

State of Minnesota

# State Register



**Rules, Executive Orders, Appointments,  
Commissioners' Orders, Revenue Notices, Official Notices, Grants,  
State Contracts & Loans, Non-State Bids, Contracts & Grants**

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# State Register

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The *State Register* is the official publication of the State of Minnesota, published weekly to fulfill the legislative mandate set forth in *Minnesota Statutes* § 14.46. The *State Register* contains:

- rules of state agencies
- commissioners' orders
- state grants and loans
- executive orders of the governor
- revenue notices
- contracts for professional, technical and consulting services
- non-state public bids, contracts and grants
- appointments
- official notices

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Vol. 33 Issue Number	PUBLISH DATE ( <b>BOLDFACE</b> shows altered publish date)	Deadline for: Emergency Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical-Consulting Contracts, Non-State Bids and Public Contracts	Deadline for Proposed, Adopted and Exempt RULES
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# Minnesota Rules: Amendments and Additions

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

The *State Register* is the official source, and only complete listing, for all state agency rulemaking in its various stages. State agencies are required to publish notice of their rulemaking action in the *State Register*. Published every Monday, the *State Register* makes it easy to follow and participate in the important rulemaking process. Approximately 80 state agencies have the authority to issue rules. Each agency is assigned specific **Minnesota Rule** chapter numbers. Every odd-numbered year the **Minnesota Rules** are published. The current 1999 set is a 13-volume bound collection of all adopted rules in effect at the time. Supplements are published to update this set of rules. Generally speaking, proposed and adopted exempt rules do not appear in this set because of their short-term nature, but are published in the *State Register*.

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

When rules are first drafted, state agencies publish them as **Proposed Rules**, along with a notice of hearing, or a notice of intent to adopt rules without a hearing in the case of noncontroversial rules. This notice asks for comment on the rules as proposed. Proposed emergency rules and withdrawn proposed rules are also published in the *State Register*. After proposed rules have gone through the comment period, and have been rewritten into their final form, they again appear in the *State Register* as **Adopted Rules**. These final adopted rules are not printed in their entirety 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 most current edition of 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 issues #1-39; issues #40-51 inclusive; and issues #1-52 (or 53 in some years), cumulative for issues #1-52 (or 53). An annual subject matter index for rules was separately printed usually in August, but starting with Volume 19 now appears in the final issue of each volume. For copies or subscriptions to the *State Register*, contact Minnesota's Bookstore, 660 Olive Street (one block east of I-35E and one block north of University Ave), St. Paul, MN 55155 (612) 297-3000, or toll-free 1-800-657-3757.

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# Adopted Rules

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

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

## Department of Labor and Industry Adopted Permanent Rules Relating to Independent Contractor Exemption Certificates

The rules proposed and published at *State Register*, Volume 32, Number 40, pages 1811-1817, March 31, 2008 (32 SR 1811), are adopted with the following modifications:

### 5202.0100 SCOPE.

Parts 5202.0100 to 5202.0160 ~~govern independent contractor exemption certificates issued to individuals performing public or private sector commercial or residential building construction or improvement services under~~ implement *Minnesota Statutes*, section 181.723.

### 5202.0110 DEFINITIONS.

Subp. 8. Main expenses. "Main expenses" for purposes of *Minnesota Statutes*, section 181.723, means:

A. the expense of purchasing, renting, and maintaining tools, equipment, facility or office space, and vehicles used in providing the service;

B. labor expenses related to the service;

C. business expenses that are related to the service such as advertising, insurance, taxes, licenses, and permits; and

D. the expense of materials used in providing the service, except for building construction or improvement materials that under a contract are provided by the building owner or another contractor.

Subp. 8 9. Individual. "Individual" has the meaning given in *Minnesota Statutes*, section 181.723, subdivision 1.

Subp. 9 10. Person. "Person" has the meaning given in *Minnesota Statutes*, section 181.723, subdivision 1.

Subp. 11. Sworn statement. "Sworn statement" means a statement that is signed and sworn to before a notarial officer under *Minnesota Statutes*, chapter 358.

### 5202.0120 WHO SHALL BE ISSUED AN INDEPENDENT CONTRACTOR EXEMPTION CERTIFICATE.

Subp. 3. Landscaping services excluded. Individuals who are performing landscaping services are not performing public sector commercial or residential building construction or improvement services. For purposes of this section, landscaping services means to adorn or improve the land around a building by contouring the land and placing and setting plants, shrubs, and trees *Minnesota Statutes*, section 181.723, subdivision 2, clause (3), landscaping services means placing soil, sod, and mulch; planting seeds, plants, shrubs, trees, and other vegetation; and installing erosion control measures, retaining walls, boundary walls, fences, brick and stone pavers, and aesthetic surface treatments.

### 5202.0130 APPLICATION; REQUIRED INFORMATION AND DOCUMENTATION; APPROVAL OR DENIAL.

Subpart 1. **Complete application; submission of documents.**

B. The applicant must submit complete and legible copies of the information and documentation required in subpart 2 and must retain the original information and documentation for at least two years after submitting the application. The commissioner may store by imaging or other electronic format any information and documentation submitted as part of the application if the image or electronic format produces an accurate and readable image. The commissioner must retain the copies of the submitted information and documentation until the information and documentation is stored by imaging or other electronic format and until 60 days after there is a final order approving or denying the application under *Minnesota Statutes*, section 181.723, subdivision 5. After the order is final and the information and documentation is electronically stored, the commissioner may destroy the copies. Thereafter, the commissioner may destroy the copies.

