

A person is not eligible for a turkey license unless the person:

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

(a) is a resident or nonresident who is at least 16 years of age or possesses a valid Firearms Safety Certificate prior to the Wednesday nearest April 15;

(b) has not had any small game hunting privileges revoked within one year prior to purchasing a spring turkey license.

Sec. 3. TURKEY HUNT DRAWING.

(a) **License application drawings.** Persons desiring to hunt turkeys must take part in one of the computerized license application drawings conducted by the Department of Natural Resources. The drawings shall be subject to the quotas set forth in Sec. 6. All persons selected by the drawings may apply for a license to hunt turkeys, as set forth in Sec. 4.

(b) **Participation in drawings.** All persons desiring to take part in one of the turkey license application computer drawings must complete an official application form for either the general turkey hunt or, if appropriate pursuant to paragraph (c) of this section, for the resident landowner-tenant turkey hunt. All information requested on the forms must be supplied.

(1) Resident applicants 18 years or older must provide their individual Minnesota driver's license number of 13 characters, a 13-character firearms safety number, or an official State of Minnesota identification number of 13 characters issued by the Department of Public Safety.

(2) Nonresidents 18 years or older must provide a driver's license number or other identification number.

(3) Applicants aged 12 to 15 by the Wednesday nearest April 15 are encouraged to provide one of the above numbers or may participate in the drawing without a number if they provide their full first, middle, and last name and date of birth. Youth applicants who do not provide a number will be placed into the drawing using a number generated by the Department of Natural Resources.

(4) All applicants must choose one of the ten (10) zones and one of the seven (7) time periods.

(5) Applications for a group must all be for the same zone and time period. No more than four persons desiring to hunt together may apply together by submitting their drawing applications in one envelope. The individual within a group with the lowest preference rating will determine the preference rating of the group. Properly completed applications which are submitted in one envelope will either all be selected or none selected. Mixing landowner-tenant applications with general applications will not be permitted for purposes of applying as a party.

(6) Any person who makes a faulty application or who applies as a landowner or tenant but does not live on at least 40 acres of agricultural or grazing land or does not live within the zone applied for, will be ineligible for both the landowner-tenant drawing and general drawing.

(7) Applications must be returned to the DNR License Bureau, 500 Lafayette Road, St. Paul, MN 55155-4026. If mailed, applications must be postmarked no later than the first Friday in the month of December. If hand delivered, applications must be delivered no later than 4:30 p.m. on that day.

(c) **Special landowner or tenant drawing.** A special landowner-tenant license application drawing will be held subject to the following restrictions:

(1) Applicants must be able to meet all eligibility requirements in Sec. 2 of this order and must provide a complete and accurate description of the qualifying land.

(2) Applicants must be a landowner or tenant, or a member of their immediate family, living on 40 acres or more of agricultural or grazing land, defined by Section 1 of this order, which is located within the zone for which the application is made.

(3) For each zone and time period, not more than twenty percent of the successful participants shall be drawn from the special landowner-tenant applications.

(4) Individual participants in the landowner-tenant drawing may submit only one drawing application and only for the turkey zone in which they reside.

(5) Valid applications of participants unsuccessful in the landowner-tenant drawing will be included in the general drawing.

(6) Applicants for the landowner-tenant drawing that are determined to be ineligible for the landowner-tenant drawing will be disqualified from the entire spring turkey computer drawing.

(7) All applicants who are successful in the special landowner-tenant drawing must allow turkey hunting on their lands. The commissioner will provide descriptions of these lands to licensed turkey hunters.

(d) **Application fee.** Each applicant must submit along with his/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 non-payment shall invalidate the application and the check will be destroyed. Refunds of application fees shall not be made for any reason.

(e) **Penalties.** No person shall submit more than one application for participation in the drawings. Any person who submits

more than one application for the spring season shall be ineligible to receive a turkey license in that season and shall be guilty of a misdemeanor.

(f) **Undersubscribed zones.** A second computer drawing will be held for zones which are undersubscribed. All unsuccessful applicants for an undersubscribed zone will be eligible for this second drawing, regardless of time period selected. Preference in the drawing is given to each applicant based upon the number of times he or she has correctly applied for a permit but has been unsuccessful in the spring hunt drawing.

Sec. 4. LICENSING.

(a) Only applicants successful in a computerized drawing will be notified.

(b) Applicants successful in the drawing will receive a license application with instructions for obtaining their licenses. Successful applicants who do not return the license application and the fee according to the provisions specified on the license application or who do not provide all of the requested information will be disqualified. All accumulated preference is lost upon issuance of a turkey hunting license.

(c) Before hunting turkeys, participants successful in a drawing must:

(1) Apply for and receive a valid turkey hunting license.

(2) Possess a valid Firearms Safety Certificate if not aged 16 or older prior to the Wednesday nearest April 15.

Sec. 5. SEASON DATES, ZONES, HOURS AND WEAPONS.

(a) **Dates.** The spring turkey season is open in all ten (10) zones during the following dates:

April 15-19	May 5-9
April 20-24	May 10-14
April 25-29	May 15-19
April 30-May 4	

Each hunter may hunt only during the five day period designated on his or her license. All dates are inclusive.

(b) **Zones.** Each hunter may hunt only within the zone designated on his or her license.

(1) **Turkey Zone 1.**

That portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 16 and the east boundary of the state; thence along STH 16 to STH 44; thence along STH 44 to County State Aid Highway (CSAH) 4, Houston County; thence along CSAH 4 to the south boundary of the state; thence along the south boundary of the state to the east boundary of the state; thence along the east boundary of the state to the point of beginning.

(2) **Turkey Zone 2.**

That portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 16 and the east boundary of the state; thence along STH 16 to STH 44; thence along STH 44 to County State Aid Highway (CSAH) 4, Houston County; thence along CSAH 4 to the south boundary of the state; thence along the south boundary of the state to CSAH 28, Fillmore County; thence along CSAH 28 to STH 43; thence along STH 43 to Interstate (I) 90; thence along I 90 to CSAH 33, Winona County; thence along CSAH 33 to STH 248; thence along STH 248 to CSAH 31, Winona County; thence along CSAH 31 to CSAH 28, Winona County; thence along CSAH 28 to CSAH 25, Winona County; thence along CSAH 25 to the intersection of CSAH 25 and U.S. Highway 61; thence due east to the east boundary of the state; thence along the east boundary of the state to the point of beginning.