Subp. 2. **Required information and documentation.** All applicants for an exemption certificate must provide the information and documentation required in items A to N on a form and in the manner required by the commissioner.

D. A copy of any audit, letter, report, order, decision, determination, certificate, opinion, or ruling issued by any state or federal court or agency, to the applicant or about which the applicant has knowledge, that is related to the ~~applicant's business or the applicant's status of the applicant or the applicant's business~~ as an independent contractor, sole proprietor, employer, or an employee. The applicant must explain how the audit, letter, report, order, decision, determination, certification, opinion, or ruling supports one or more of the factors in *Minnesota Statutes*, section 181.723, subdivision 5, paragraph (a), clause (8), or why the applicant should be granted the exemption certificate despite the document's findings.

E. A copy of any credential held or training completed by the applicant that is related to, or required for, the performance of services for which the applicant is seeking an exemption certificate. Examples of these credentials include a business, professional, or personal license issued by a government entity; a certificate of completion of an apprenticeship or other training program; and a degree issued by an accredited educational institution. ~~The applicant must also explain how the credential or training supports one or more of the factors in Minnesota Statutes, section 181.723, subdivision 5, paragraph (a), clause (8)~~ If the credential is a license issued by a Minnesota state agency, the applicant may provide the license number and type of license held instead of providing a copy of the license.

F. Information about whether the applicant employs ~~or intends to employ~~ individuals while acting as independent contractors under the exemption certificate. If the applicant employs ~~or intends to employ~~ individuals, the applicant must also submit documentation of the applicant's unemployment insurance tax account number under *Minnesota Statutes*, section 268.045, and workers' compensation coverage for the employees under *Minnesota Statutes*, chapter 176. If the applicant believes that unemployment or workers' compensation insurance is not required, the applicant must explain the legal basis for why unemployment or workers' compensation coverage is not required.

G. Information about whether, at any time during the two years before the date of the application, the applicant has been employed; ~~has been paid wages; has had wages garnished or withheld; or has received workers' compensation or unemployment insurance benefits.~~ If any of these has occurred the applicant has been employed at any time during the two years before the date of the application, the applicant must explain why ~~these indications of the employment do~~ does not preclude issuance of an exemption certificate.

J. Copies of up to five executed contracts for services the applicant contracted to provide before the date of the application, if any, and template contracts that the applicant intends to use in contracting to provide services as an independent contractor under the exemption certificate. The template contracts must satisfy factors in Minnesota Statutes, section 181.723, subdivision 5, paragraph (a), clause (8), items (iii), (iv), (v), (vi), and (vii), for the services the applicant will provide as an independent contractor under the exemption certificate.

K. ~~Additional information and documentation that support the factors in Minnesota Statutes, section 181.723, subdivision 5, paragraph (a), clause (8), related to the services the applicant will provide as an independent contractor under the exemption certificate. The applicant must explain how each document submitted supports one or more of the factors. Examples of documentation that support one or more factors include: Applicants must submit the documentation described in subitems (1) and (2). In addition, applicants must submit the documentation described in at least five of subitems (3) to (13) related to the services the applicant will perform under the exemption certificate.~~

~~(1) tax returns, schedules, attachments, and forms described in item H;~~

~~(2) (1) rental agreements or lease agreements, other than a post office box, for facility space used by the applicant in performing the services for which the applicant is seeking the exemption certificate. Instead of the rental or lease agreements, the applicant may provide the tax documentation described in item H, subitem (10);~~

~~(3) (2) documentation that establishes the applicant's ownership or control of equipment, tools, materials, or vehicles necessary for the applicant to perform the services for which the applicant is seeking the exemption certificate. Examples of such documentation include contracts, rental or lease agreements, deeds, and receipts, or the tax documentation described in item H, subitem (2) or (7), showing such ownership or control;~~

~~(3) if submitted by the applicant in response to item H, the state or federal tax documentation described in item H, subitems (1), (3), (4), (8), (9), and (11), and IRS 1099 forms issued to the applicant;~~

~~(6) business or building permits held or applied for that are related to the applicant's performance of the services for which the applicant is seeking the exemption certificate;~~

~~(10) trade or professional memberships or affiliations; and~~

~~(11) marketing or advertising materials;~~

~~(12) documentation of payment to other independent contractors as shown on IRS forms 1099 and 1096; and~~

~~(13) documentation of compliance with laws related to:~~

~~(a) workers' compensation or unemployment insurance as described in item F and item H, subitem (5); and~~

~~(b) payment or withholding of wages as shown on IRS W-2 and W-3 forms or item H, subitem (6).~~

M. A color ~~copy~~ photocopy of a current photo identification document issued to the applicant by the United States or a state or territory of the United States, along with documentation required by any federal electronic verification program, such as the Systematic Alien Verification for Entitlements Program adopted under United States Code, title 8, section 1642, that assists the department in

# Adopted Rules

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verifying the applicant's authorization to work in the United States.

Subp. 3. **Approval or denial.** Applications must be approved or denied according to items A and B, and *Minnesota Statutes*, section 181.723, subdivision 5, paragraph (c).

A. The commissioner must issue an exemption certificate if both subitems (1) and (2) are met:

(1) the application is complete according to subpart 1; and

(2) if the commissioner determines that all of the information and documentation submitted establishes that the applicant meets or could meet the factors in *Minnesota Statutes*, section 181.723, subdivision 5, paragraph (a), clause (8), for the services for which the applicant has requested an exemption certificate.