(3) **Turkey Zone 3.**

That portion of the state lying within the following described boundary:

Beginning at the intersection of U.S. Highway 52 and U.S. Highway 14; thence along U.S. Highway 14 to County State Aid Highway (CSAH) 7, Olmsted County; thence along CSAH 7 to Interstate (I) 90; thence along I 90 to State Trunk Highway (STH) 43; thence along STH 43 to CSAH 28, Fillmore County; thence along CSAH 28 to the south boundary of the state; thence along the south boundary of the state to U.S. Highway 63; thence along U.S. Highway 63 to U.S. Highway 52; thence along U.S. Highway 52 to the point of beginning.

Commissioners' Orders

(4) Turkey Zone 4.

That portion of the state lying within the following described boundary:

Beginning at the intersection of Interstate (I) 90 at County State Aid Highway (CSAH) 7, Olmsted County; thence along CSAH 7 to State Trunk Highway (STH) 42; thence along STH 42 to the intersection of STH 42 and U.S. Highway 61; thence along U.S. Highway 61 to the Zumbro River; thence along the Zumbro River to the Mississippi River; thence due east to the east boundary of the state; thence along the east boundary of the state to a point lying directly east of the intersection of U.S. Highway 61 and CSAH 25, Winona County; thence due west to the intersection of CSAH 25 and U.S. Highway 61; thence along CSAH 25 to CSAH 28, Winona County; thence along CSAH 28 to CSAH 31, Winona County; thence along CSAH 31 to STH 248; thence along STH 248 to CSAH 33, Winona County; thence along CSAH 33 to I 90; thence along I 90 to the point of beginning.

(5) Turkey Zone 5.

That portion of the state lying within the following described boundary:

Beginning at the intersection of U.S. Highway 61 and County State Aid Highway (CSAH) 18, Goodhue County; thence along CSAH 18 to the intersection of U.S. Lock and Dam No. 3 access road located at the north quarter corner of Section 5, Township 113 North, Range 15 West, Goodhue County; thence due east to the east boundary of the state; thence along the east boundary of the state to a point due east of the intersection of the Zumbro River and the Mississippi River; thence due west to the Zumbro River; thence along the Zumbro River to U.S. Highway 61; thence along U.S. Highway 61 to State Trunk Highway (STH) 42; thence along STH 42 to U.S. Highway 14; thence along U.S. Highway 14 to STH 57; thence along STH 57 to CSAH 30, Goodhue County; thence along CSAH 30 to STH 56; thence along STH 56 to STH 19; thence along STH 19 to STH 20; thence along STH 20 to U.S. Highway 61; thence along U.S. Highway 61 to the point of beginning.

(6) Turkey Zone 10.

That portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 25 and County State Aid Highway (CSAH) 14, Sibley County; thence along CSAH 14 to CSAH 53, Carver County; thence along CSAH 53 to U.S. Highway 212; thence along U.S. Highway 212 to STH 101; thence along STH 101 to CSAH 17, Scott County; thence along CSAH 17 to STH 13; thence along STH 13 to STH 19; thence along STH 19 to CSAH 3, Scott County; thence along CSAH 3 to STH 25; thence along STH 25 to the point of beginning.

(7) Turkey Zone 11.

That portion of the state lying within the following described boundary:

Beginning at the intersection of County State Aid Highway (CSAH) 8, Sibley County and the midpoint of the Minnesota River; thence along CSAH 8 to CSAH 9, Sibley County; thence along CSAH 9 to State Trunk Highway (STH) 5; thence along STH 5 to STH 25; thence along STH 25 to CSAH 3, Scott County; thence along CSAH 3 to STH 19; thence along STH 19 to U.S. Highway 169; thence along U.S. Highway 169 to the midpoint of the Minnesota River; thence along the midpoint of the Minnesota River to the point of beginning.

(8) Turkey Zone 12.

That portion of the state lying within the following described boundary:

Beginning at the intersection of U.S. Highway 169 and State Trunk Highway (STH) 68; thence along STH 68 to County State Aid Highway (CSAH) 45, Blue Earth County; thence along CSAH 45 to CSAH 24, Nicollet County; thence along CSAH 24 to U.S. Highway 14; thence along U.S. Highway 14 to CSAH 12, Nicollet County; thence along CSAH 12 to CSAH 5, Nicollet County; thence along CSAH 5 to CSAH 2, Nicollet County; thence along CSAH 2 to CSAH 3, Nicollet County; thence along CSAH 3 to CSAH 9, Sibley County; thence along CSAH 9 to CSAH 8, Sibley County; thence along CSAH 8 to the midpoint of the Minnesota River; thence along the midpoint of the Minnesota River to U.S. Highway 14; thence along U.S. Highway 14 to U.S. Highway 169; thence along U.S. Highway 169 to the point of beginning.

(9) Turkey Zone 13.

That portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 30 and U.S. Highway 169; thence along STH

30 to STH 22; thence along STH 22 to U.S. Highway 14; thence along U.S. Highway 14 to U.S. Highway 169; thence along U.S. Highway 169 to the point of beginning.

(10) Turkey Zone 20.

That portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 98 and U.S. Highway 61; thence along U.S. Highway 61 to County State Aid Highway (CSAH) 30, Chisago County; thence along CSAH 30 to STH 95; thence along STH 95 to CSAH 9, Chisago County; thence along CSAH 9 to U.S. Highway 8; thence along U.S. Highway 8 to STH 98; thence along STH 98 to the point of beginning.

(c) **Hours and weapons.** Legal turkeys may be taken by licensed hunters using legal shotgun or legal bow and arrow, as defined in Section 1, from one-half hour before sunrise to 12 noon daily during the dates and within the zones described in this section.

Sec. 6. QUOTAS.

The following quotas on hunter numbers are established for each zone and time period. These quotas may be subject to modification in order to accommodate party members if the last applicant to be drawn for a zone is a member of a party.

<u>DATES</u>	<u>ZONES</u>									
	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>10</u>	<u>11</u>	<u>12</u>	<u>13</u>	<u>20</u>
April 15-19	225	400	300	125	200	15	15	20	15	15
April 20-24	225	400	300	125	200	15	15	20	15	15
April 25-29	225	400	300	125	200	15	15	20	15	15
April 30-May 4	225	400	300	125	200	15	15	20	15	15
May 5-9	225	400	300	125	200	15	15	20	15	15
May 10-14	225	400	300	125	200	15	15	20	15	15
May 15-19	<u>225</u>	<u>400</u>	<u>300</u>	<u>125</u>	<u>200</u>	<u>15</u>	<u>15</u>	<u>20</u>	<u>15</u>	<u>15</u>
TOTAL	1575	2800	2100	875	1400	105	105	140	105	105

GRAND TOTAL = 9310 PERMITS

Sec. 7. SPECIAL PROVISIONS.

(a) **Bag limit.** No hunter shall: take more than one legal turkey; tag a turkey that he or she did not take; or tag a turkey with the tag of another hunter. All turkeys taken must be killed before being removed from the site where taken.

(b) **Assisting.** Only a turkey hunter licensed for the same zone and time period may assist any other licensed turkey hunter in hunting turkeys.

(c) **12-15 year olds.** A licensed turkey hunter who is not aged 16 or older prior to the Wednesday nearest April 15 must have a valid Firearms Safety Certificate in possession. Licensed turkey hunters aged 12 to 13 must be accompanied by a parent or guardian while turkey hunting. "Guardian" is a legal guardian or any person aged 18 or older authorized by the parent or legal guardian to supervise the person aged 12 or 13. Licensed turkey hunters aged 14 or 15 may hunt turkeys unaccompanied by a parent or guardian.

(d) **Tagging.** Immediately after taking a turkey, hunters must punch date of kill, sign and attach the tag to the turkey. This tag must remain attached to the turkey during transit.

(e) **Registration.** Every person taking a turkey must register the turkey at a designated registration station no later than 2 p.m. of the same day when taken. The feathers, head and feet must remain on the turkey until it is registered. No unregistered turkey shall be possessed outside the zone where taken unless it is being transported in a direct route to a registration station. Registration stations will include the following. If necessary, additions, deletions or changes to this list may be made.

- | | |
|---------------|---|
| 1. Caledonia | B&M Service Center (Mobil Gas Station)
128 N. Kingston |
| 2. LaCrescent | Tri-State Bait and Tackle
103 Hillview Blvd. |
| 3. Rushford | Larry's Mobil
Jct. Hwys. U.S. 16 and STH 43 |
| 4. Chatfield | Chatfield Motor Mart
302 S. Main |

Commissioners' Orders

5. Lanesboro	Root River Oil Co. U.S. Hwy. 16
6. Rochester	Wild Goose Sports 1117 N. Broadway
7. Red Wing	Four Season Sport Shop 213 Hill St.
8. Elba	Mauer Brothers Liquor Hwy. 74
9. Houston	Halverson Standard Oil Hwy. 16 E.
10. Spring Valley	Fowler Standard Oil 221 N. Section
11. Harmony	Peterson Sport Shop Main Ave., 4th St. S.
12. Winona	West End Bait Co. 950 W. 5th St.
13. Nicollet	Wildlife Taxidermy Studio 221 Cedar St.
14. Wyoming	Sunrise Sporting Goods 26796 Kettle River Blvd.
15. Cannon Falls	Curt's Cannonball Hwy. 52 S.
16. Kellogg	Prairie Bait Shop County Road 30 (old Hwy. 61)
17. Zumbro Falls	Falls Standard Station Hwy. 63
18. Lake City	Tackle, Rigs & Jigs 120 S. Washington
19. Jordan	Tri Mart Jct. Hwys. 169 & 282
20. Henderson	Benders Coast to Coast 527 Main St.
21. Good Thunder	Dick's Locker Plant (no address given)
22. Minneiska	Drenckhahn's Harbor 208 Bennet Ave.
23. Wabasha	Buck's Taxidermy 107 Pembroke

Registration stations normally open at 8 a.m.

(f) Turkeys may not be taken with the aid of dogs. No person shall be accompanied by a dog or dogs while hunting or assisting in hunting turkeys.

(g) Turkeys may not be taken with the aid of any electronic device.

(h) Use of live decoys is prohibited.

(i) While afield hunting turkeys, no person shall have in his/her possession or control any firearm or bow and arrow except those defined by Section 1 of this order as legal for taking turkeys.

(j) No turkeys shall be taken in any manner in any area of the state except as herein expressly provided or as otherwise provided by statute or commissioner's order.

(k) Except as specifically provided herein, none of the provisions of this order shall be construed as modifying or superseding

any order establishing legal game refuges within the state nor as permitting the taking of any wild animals within such refuges or within state parks.

(l) The Lost Lake Refuge in Fillmore County and the Whitewater State Game Refuge in Winona County are open for the taking of turkeys during the spring turkey hunt.

(m) That portion of the Carlos Avery Wildlife Management Area posted with "Wildlife Sanctuary Do Not Trespass" signs that lies within Zone 20 shall be open for the taking of turkeys during the spring turkey hunt.

Dated at St. Paul, Minnesota, this 20th day of November, 1991.

Rodney W. Sando, Commissioner
Department of Natural Resources

Department of Natural Resources

Commissioner's Order No. 2437: Regulating the Taking of Deer; Amending Commissioner's Order No. 2418

PURSUANT TO AUTHORITY vested in me by *Minnesota Statutes* §§ 97A.401, 97B.301-97B.325, and other applicable law, I, Rodney W. Sando, Commissioner of Natural Resources, hereby amend Commissioner's Order No. 2418, regulating the taking of deer.

Section 1. Section 3(c) of Commissioner's Order No. 2418 is amended as follows:

(c) Zone 3 (as described in Sec. 8(c)). Hunters must select either the early or the late season.

(1) **Early Season.** Legal bucks may be taken beginning the Saturday nearest November 6 and lasting 9 days, from one-half hour before sunrise to sunset each day.

(2) **Late Season.** Legal bucks and antlerless deer may be taken beginning the Saturday nearest November 20 and lasting 7 days, and in permit areas 341-349 on December 7 and 8, from one-half hour before sunrise to sunset each day. Antlerless deer may be taken only by permit and only within the permit area specified on each hunter's permit.

Sec. 2. Except as provided by this order and Commissioner's Orders Nos. 2428 and 2434, all provisions of Commissioner's Order No. 2418 shall remain in full force and effect.