## **5202.0140 APPLICATION FOR A CORRECTED, RENEWAL, OR AMENDED CERTIFICATE; TIME FRAMES FOR SUBMISSION OF INITIAL AND RENEWAL APPLICATIONS.**

Subpart 1. **Obligation to update identifying information.** Within 15 ~~calendar~~ days of the change, each certificate holder or applicant for an exemption certificate must notify the commissioner in writing of any change in the certificate holder's:

Subp. 3. ~~New application and fee required~~ **Legal name change.** If the change is to the certificate holder's legal name; ~~or business name, or business organization;~~ the certificate holder must submit ~~a new complete application and fee according to part 5202.0130~~ additional information and documentation if the commissioner determines it is needed to verify the change and to determine whether the name change affects the validity of the exemption certificate.

Subp. 5. **Time frames for submission of initial and renewal applications.** An initial application for an exemption certificate must not be submitted before September 2, 2008, or before the effective date of these rules, whichever is later. To renew an exemption certificate without a lapse in the certificate, the certificate holder must submit a new complete application and fee according to part 5202.0130 at least 30 days, but no more than 60 days, before the expiration date specified on the applicant's current certificate. An individual who does not file a complete application for renewal at least 30 days before the certificate's expiration date is uncertified as of 11:59:59 p.m. Central ~~Standard~~ Time on the certificate's expiration date and remains uncertified unless and until a renewed certificate is issued by the department.

## **5202.0160 EXPIRATION, REVOCATION, OR CANCELLATION OF CERTIFICATE; NOTICE TO PUBLIC AND CONTRACTORS.**

Subpart 1. **Notice.** When an exemption certificate expires, is canceled, or is revoked, the department shall indicate that certificate's status on the list of certificate holders on the department's official Web site. After a certificate has expired, is canceled, or is revoked, the department shall maintain the former certificate holder's information on its Web site for at least six months. After six months, the department may remove the expired, canceled, or revoked certificate holder's information from its list of certificate holders. A former certificate holder shall not hold out as an independent contractor for the services listed on the expired, canceled, or revoked exemption certificate. An exemption certificate expires or is canceled or revoked as of 11:59:59 p.m. Central ~~Standard~~ Time on the date of expiration, cancellation, or revocation.



# Expedited Emergency Rules

Provisions exist for the Commissioners of some state agencies to adopt expedited emergency rules when conditions exist that do not allow the Commissioner to comply with the requirements for emergency rules. The Commissioner must submit the rule to the attorney general for review and must publish a notice of adoption that includes a copy of the rule and the emergency conditions. Expedited emergency rules are effective upon publication in the State Register, and may be effective up to seven days before publication under certain emergency conditions.

Expedited emergency rules are effective for the period stated or up to 18 months. Specific *Minnesota Statute* citations accompanying these expedited emergency rules detail the agency's rulemaking authority.

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

## Department of Natural Resources

### Adopted Expedited Emergency Game and Fish Rules: 2008 Deer Season

**NOTICE IS HEREBY GIVEN** that the above entitled rules have been adopted through the process prescribed by *Minnesota Statutes*, section 84.027, subdivision 13 (b). The statutory authority for the contents of the rule is *Minnesota Statutes*, sections 97A.401, 97A.465, 97A.535, 97B.111, 97B.301, 97B.305, and 97B.311.

The emergency conditions that do not allow compliance with *Minnesota Statutes*, sections 97A.0451 to 97A.0459, are that population data needed to establish quotas and classify deer areas are not available until June. New hunt conditions are provided for on an experimental basis for research purposes. Disabled and special hunt areas open or closed to hunting are not established until harvest and population data are evaluated in May and June. Changes in season options and registration block boundaries are being made in coordination with legislative changes (*Laws of Minnesota 2008*, Chapter 368, Article 2, Sections 8, 15, 30, 31, 32, 34, 37, 39, 46, 47, 48 and 50) to simplify deer hunting regulations and improve deer harvest and population management by better aligning land-use and land cover type to provide for more uniform harvest.

Dated: July 15, 2008

Mark Holsten, Commissioner  
Department of Natural Resources

#### 6232.0200 DEFINITIONS.

[For text of subs 1 to 9, see M.R.]

**Subp. 10. Antler point.** "Antler point" means an antler projection measuring at least one inch in length when measured from the base to the tip.

**Subp. 11. Earn-a-buck hunt.** "Earn-a-buck hunt" means a hunt in which a hunter must tag at least one antlerless deer before tagging a legal buck. For each buck killed and tagged, an antlerless deer must be killed and tagged first.

#### 6232.0300 GENERAL RESTRICTIONS FOR TAKING DEER.

Subpart 1. ~~**Zone and date Season options.**~~ A firearm deer hunter may purchase a firearm license valid for the regular firearms deer season or a youth firearm license. ~~A muzzleloader deer hunter may purchase a muzzleloader license valid for the muzzleloader season, a multizone buck license to take antlered deer in more than one zone, an all-season deer license, or a resident youth muzzleloader license. A hunter purchasing a resident youth license or a regular firearm license, including a hunter choosing a muzzleloader option, must select only one of the zone and date options listed on the license. For the regular firearm season, a hunter must select either the A or B season and this choice option will be printed on the license at the time of purchase. A person may only hunt deer by firearms within the zone and date options season option indicated on the person's firearm license, except:~~

A. as prescribed in part 6232.1970, subpart 2; and

B. a firearm license for any season option is valid in the metropolitan deer management zone, deer permit areas open for early antlerless hunting, and the special bovine tuberculosis area (deer permit area 101).

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

**Subp. 5. Tagging.** The tag of the license valid for the taking of the deer must be affixed around the tendon or bone of a hind leg, around the base of an antler, or through a slit cut in either ear ~~so that the tag cannot be readily removed.~~

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

# Expedited Emergency Rules

Subp. 8. **Bag limit.** A person may not tag more than one legal buck per calendar year using any combination of licenses. A person may not tag more than one deer during a license year by any method, except as authorized in items A to D H.