Dated at St. Paul, Minnesota, this 26th day of November, 1991.

Rodney W. Sando, Commissioner
Department of Natural Resources

Revenue Notices

Effective July 1, 1991, the Department of Revenue has authority to issue revenue notices. A revenue notice is a policy statement made by the department that provides interpretation, details, or supplementary information concerning the application of law or rules. This authority was provided by the Legislature in 1991 Session Laws Chapter 291, article 21, section 6 and will be codified at *Minnesota Statutes* section 270.0604.

Department of Revenue

Revenue Notice #91-18: Sales and Use Tax—Telephone Services

Minnesota Statute § 297A.01, subd. 3(f) provides that local exchange telephone service, certain intrastate and interstate toll services, and private communication services are subject to the sales and use tax. The Department has taken the following positions relating to sales/use tax applicable to these telephone services:

1) **911 and T.A.P. Charges.**

In Minnesota, local telephone exchange customers pay two fees on their monthly bill, one to fund the 911 emergency system, and the other to fund the Telephone Assistance Plan (T.A.P.). These charges are not subject to the sales or use tax.

2) **Federal Excise Tax.**

The federal excise tax on telephone services is included in the base on which the sales tax is charged. Thus the sales tax is computed on the total of: the charges for the telephone services plus any federal excise tax being charged.

Revenue Notices

3) Mobile Communication Services.

Charges to Minnesota customers for mobile communication services are subject to sales or use tax.

4) Hotel/Motel Telephone Charges.

Charges to a hotel or motel guest, for the actual cost of telephone services, are not taxable if the charges are separately stated on the guest's bill.

Many hotels use "call accounting systems" to track and determine the amount to charge guests for long distance telephone calls. Using these systems, the hotel does not know how much the actual telephone service costs until receiving the bill from the telephone company the following month. In this situation, the hotel must charge sales tax on the total amount billed to the hotel guests for the long distance telephone service. The hotel must also continue to pay sales tax on purchases of telephone service from the telephone company. However, the hotel may take a deduction from gross sales reported on their sales and use tax return for the amount billed to the hotel by the telephone company for the actual cost of long distance calls made by hotel guests. This practice is only allowed when the hotel can distinguish between telephone calls billed to guests and the hotel's own administrative costs for telephone service.

Dated: 2 December 1991

Department of Revenue

Revenue Notice #91-19: Aggregation of Capital Gains and Losses Not Permitted

Affiliated corporations filing returns on the basis of a combined report may not aggregate capital gains and losses.

Although Minnesota adopted federal taxable income as the definition of Minnesota net income in 1987, the law does not reference § 1502 of the Internal Revenue Code, which allows an affiliated group of corporations to file a consolidated return.

When Minnesota adopted federal taxable income, the legislature did not change the general principle of combined returns. Combined reporting is required by *Minnesota Statute* § 290.17, subd. 4(j). Combined reporting differs from consolidated returns in that a combined report determines the income of a unitary business attributable to the in-state activities of the taxpaying corporation. A consolidated return consolidates the income of more than one corporation in order to tax the aggregate income of all the corporations. In a combined report, the net income of each corporation in the unitary group is combined instead of combining each item of income or expense separately, as in a consolidated return.

The law provides two modifications to the amount of capital gains included in federal taxable income under *Minnesota Statute* § 290.01, subds. 19c(8) and 19d(5). These modifications refer only to IRC § 1211, which provides that a capital loss of a corporation may only be allowed to the extent there are capital gains of the same corporation, and to IRC § 1212, which provides for the carryback and carryforward of capital gains. Neither section mentions the aggregation of capital gains and losses.

It is the position of the Commissioner of Revenue that a corporation, filing on the basis of a combined report, may deduct capital losses only against the capital gains realized by that corporation. The aggregation of capital gains and losses among members of an affiliated group of corporations so that a capital loss of one corporation offsets the capital gain of another is not permitted.

Dated: 2 December 1991

Official Notices

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

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

Department of Agriculture

Agronomy Services Division

Notice of Determination/Future ACRRR Surcharges

Pursuant to *Minnesota Statutes* Chapter 18E.03, Subd. 3. (1990), the Minnesota Department of Agriculture (MDA), in providing administrative support to the Agricultural Chemical Response Compensation Board (ACRRR Board), has determined that the amount

of the annual response and reimbursement fees (surcharges) for the Agricultural Chemical Response and Reimbursement Account (ACRRA) will remain at the same amounts for 1992 as was determined and collected for 1991, in order to maintain the statutory-required ACRRA balance.

[NOTE: As a consequence of a 1991 Minnesota law change, the surcharge for Licensed Lawn Service Applicators for 1991 was reduced from \$100 to \$50.]

Therefore, the ACRRA surcharges to be imposed by the MDA for 1992 will be the following:

- For pesticides registered under MS Chapter 18B.26: a surcharge equal to 0.2 percent of sales of pesticides in the state as well as sales of pesticides for use in the state, during the period January 1, 1992 through December 31, 1992.
- For fertilizers, soil amendments, and plant amendments inspection fees, under MS Chapter 18C.4254: twenty (20) cents per ton.
- For sites licensed under MS Chapter 18B.31—Pesticide Dealers; and for sites licensed under MS Chapter 18C.415 and 18C.425—where a fertilizer, plant amendment, or soil amendment is distributed: \$300 per site.
- For Structural Pest Control Applicator business license, under MS Chapter 18B.32: \$100 per license.
- For Commercial Pesticide Applicator license, under MS Chapter 18B.33: \$40 per license.
- For Non-Commercial Pesticide Applicator license, under MS Chapter 18B.34: \$40 per license.
- For Licensed Lawn Service Applicator, under MS Chapter 18B and 18C: \$50 per license.

The MDA has made the determination that maintaining the amounts of surcharges for 1992 at the levels previously set for 1991 is reasonable and necessary for the following reasons:

- 1) The ACRRA, by statute, must maintain an unencumbered balance of \$1,000,000;
- 2) The ACRRA balance, after the addition of 1991 surcharges collected from November, 1991 to March, 1992, is projected to be more than \$1,000,000 and less than \$2,000,000;
- 3) Reimbursements or payments expected to be ordered by the ACRRA Board during the next year are estimated to be \$500,000 to \$1,000,000;
- 4) ACRRA surcharges for 1992, as detailed above, will not be collected until the period November, 1992 to March, 1993; and,
- 5) The Commissioner of the MDA, and the ACRRA Board, have been informed by persons required by statute to pay ACRRA surcharges that notification of determination of surcharge amounts is best managed, most acceptable and least objectionable to those affected if such determination and disclosure is made as soon as possible and no later than the end of any respective calendar year.

Persons needing further information may contact the MDA at (612) 297-3490.

Board of Chiropractic Examiners

Notice of Solicitation of Outside Information or Opinions Regarding Proposed Rules Governing the Practice of Chiropractic

NOTICE IS HEREBY GIVEN that the Minnesota Board of Chiropractic Examiners is seeking information or opinions from sources outside the agency in preparing to propose the adoption and amendments to the following proposed rules:

1. *Biennial Continuing Education Requirements*

- The board proposes to require chiropractors to obtain 40 hours of continuing education every two years.

2. *Record Keeping Standards*

- The board proposes to set minimum record keeping standards required to justify care.

3. *Advertising by means of Testimonials*

- The board proposes to amend the existing rule restricting the use of testimonial, to allow certain forms of testimonials.

The adoption of these rules is authorized by *Minnesota Statutes*, section 148.08, which permits the agency to promulgate rules in order to administer sections 148.01 to 148.105.

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

Official Notices

Joel B. Wulff, DC
Executive Director
Minnesota Board of Chiropractic Examiners
2700 University Avenue West, Suite 20
St. Paul, MN 55114

Oral statements will be received during regular business hours over the telephone at (612) 642-0591 and in person at the above address.

All statements of information and opinions shall be accepted until January 3, 1992. Any written material received by the Minnesota Board of Chiropractic Examiners shall become part of the rulemaking record to be submitted to the attorney general or administrative law judge in the event that the rule is adopted.

Dated: 20 November 1991

Joel B. Wulff, DC
Executive Director

Comprehensive Health Association

Notice of Meeting of the Legislative and Public Policy Committee

NOTICE IS HEREBY GIVEN that a meeting of the Minnesota Comprehensive Health Association (MCHA), Legislative and Public Policy Committee will be held at 9:00 a.m. on Thursday, December 12, 1991 at Prudential Insurance Company of America, 3701 South Wayzata Boulevard, Minneapolis, Minnesota, in the Board room on the 8th floor.

For additional information please call Lynn Gruber at (612) 593-9609.

Ethical Practices Board

Notice of 1992 Campaign Expenditure Limits

In accordance with *Minnesota Statutes* §§ 10A.25 and 10A.255, the following are nonelection year campaign expenditure limits in 1992, by office sought or held: Governor and Lt. Governor, \$406,673; Attorney General, \$67,779; Secretary of State, State Treasurer, State Auditor (each), \$33,890; State Senator, \$10,168; and State Representative, \$5,084. In 1992 election year campaign expenditure limits for the offices of State Senator and State Representative will be calculated and published by June 15, 1992, under *Minnesota Statute* § 10A.255.

Department of Health

Interagency Long Term Care Finance Committee

Notice of Meeting of Interagency Long Term Care Finance Committee

The Interagency Long Term Care Planning Committee shall meet on Thursday, December 5th, 1991 at 1:00 p.m. in the Chesley Room, first floor, Minnesota Department of Health, 717 S.E. Delaware Street, Minneapolis to take comments and discuss applications for exceptions to the nursing home moratorium.

Department of Human Services

Division for Persons with Developmental Disabilities

Notice of Solicitation of Outside Information or Opinions Regarding Proposed Amendment of *Minnesota Rules*, Parts 9525.0180 to 9525.0190, Governing Services to Persons with Mental Retardation or Related Conditions

NOTICE IS HEREBY GIVEN that the State Department of Human Services is seeking information or opinions from sources outside the agency in preparing to propose the amendment of the rule governing services to persons with mental retardation or a related condition. The amendment of the rule is authorized by *Minnesota Statutes*, section 252.27, subdivision 1a, which contains the

statutory definition of a "related condition." The Department of Human Services is considering repealing parts 9525.0180 to 9525.0190 and incorporating the related conditions diagnostic requirements contained in *Minnesota Rules*, parts 9525.0180 to 9525.0190 into *Minnesota Rules*, parts 9525.0015 to 9525.0165. This would result in one rule which governs case management services for persons with mental retardation or a related condition.

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

Laura Plummer
Rules and Bulletins Division
Department of Human Services
444 Lafayette Road
St. Paul, MN 55155-3816

Oral statements will be received during regular business hours over the telephone at 612/297-1217 and in person at the above address.

All statements of information and opinions shall be accepted until further notice is published in the *State Register* or the Notice of Hearing or Notice of Intent to Adopt Rules Without a Hearing is published in the *State Register*. Any written material received by the State Department of Human Services shall become part of the rulemaking record to be submitted to the attorney general or administrative law judge in the event that the rule is adopted.

Dated: 25 November 1991

Laura Plummer
Rules and Bulletins Division
Department of Human Services

Department of Human Services

Additions to the Notice of Health Services Requiring Prior Authorization for MA/GAMC

The following are additions to the list of services requiring prior authorization which was published in the April 2, 1990 *State Register*, Vol. 14, #40, pages 2365-2377. The added services will require prior authorization for services provided on or after December 1, 1991.

V. ALL OTHER SERVICES

- ADD: DRUGS THAT REQUIRE PRIOR AUTHORIZATION**
1. Aztemizole (Hismanal)
 2. Lactulose
 3. Tretinoin (Retin-A)—PA is required only for patients over 29 years of age

Department of Human Services

Mental Health Division

Notice of Solicitation of Outside Information or Opinions Regarding Proposed Adoption of Permanent Rules Relating to Case Management Services for Children with Serious and Persistent Mental Illness

NOTICE IS HEREBY GIVEN that the State Department of Human Services is seeking information or opinions from sources outside the agency in preparing to propose permanent rules governing relating to Case Management Services for Children with Serious and Persistent Mental Illness. The adoption of the rule is authorized by *Minnesota Statutes*, sections 245.484 which requires the agency to adopt rules related to case management services for children with serious and persistent mental illness. The proposed rules will implement *Minnesota Statutes*, section 245.4881 concerning the availability of case management services, determination of eligibility for case management services, notification of case management eligibility, qualifications and duties of the county board and case manager to provide case management services, scope of case management services, funding of services, and coordination of the child's case management services with the child's other mental health services and other services from the local system of care needed by the child.