A. In Marshall, Kittson, Roseau, Lake of the Woods, and Pennington Counties, in deer permit areas designated as managed or intensive, a person may tag one deer with a regular an archery license and another with a regular, firearms, or muzzleloader license, including the muzzleloader option or multizone buck license. Both deer must be taken and registered in this five-county area.

B. A person may tag a second, third, fourth, or fifth deer by archery, firearm, or muzzleloader with a bonus permit in specified areas as prescribed in this chapter.

C. In no case may a person tag more than five deer per year by firearms, muzzleloader, archery, or both all methods combined, except a sixth deer may be tagged if the person takes a deer with a free landowner permit additional deer may be taken as provided in items D, subitem 4, E, F, and G.

D. Except as provided in items A, E, F, and G, the total bag limits by deer permit area are as follows:

(1) the total bag limit for lottery deer permit areas is one deer, except all-season license holders may take two deer;

(2) the total bag limit for managed deer permit areas is two deer, except all-season license holders may take up to three deer.

Archery, firearms, and muzzleloader hunters using bonus permits may not harvest antlerless deer in more than one managed deer permit area;

[For text of subitems (3) and (4), see M.R.]

E. Up to a total of two antlerless deer may be taken in the early antlerless deer permit areas as prescribed in part 6232.1750, subpart 5. These deer may be taken in addition to the bag limit established in item C.

F. Hunters hunting in the metropolitan deer management zone (deer permit area 601) may take and tag an unlimited number of deer.

G. Hunters hunting in the special bovine tuberculosis area (deer permit area 101) may take and tag an unlimited number of deer.

H. Muzzleloader and archery deer hunters hunting in Zone 3 may take deer under the most liberal bag limits prescribed for a permit area.

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

## **6232.0350 RESTRICTIONS FOR TAKING DEER IN ITASCA STATE PARK.**

In Itasca State Park, a legal buck is defined as a deer with a minimum of three antler points on at least one antler. Bucks with fewer antler points than the minimum defined points are protected and are not legal for harvest. Up to four bonus permits may be used to take antlerless deer.

## **6232.0400 REGISTRATION OF DEER.**

Subpart 1. [Repealed, 20 SR 2287]

Subp. 2. **Registration requirements.** Persons taking tagging a deer must present the deer for registration at a designated deer registration station or agent of the commissioner and obtain a big game possession tag:

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

Subp. 3. [Repealed, 20 SR 2287]

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

Subp. 5. **Deer taken in the special bovine tuberculosis area.** Deer taken in the special bovine tuberculosis area (deer permit area 101) must be registered prior to transport outside the area, except that deer may be registered in Wannaska.

## **6232.0800 ARCHERY SPECIAL HUNT AREAS AND PROCEDURES.**

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

Subp. 2. **Areas.** Special bow and arrow permits are valid in areas designated by the commissioner and published in the annual hunting regulations booklet. The following archery special hunt areas are established for the 2008 season:

A. portions of the city of New Ulm and Flandrau State Park in Brown County are open October 11 to December 31 for taking antlerless deer and legal bucks. No more than 50 permits shall be issued by the city of New Ulm. Hunters must have a valid archery license to participate. To tag a buck, a hunter must first tag at least one antlerless deer. Multiple deer may be registered at the same time, but the antlerless deer must be tagged first. Bonus permits may also be used by permittees to take antlerless deer. A proficiency test and payment of a \$5 administrative fee are required. Applications must be sent to New Ulm City Deer Hunt, City Manager's Office, 100 N. Broadway, New Ulm, MN 56073. Applications must be postmarked by August 29;

B. portions of the city of Mankato are open October 18 to December 31 for taking antlerless deer and legal bucks. No more than 40 permits shall be issued by the city of Mankato. Hunters must have a valid archery license to participate. To tag a buck, a hunter must first tag at least one antlerless deer. Multiple deer may be registered at the same time, but the antlerless deer must be tagged first. Bonus permits may also be used by permittees to take antlerless deer. A proficiency test and payment of a \$5 administrative fee are required. For an

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## Expedited Emergency Rules

application form and description of the hunt requirements, write to: Mankato City Deer Hunt, P.O. Box 3368, Mankato, MN 56001, or call (507) 387-8649;

C. portions of the city of Granite Falls are open September 13 to December 31 for taking antlerless deer. No more than 10 permits shall be issued by the city of Granite Falls. Hunters must have a valid archery license to participate. Bonus permits may also be used by permittees to take antlerless deer. A \$10 administrative fee shall be charged. For an application form and description of the hunt requirements, write to: Granite Falls City Deer Hunt, Granite Falls Police Dept., 930 4th St., Suite 3, Granite Falls, MN 56241, or call (320) 564-2129. Applications must be postmarked no later than September 1;

D. portions of the city of Ortonville are open October 1 to December 31 for taking antlerless deer and legal bucks. No more than 30 permits shall be issued by the city of Ortonville. Hunters must have a valid archery license to participate. To tag a buck, a hunter must first tag at least one antlerless deer. Multiple deer may be registered at the same time, but the antlerless deer must be tagged first. Bonus permits may also be used by permittees to take antlerless deer. A proficiency test and payment of a \$7.50 administrative fee are required. For an application form and description of the hunt requirements, write to: Ortonville City Deer Hunt, 315 Madison Ave., Ortonville, MN 56278, or call (320) 839-3428. Applications must be received by the close of business on September 1;

E. Camp Ripley Military Reservation in Morrison County is open October 8 and October 9 for taking antlerless deer and legal bucks. Hunters must have a valid archery license to participate. No more than 150 permits shall be issued only to active duty military personnel. One bonus permit may be used, but a hunter may not take more than one deer.