Official Notices

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

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

Oral statements will be received during regular business hours over the telephone at (612) 297-4301 and in person at the above address.

All statements of information and opinions shall be accepted until further notice is published in the *State Register* or the Notice of Hearing or Notice of Intent to Adopt Rules Without a Hearing is published in the *State Register*. Any written material received by the State Department of Human Services shall become part of the rulemaking record to be submitted to the attorney general or administrative law judge in the event that the rule is adopted.

Eleanor Weber
Assistant Director

Minnesota Property Insurance Placement Facility

Notice of Annual Meeting of the Member Companies

NOTICE IS HEREBY GIVEN that a meeting of the Member Companies of the Minnesota Property Insurance Placement Facility will be held at 8:30 a.m. on Wednesday, December 11, 1991, at the offices of the Minnesota Property Insurance Placement Facility, 17 North Washington Avenue, Suite 300, Minneapolis, MN. For additional information please call 338-7584.

State Board of Investment

Meeting Notice

Administrative Committee

The State Board of Investment Administrative Committee will meet on Tuesday, December 10, 1991 in the SBI Conference Room, MEA Building, Room 105, 55 Sherburne Avenue, St. Paul, MN from 10:00 to 12:00 Noon.

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 Human Services

Family and Children's Services Division

Request for Proposals for a Family Preservation Integrated Services Project

NOTICE IS HEREBY GIVEN that the Family Preservation Services Section, Family and Children's Services Division, Minnesota Department of Human Services, is seeking proposals from county social service agencies to develop and implement a family preservation project which integrates child welfare service delivery with at least two other child serving systems. Other child serving systems include local school districts, juvenile justice, chemical dependency, or children's mental health. The purpose of the project is to demonstrate the benefits of integrating services across systems to strengthen families reducing the need for the placement of children outside the family home. Two grants will be funded in calendar year 1992: (1.) \$102,500 for a county or combination of counties with a child population above 30,000 (1990 Census); (2.) \$56,250 for a county or combination of counties with a child population below 30,000 (1990 Census).

Professional, Technical & Consulting Contracts

A local match is required.

Proposals must be submitted by 4:20 p.m. CDT, Wednesday, January 22, 1991.

For further information contact:

Jerry Lindskog (612) 296-3910 or Rob Sawyer (612) 297-2359
Family Preservation Services Section
Family and Children's Services Division
Minnesota Department of Human Services
444 Lafayette Road
St. Paul, Minnesota 55155-3832

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.

Historical Society

Notice of Request for Proposals for Historical Research

The Minnesota Historical is seeking proposals from qualified firms and individuals to provide historical research services relating to its Northwest Company Fur Post historic site. The request is made through the formal Request for Proposals, a copy of which may be obtained by contacting Gary W. Goldsmith, Contracting Officer, 690 Cedar Street, St. Paul, MN 55101. Telephone (612) 296-2155. Proposals are due not later than January 3, 1992.

Department of Human Services

Request for Nurse Consultant Services

The Minnesota Department of Human Services, St. Paul, currently has a vacancy for a Nurse Consultant. The major focus of the position is the review of medical records to determine eligibility for Medicare reimbursement. Additional responsibilities include providing advice, consultation, recommendations and education in the administration of the Medicare Revenue Enhancement Program; serving as a liaison for providers, fiscal intermediaries, carriers and HMO's; and staffing work groups. Desired qualifications include registered nurse with experience/knowledge of Medicare Coverage criteria for home health services, rehabilitation services, and durable medical equipment. Knowledge of the Medical Assistance Program is highly desirable. This is a contract position. Interested candidates should submit resumé no later than December 23, 1991 to:

Julie Elhard	St. Paul, MN 55155-3850
Medicare Coordinator	(612) 296-7699
Benefit Recovery Section	FAX: (612) 296-6244
444 Lafayette Road	Equal Opportunity Employer

Department of Jobs and Training

Division of Services for the Blind and Visually Handicapped

Request for Proposals to Provide Vending Services at the Moorhead Tourist Information Center, Moorhead, Minnesota

The Minnesota Department of Jobs and Training, Services for the Blind and Visually Handicapped, Business Enterprises Program (BEP), desires proposals for the provision of vending services at the Moorhead Tourist Information Center. This Rest Area is located

Professional, Technical & Consulting Contracts

on Interstate 94 close to Moorhead. Three (3) vending machines are required: One (1) canned soda, one (1) hot drink, one (1) showcase. In addition, all machines must be equipped with electronic coin and bill acceptance.

Product and services will be provided under contract, and all relevant information is outlined in detail in the RFP. The formal RFP may be requested and inquiries directed to:

Services for the Blind and Visually Handicapped
Attention: Stan Nichol
810 St. Germain
Room 301
St. Cloud, Minnesota 56301
(612) 255-4213

The deadline for completed proposals is the end of the business day (4:30 p.m.) December 24, 1991.

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 CODE KEY

A = Sealed Bid	G = \$5,000-\$15,000 Estimated Dollar Value	J = Targeted Vendors Only
B = Write for Price	H = \$15,000-\$50,000 Sealed Bid	K = Local Service Needed
C = Request for Proposal	I = \$50,000 and Over Sealed Bid/Human Rights Compliance Required	L = No Substitute
D = Request for Information		M = Installation Needed
E = \$0-\$1,500 Estimated Dollar Value		N = Pre-Bid Conference
F = \$1,500-\$5,000 Estimated Dollar Value		

Commodity: B F-Photometer for telescope

Contact: Pam Anderson 612-296-1053

Bid due date at 4:30pm: December 10

Agency: Moorhead State University

Deliver to: Moorhead

Requisition #: B 26072-03494

Commodity: A H-Meat for December delivery

Contact: Linda Parkos 612-296-3725

Bid due date at 2pm: December 4

Agency: Minnesota Correctional Facility

Deliver to: Stillwater

Requisition #: B 78620-00419

Commodity: A H-Library bureau shelving

Contact: Jack Bauer 612-296-2621

Bid due date at 2pm: December 10

Agency: Normandale Community College

Deliver to: Bloomington

Requisition #: B 27156-10851

State Contracts and Advertised Bids

Commodity: B G-Aerial personnel lift
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 4:30pm: December 10
Agency: Department of Administration
Deliver to: St. Paul
Requisition #: B 02307-24254