F. portions of the city of St. Cloud and the St. Cloud Game Refuge are open from September 13 to December 31 by special permit from the city. Hunters must have a valid archery license to participate. No more than 50 permits shall be issued. Hunting is allowed on certain lands under special hunting rules administered by the city of St. Cloud. A proficiency test is required and other restrictions designated by the city apply. There is a limit of two deer. Hunters must tag an antlerless deer before tagging a buck. For an application form and description of the hunt requirements, contact the St. Cloud Health and Inspections Department Deer Hunt, 400 2nd St. South, St. Cloud, MN 56301, or at [www.ci.stcloud.mn.us](http://www.ci.stcloud.mn.us), or call (320) 255-7214. Applications for the archery deer hunt must be postmarked no later than August 22;

G. portions of the city of Canby are open September 13 to December 31 for taking antlerless deer. No more than 20 permits shall be issued by the city of Canby to individuals authorized to hunt the archery season. Bonus permits may also be used by permittees to take antlerless deer. A proficiency test and payment of a \$5 administrative fee are required. For an application form and description of the hunt requirements, write to: City of Canby, 110 Oscar Ave. N., Canby, MN 56620, or call (507) 223-7295. Applications must be postmarked no later than August 15;

H. Crow-Hassan Park Reserve in Hennepin County is open November 14 to November 16 for taking antlerless deer and legal bucks. Hunters must have a valid archery license to participate. No more than 130 permits shall be issued. Up to four bonus permits may be used by permittees to take additional deer. Applications must be sent to Three Rivers Parks Bow Hunt, 12615 County Road 9, Plymouth, MN 55441;

I. Murphy-Hanrehan Park Reserve in Scott County is open November 14 to November 16 for taking antlerless deer and legal bucks. Hunters must have a valid archery license to participate. No more than 180 permits shall be issued. Up to four bonus permits may be used by permittees to take additional deer. Applications must be sent to Three Rivers Parks Bow Hunt, 12615 County Road 9, Plymouth, MN 55441;

J. Cleary Lake Regional Park in Scott County is open November 14 to November 16 for taking antlerless deer and legal bucks. Hunters must have a valid archery license to participate. No more than 55 permits shall be issued. Up to four bonus permits may be used by permittees to take additional deer. Applications must be sent to Three Rivers Parks Bow Hunt, 12615 County Road 9, Plymouth, MN 55441;

K. portions of the city of Red Wing as shown on maps available from the city are open September 13 to December 31 for taking antlerless deer. A proficiency test is required and hunters must wear back tags during the hunt. Hunters must have a valid archery license to participate. A proficiency test and payment of a \$30 administrative fee are required. A portion of the administrative fee may be refunded. To tag a buck, a hunter must first tag at least one antlerless deer. Multiple deer may be registered at the same time, but the antlerless deer must be tagged first. Up to four bonus permits may be used by permittees to take additional deer. Applications must be submitted to City of Red Wing Deer Hunt, Red Wing Public Works, 229 Tyler Road S., Red Wing, MN 55066;

L. portions of the city of Sandstone are open September 13 to December 31 by special permit from the city. Hunters must have a valid archery license to participate. Hunting is allowed on private land within these areas with written landowner permission and on certain city-owned lands under special hunting rules. Bonus permits are available and strongly encouraged for participants in the city hunt. For more information on the Sandstone city hunt and regulations contact [samg@sandstonemn.com](mailto:samg@sandstonemn.com);

M. portions of the city of Rochester are open September 13 to December 31 for taking antlerless deer and legal bucks. Hunters must have a valid archery license to participate. Hunting is allowed on certain lands under special hunting rules administered by the city of Rochester. Bonus permits may be used to take up to four additional antlerless deer during the hunt;

N. portions of the city of Duluth are open September 13 to December 31 for taking antlerless deer and legal bucks by special permit

# Expedited Emergency Rules

available from the city. A bowhunter education certificate, proficiency test, and ethics pledge are required. Hunters must have a valid regular archery or all-season deer license to participate. Bonus permits may be used to take up to four additional antlerless deer during the hunt. Hunters must take an antlerless deer before harvesting a buck. Party hunting is not allowed for antlered bucks. Hunting is allowed on private land within the special hunt areas with written landowner permission and on certain city-owned lands. The application fee is \$10. For an application form, map, and description of the hunt rules, contact: [info@bowhuntersalliance.org](mailto:info@bowhuntersalliance.org) or City of Duluth Deer Hunt, Phil Lockett, P.O. Box 15013, Duluth, MN 55815-0013. Applications must be postmarked no later than August 1;

O. portions of the city of Taylors Falls are open September 13 to December 31 for taking antlerless deer and legal bucks by special permits available from the city. A regular archery license must be purchased to qualify for the hunt. A proficiency test is required and hunters must obtain a permit from the city. Up to four bonus permits may be used to take antlerless deer. For an application form and description of the hunt requirements, write to: City of Taylors Falls, 637 1st St., Taylors Falls, MN 55084-1144;

P. the East Minnesota River Refuge in Blue Earth and LeSueur Counties is open September 13 to December 31 for taking antlerless deer using bonus permits by archery hunters. No more than one bonus permit may be used;

Q. portions of the city of Albert Lea are open September 13 to December 31 for taking antlerless deer and legal bucks. No more than 40 permits shall be issued by the city of Albert Lea. Hunters must have a valid archery license to participate and can use up to one bonus permit. A \$5 administrative fee shall be charged. For an application form and description of the hunt requirements, write to: City of Albert Lea Deer Hunt, 221 East Clark St., Albert Lea, MN 56007. Applications must be received by September 4; and

R. portions of the city of Bemidji and the southern portion of Bemidji State Park located within the city of Bemidji are open September 13 to December 31 for taking antlerless deer and legal bucks. No more than 20 permits shall be issued by the city of Bemidji.

## Subp. 3. 2008 archery managed and intensive deer permit areas.

A. Bonus permits may be used to take one additional antlerless deer by archery in managed deer permit areas as prescribed in part 6232.1750 and the special archery hunts as prescribed in subpart 2, items A to F.

B. Bonus permits may be used to take up to four antlerless deer by archery in intensive deer permit areas as prescribed in part 6232.1750 and the archery special hunts as prescribed in subpart 2, items G to P.

## **6232.1300 SEASONS AND ZONES FOR TAKING DEER BY FIREARMS.**

Subpart 1. **Zone 1.** Zone 1 is comprised of deer permit areas 100 to 199. Legal bucks may be taken in Zone 1 for a 16-day period beginning the Saturday nearest November 6. In managed or intensive deer permit areas, antlerless deer may be taken throughout this season. In lottery deer permit areas and in special hunt areas, antlerless deer may be taken only by permit throughout this season and only within the deer permit or special hunt area specified on each hunter's permit, except as specifically authorized by statute. A person who is authorized by statute to take a deer of either sex without an either-sex permit and who is licensed for Zone 1 season option A may take an antlerless deer without a permit in any Zone 1 deer permit area, except in those lottery deer permit areas where no either-sex permits are offered.

Subp. 2. **Zone 2.** Zone 2 is comprised of deer permit areas 200 to 299. Legal bucks may be taken in Zone 2 for a nine-day period beginning the Saturday nearest November 6. In managed or intensive deer permit areas, antlerless deer may be taken throughout this season. In lottery deer permit areas and in special hunt areas, antlerless deer may be taken only by permit throughout this season and only within the deer permit or special hunt area specified on each hunter's permit, except as specifically authorized by statute. A person who is authorized by statute to take a deer of either sex without an either-sex permit and who is licensed for Zone 2 season option A may take an antlerless deer without a permit in any Zone 2 deer permit area, except in those lottery deer permit areas where no either-sex permits are offered.

## Subp. 3. **Zone 3.**

A. Zone 3 is comprised of deer permit areas 300 to 399. This subpart applies to season dates in Zone 3 options A and B.

A.B. Legal bucks may be taken in the early Zone 3A season option A in deer permit areas 300 to 399 for a seven-day period beginning the Saturday nearest November 6. In managed or intensive deer permit areas, antlerless deer may be taken throughout this season. In lottery deer permit areas and in special hunt areas, antlerless deer may be taken only by permit throughout this season and only within the deer permit or special hunt area specified on each hunter's permit, except as specifically authorized by statute. A person who is authorized by statute to take a deer of either sex without an either-sex permit and who is licensed for Zone 3A season option A may take an antlerless deer without a permit in any Zone 3A deer permit area, except in those lottery deer permit areas where no either-sex permits are offered.

B.C. Legal bucks may be taken during the late Zone 3B season in season option B in deer permit areas 300 to 399 for a nine-day period beginning the Saturday nearest November 20. In managed or intensive deer permit areas, antlerless deer may be taken throughout this season. In lottery deer permit areas and in special hunt areas, antlerless deer may be taken only by permit throughout this season and only within the deer permit or special hunt area specified on each hunter's permit, except as specifically authorized by statute. A person who is authorized by statute to take a deer of either sex without an either-sex permit and who is licensed for Zone 3B season option B may take an antlerless deer without a permit in any Zone 3B deer permit area, except in those lottery deer permit areas where no either-sex permits are offered.

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# Expedited Emergency Rules

Subp. 4. [See repealer.]

Subp. 4a. **Metropolitan deer management zone.** Legal bucks and antlerless deer may be taken in the metropolitan deer management zone for the 23-day period beginning Saturday, November 8, and ending Sunday, November 30. The metropolitan deer management zone is deer permit area 601. The metropolitan deer management zone is comprised of registration blocks 228 and 337 as prescribed in part 6232.4700, subparts 75a and 91.

Subp. 4b. **Early antlerless season.** Antlerless deer may be taken for a two-day period beginning Saturday, October 11, and ending Sunday, October 12. The season is open in those deer permit areas designated under part 6232.1750, subpart 5.

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

## 6232.1600 SPECIAL HUNT PROCEDURES.

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

Subp. 6. **2008 firearms special hunt areas.** The following firearms special hunt areas are authorized for the 2008 season:

A. Rice Lake National Wildlife Refuge in Aitkin County is open November 15 to November 23 for taking antlerless deer and legal bucks. No more than 100 permits shall be issued to individuals authorized to hunt in season option A. This is special hunt area 901;

B. St. Croix State Park in Pine County is open only to deer hunters with a valid permit from November 15 to November 18 for taking antlerless deer and legal bucks. No more than 550 permits shall be issued to individuals authorized to hunt in season option A. St. Croix State Park is designated as an earn-a-buck hunt. Multiple deer may be registered at the same time. All deer taken at the park must be registered at St. Croix State Park and presented for inspection. Up to four bonus permits may be used to take antlerless deer. This is special hunt area 902;