Commodity: B E-Gas chlorinator regal
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 4:30pm: December 6
Agency: Minnesota Correctional Facility
Deliver to: St. Cloud
Requisition #: B 78830-11079

Commodity: A H-Quick detach tractor
sweeper
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 2pm: December 10
Agency: Minnesota Department of
Transportation
Deliver to: Various places
Requisition #: B 79382-02340

Commodity: B F-Electrical supplies
Contact: Joan Breisler 612-296-9071
Bid due date at 4:30pm: December 10
Agency: Minnesota Correctional
Facility—Faribault
Deliver to: Faribault
Requisition #: B 78790-20411

Commodity: B F-Numbering machine
Contact: Jack Bauer 612-296-2621
Bid due date at 4:30pm: December 10
Agency: Winona State University
Deliver to: Winona
Requisition #: B 26074-14225

Commodity: B E-Engraving machine
Contact: Jack Bauer 612-296-2621
Bid due date at 4:30pm: December 10
Agency: Brainerd Regional Human
Services Center
Deliver to: Brainerd
Requisition #: B 55304-09160

Commodity: B F-Steel utility topper
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 4:30pm: December 10
Agency: Mankato State University
Deliver to: Mankato
Requisition #: B 26071-43116

Commodity: B G-3-Point hitch tractor
sweeper
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 4:30pm: December 10
Agency: Minnesota Department of
Transportation
Deliver to: Various places
Requisition #: B 79382-02338

Commodity: B E-Steel stamping dies
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 4:30pm: December 6
Agency: Department of Public Service
Deliver to: St. Paul
Requisition #: B 80300-92173

Commodity: Capitol security guard
uniforms
Contact: Norma Cameron 612-296-3779
Bid due date at 2pm: December 11
Agency: Department of Public Safety
Deliver to: St. Paul
Requisition #: Price contract

Commodity: B E L-External modem
Contact: Bernadette Vogel
612-296-3778
Bid due date at 4:30pm: December 9
Agency: St. Cloud State University
Deliver to: St. Cloud
Requisition #: B 26073-23080-1

Commodity: B E-Camcorder
Contact: Pam Anderson 612-296-1053
Bid due date at 4:30pm: December 6
Agency: Willmar Community College
Deliver to: Willmar
Requisition #: B 27145-07753

Commodity: A H-Scanner system
Contact: Jack Bauer 612-296-2621
Bid due date at 2pm: December 6
Agency: Department of Public Safety
Deliver to: St. Paul
Requisition #: B 07300-26535

Commodity: B E J-Calculators
Contact: Jack Bauer 612-296-2621
Bid due date at 4:30pm: December 6
Agency: Department of Public Service
Deliver to: St. Paul
Requisition #: B 80400-92175

Commodity: B F-Combustion analysis
on boiler burner
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 4:30pm: December 9
Agency: Mankato State University
Deliver to: Mankato
Requisition #: B 26071-09632

Commodity: B F-Submersible pump
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 2pm: December 11
Agency: Minnesota Pollution Control
Agency
Deliver to: St. Paul
Requisition #: B 32300-30856

Commodity: B E-Johnson control
supplies
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 4:30pm: December 11
Agency: Minnesota Correctional Facility
Deliver to: St. Cloud
Requisition #: B 78830-11080

Commodity: B G-Video equipment
Contact: Pam Anderson 612-296-1053
Bid due date at 4:30pm: December 3
Agency: Department of Public Safety
Deliver to: St. Paul
Requisition #: B 07300-26533

Commodity: B E-Water testing
equipment
Contact: Pam Anderson 612-296-1053
Bid due date at 4:30pm: December 6
Agency: Minnesota Department of
Transportation
Deliver to: Fort Snelling
Requisition #: B 79000-22406

Commodity: B F-Used horizontal
camera
Contact: Jack Bauer 612-296-2621
Bid due date at 4:30pm: December 11
Agency: Bemidji State University
Deliver to: Bemidji
Requisition #: B 26070-14615

Commodity: B F-Vertical mill
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 4:30pm: December 11
Agency: Bemidji State University
Deliver to: Bemidji
Requisition #: B 26070-14613

State Contracts and Advertised Bids

Commodity: B G-Lengthen truck and install van body
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 4:30pm: December 11
Agency: Mankato State University
Deliver to: Mankato
Requisition #: B 26071-43111

Commodity: B E-Sarco valve parts
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 4:30pm: December 11
Agency: St. Peter Regional Treatment Center
Deliver to: St. Peter
Requisition #: B 55105-09016

Subscription Services

Minnesota's Bookstore offers several subscription services of activities, awards, decisions and special bulletins of various Minnesota state agencies.

Use the handy order form on the back of the *State Register* to order. Simply fill in the subscription code number, include your name, address and zip and your check made out to the State of Minnesota (PREPAYMENT IS REQUIRED) and send it in. We'll start your subscription as soon as we receive your order, or whenever you like.

SUBSCRIPTION	COST	CODE NO.	SUBSCRIPTION	COST	CODE NO.
Career Opportunity Bulletin, 1 year	\$ 30.00	90-3	State Register, Monday edition only, 1 year	\$140.00	90-1
Career Opportunity Bulletin, 6 mos.	\$ 24.00	90-4	State Register, Monday and Thursday editions, 1 year	\$195.00	90-1
Human Services Informational and Instructional Bulletin	\$110.00	90-6	Trial State Register, 3-months, Monday and Thursday	\$ 60.00	90-2
Human Services Bulletin List	\$115.00	90-7	Tax Court/Property Decisions	\$325.00	90-11
PERB (Public Employee Relations Board) Awards and Decisions, 1 year	\$350.00	90-9	Workers Compensation Decisions, unpublished subs run Jan-Dec 1991; can be prorated	\$400.00	90-12
Minnesota Statutes 1990 Set + Supplement	\$165.00	18-7			
Minnesota Rules 1991 Set + Supplement	\$200.00	18-100			
Workers Compensation Decisions Vol. 45	\$160.00	90-13			

TO ORDER: Send to Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155. Call (612) 296-0931, or toll-free in Minnesota: 1-800-657-3757. Prepayment is required. Please include daytime phone. *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.