C. Savanna Portage State Park in Aitkin County is open only to deer hunters with a valid permit from November 15 to November 19 for taking antlerless deer and legal bucks. For purposes of this hunt, a legal buck is defined as a male deer with a minimum of three antler points on at least one antler. No more than 40 permits shall be issued to individuals authorized to hunt in season option A. All harvested deer must be registered at Savanna Portage State Park and presented for inspection. Up to four bonus permits may be used to take antlerless deer. This is special hunt area 903;

D. Gooseberry Falls State Park in Lake County is open only to deer hunters with a valid permit north of State Highway 61 from November 8 to November 23 for taking antlerless deer and legal bucks. No more than 30 permits shall be issued to individuals authorized to hunt in season option A. Up to four bonus permits may be used to take antlerless deer. This is special hunt area 904;

E. Split Rock Lighthouse State Park in Lake County is open only to deer hunters with a valid permit west (inland) of State Highway 61 from November 8 to November 23 for taking antlerless deer and legal bucks. No more than 30 permits shall be issued to individuals authorized to hunt in season option A. Up to four bonus permits may be used to take antlerless deer. This is special hunt area 905;

F. Tettegouche State Park in Lake County is open only to deer hunters with a valid permit west (inland) of State Highway 61 from November 8 to November 23 for taking antlerless deer and legal bucks. No more than 125 permits shall be issued to individuals authorized to hunt in season option A. Up to four bonus permits may be used to take antlerless deer. This is special hunt area 906;

G. Scenic State Park in Itasca County is open only to deer hunters with a valid permit from November 8 to November 23 for taking antlerless deer and legal bucks. No more than 30 permits shall be issued to individuals authorized to hunt in season option A. Up to four bonus permits may be used to take antlerless deer. This is special hunt area 907;

H. Hayes Lake State Park in Roseau County is open November 8 to November 23 for taking antlerless deer and legal bucks. Hayes Lake State Park is open to all hunters possessing a valid firearm license. There is no special permit and numbers are not limited. This is special hunt area 908;

I. Lake Bemidji State Park in Beltrami County is open November 8 to November 11 for taking antlerless deer only. No more than 35 permits shall be issued to individuals authorized to hunt in season option A. Up to four bonus permits may be used to take antlerless deer. This is special hunt area 909;

J. Zippel Bay State Park in Lake of the Woods County is open November 8 to November 23 for taking antlerless deer only. No more than 55 permits shall be issued to individuals authorized to hunt in season option A. Up to four bonus permits may be used to take antlerless deer. This is special hunt area 910;

K. Judge C. R. Magney State Park in Cook County north of State Highway 61 is open from November 3 to November 18 for taking antlerless deer and legal bucks. Individuals authorized to hunt in season option A may hunt the open portions of the park without a special permit and numbers are not limited. This is special hunt area 911;

L. Wild River State Park in Chisago County is open only to deer hunters with a valid permit from November 8 to November 11 for taking antlerless deer and legal bucks. No more than 150 permits shall be issued to individuals authorized to hunt in season option A. Wild River State Park is designated as an earn-a-buck hunt. Multiple deer may be registered at the same time. All deer taken at the park must be registered at Wild River State Park and presented for inspection. Up to four bonus permits may be used to take antlerless deer. This is special hunt area 912;

M. Lake Carlos State Park in Marshall County is open November 8 to November 11 for taking antlerless deer only. No more than

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25 permits shall be issued to individuals authorized to hunt in season option A. Up to four bonus permits may be used to take antlerless deer. This is special hunt area 913;

N. William O'Brien State Park in Washington County is open only to deer hunters with a valid permit from November 8 to November 10 for taking antlerless deer and legal bucks. No more than 65 permits shall be issued to individuals authorized to hunt in season option A. Up to four bonus permits may be used to take antlerless deer. This is special hunt area 914;

O. Lake Bronson State Park in Kittson County is open November 8 to November 16 for taking antlerless deer only. No more than 30 permits shall be issued to individuals authorized to hunt in season option A. Up to four bonus permits may be used to take antlerless deer. This is special hunt area 915;

P. Maplewood State Park in Otter Tail County is open November 8 to November 16 for taking antlerless deer and legal bucks. No more than 100 permits shall be issued to individuals authorized to hunt in season option A. Maplewood State Park is designated as an earn-a-buck hunt. Multiple deer may be registered at the same time. All deer taken at the park must be registered at Maplewood State Park and presented for inspection. Up to four bonus permits may be used to take antlerless deer. This is special hunt area 916;

Q. Rydell National Wildlife Refuge in Polk County is open November 8 to November 16 for taking antlerless deer only. No more than 12 permits shall be issued to individuals authorized to hunt in season option A. This is special hunt area 917;

R. Lake Alexander Scientific and Natural Area in Morrison County is open November 8 to November 16 for taking antlerless deer and legal bucks. No more than 40 permits shall be issued to individuals licensed to hunt in season option A. Up to four bonus permits may be used to take antlerless deer. This is special hunt area 918;

S. Buffalo River State Park in Clay County is open November 8 and 9 for taking antlerless deer only. No more than 16 permits shall be issued to individuals authorized to hunt in season option A. Up to four bonus permits may be used to take antlerless deer. This is special hunt area 919;

T. Glacial Lakes State Park in Pope County is open November 13 to November 16 for taking antlerless deer only. No more than 30 permits shall be issued to individuals authorized to hunt in season option A. Up to four bonus permits may be used to take antlerless deer. This is special hunt area 920;