Catching criminals is only one part of law enforcement.

Police Report Writing Style Manual 1989—A common framework for report writing throughout the state. Discusses the general purpose of police reports, reviews field notetaking, offers instructions on completing common report forms, and introduces the Data Practices Law. Code No. 14-13. \$15.00.

Motor Vehicle Traffic Laws 1990—Includes laws governing motor carriers, motor vehicle registration and no-fault auto insurance. Code No. 2-85. \$16.95.

Criminal Code & Selected Statutes 1990—Governs the conduct of peace officers. Includes continuing education requirements, sentencing standards, and more. Code No. 2-68. \$17.95.

Blue Binder—3 ring. 2" capacity. Criminal Code and Motor Vehicle Traffic Laws require 1 binder each. Code No. 10-21. \$4.95.



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.

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Human Services Laws and Rules

Human Services Laws 1990

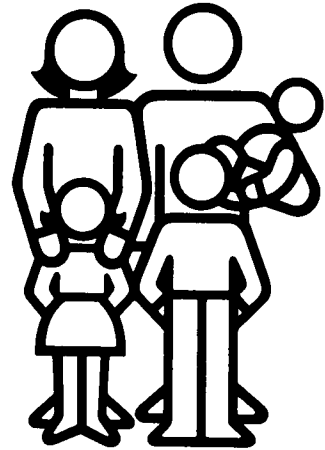
An extract from the statutes. Includes legislative amendments and additions from the most recent session. Code No. 2-56. \$31.95.

Human Services Rules 1989

Rules governing assistance programs, eligibility grant amounts, AFDC and residence requirements. MN Rules Chapter 9500-9580. Code No. 3-95. \$34.95.

3 ring binder. 2" capacity. 1 required for each of above listed publications. Code No. 10-21. \$4.95.

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.



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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.

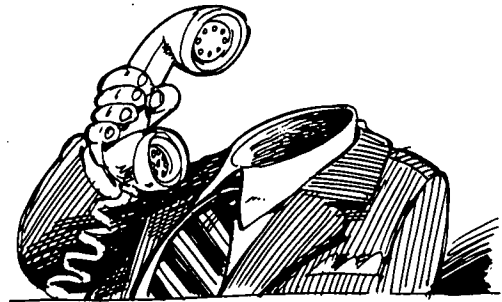
TO ORDER: Send to Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155. Call (612) 297-3000, or toll-free in Minnesota: 1-800-657-3757. Minnesota residents please include 6½% sales tax. On all orders, add \$2.00 per order for handling. Prepayment is required. Please include daytime phone. VISA/MasterCard, American Express and Discover orders accepted over phone and through mail. **Prices are subject to change.** FAX: (612) 296-2265.

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Ever called this guy?

1990 State of Minnesota Telephone Directory. Get a direct line to the persons you want to speak to. Contains names, numbers, and agencies in the executive, legislative and judicial branches of state government. Four sections give listings alphabetically by name, agency, Minnesota region, plus an index for cross referencing. Over 288 pages, paperback, 8½"x11". Code #1-87, #12.95.

Minnesota Guidebook to State Agency Services. A treasure of information that cuts red tape and gets you **RESULTS** from Minnesota state government. This important resource helps you through applications, fees, licenses, reports, history, recreation and travel. It describes agencies in detail and how they can assist you, giving addresses, phones and contact people. Stock #1-4, \$9.95 plus tax.



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.

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Department of Commerce Regulated Profession Publications

Banking Laws 1989. Complete text of state law governing banks, trust companies and other financial institutions. Code #2-76. \$31.95

Business and Nonprofit Corporation Act of 1990. Laws governing establishment and conduct of for-profit and non-profit corporations in Minnesota. Chapters 302A, 308A, 317A. Code #2-87 \$19.95

Fair Labor Standards Act 1987. Minimum wage and overtime compensation standards for employers. Chapter 177. Code #2-75 \$4.95

Insurance Laws 1990. A compendium of laws applicable to the insurance business. Includes chapters on company and individual agents licensing requirements. Code #2-1. \$22.95

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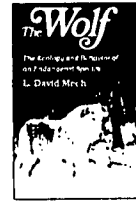
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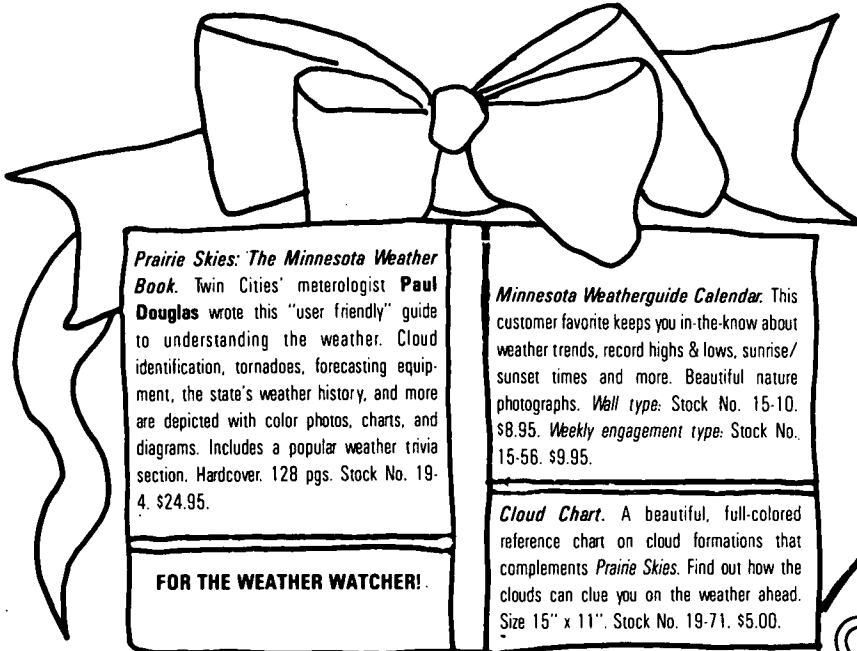
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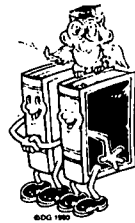
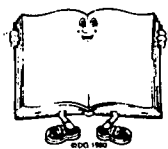
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