U. Lake Louise State Park in Mower County is open November 8 and 9 for taking antlerless deer and legal bucks. No more than 25 permits shall be issued to individuals authorized to hunt in season option A. Lake Louise State Park is designated as an earn-a-buck hunt. Multiple deer may be registered at the same time. All deer taken at the park must be registered at Lake Louise State Park and presented for inspection. Up to four bonus permits may be used to take antlerless deer. This is special hunt area 921;

V. Beaver Creek Valley State Park in Winona County is open only to deer hunters with a valid permit from November 8 to November 10 for taking antlerless deer and legal bucks. Beaver Creek Valley State Park is designated as an earn-a-buck hunt. Multiple deer may be registered at the same time. No more than 20 permits shall be issued to individuals licensed to hunt in season option A. Up to four bonus permits may be used to take antlerless deer. This is special hunt area 922;

W. Zumbro Falls Scientific and Natural Area in Wabasha County is open November 8 to November 14 for taking antlerless deer only. No more than 12 permits shall be issued to individuals licensed to hunt in season option A. Up to four bonus permits may be used to take antlerless deer. This is special hunt area 923;

X. Forestville Mystery Cave State Park in Fillmore County is open November 22 to November 24 and November 28 to November 30 for taking antlerless deer and legal bucks. For purposes of this hunt, a legal buck is defined as a male deer with a minimum of four antler points on at least one antler. All harvested deer must be registered at Forestville Mystery Cave State Park and presented for inspection. No more than 110 permits shall be issued to season option B licensees only. Up to four bonus permits may be used to take antlerless deer. This is special hunt area 924;

Y. Frontenac State Park in Goodhue County is open only to deer hunters with a valid permit from November 22 to November 24 for taking antlerless deer and legal bucks. The exception is the campground, which will remain open to the public and closed to hunting. No more than 50 permits shall be issued to season option B licensees only. Frontenac State Park is designated as an earn-a-buck hunt. Multiple deer may be registered at the same time. All deer taken at the park must be registered at Frontenac State Park and presented for inspection. Up to four bonus permits may be used to take antlerless deer. This is special hunt area 925;

Z. Great River Bluffs State Park and King and Queen Bluffs Scientific and Natural Area in Winona County are open November 22 to November 24 and November 28 to November 30 for taking antlerless deer and legal bucks. Great River Bluffs State Park is designated as an earn-a-buck hunt. Multiple deer may be registered at the same time. All deer taken at the park must be registered at Great River Bluffs State Park and presented for inspection. Up to four bonus permits may be used to take antlerless deer. This is special hunt area 926;

AA. Whitewater State Park in Winona County is open November 22 to November 24 for taking antlerless deer and legal bucks. No more than 50 permits shall be issued to season option B licensees only. Whitewater State Park is designated as an earn-a-buck hunt. Multiple deer may be registered at the same time. All deer taken at the park must be registered at Whitewater State Park and presented for inspection. Up to four bonus permits may be used to take antlerless deer. This is special hunt area 927;

BB. Zumbro Falls Scientific and Natural Area in Wabasha County is open November 22 to November 30 for taking antlerless deer only. No more than 12 permits shall be issued to season option B licensees only. Up to four bonus permits may be used to take antlerless

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deer. This is special hunt area 928;

CC. Whitewater State Game Refuge in Winona County is open November 22 to November 30 for taking antlerless deer only. No more than 50 permits shall be issued to season option B licensees only. This is special hunt area 929;

DD. Lake Elmo Park Reserve in Washington County is open November 8 to November 16 for the taking of antlerless deer and legal bucks. Lake Elmo Park Reserve is designated as an earn-a-buck hunt. Multiple deer may be registered at the same time. No more than 50 permits shall be issued to individuals licensed to hunt deer with firearms. Up to four bonus permits may be used to take antlerless deer. This is special hunt area 930;

EE. Vermillion Highlands Wildlife Management Area in Dakota County is open November 8 to November 21 for taking antlerless deer and legal bucks. No more than 25 permits shall be issued to individuals licensed to hunt deer with firearms. Up to four bonus permits may be used to take antlerless deer. This is special hunt area 931;

FF. Elm Creek Park Reserve in Hennepin County is open November 22 and 23 for taking antlerless deer and legal bucks. No more than 150 permits shall be issued to individuals licensed to hunt deer with firearms. Up to four bonus permits may be used to take antlerless deer. This is special hunt area 932; and

GG. Murphy Hanrehan Park Reserve in Hennepin County is open November 29 and 30 for taking antlerless deer and legal bucks. No more than 75 permits shall be issued to individuals licensed to hunt deer with firearms. Up to four bonus permits may be used to take antlerless deer. This is special hunt area 933.

Subp. 7. **Firearms special hunt area quota adjustments.** The commissioner may reduce the permit quota for the St. Croix and Wild River State Parks firearms special hunts at the time the computerized drawing is conducted to accommodate tribal declarations for antlerless deer harvest in the 1837 Ceded Territory in compliance with Mille Lacs Band of Chippewa v. Minnesota, 119 S. Ct. 1187 (1999).

## **6232.1750 DEER PERMIT AREA DESIGNATION.**

Subpart 1. **Designation.** The commissioner shall annually designate all deer permit areas as intensive, managed, or lottery and shall establish permit quotas for taking deer of either sex in lottery deer permit areas. Unless otherwise specified, deer permit areas are comprised of registration blocks of the same number.

Subp. 2. **Lottery deer permit areas.** The following deer permit areas are designated lottery deer permit areas: 154, 215, 218, 219, 230, 232, 234, 237, 238, 246, 247, 249, 250, 252, 253, 254, 255, 262, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 288, 289, 290, 291, 294, 295, 296, and 299.

Subp. 3. **Managed deer permit areas.** The following deer permit areas are designated managed deer permit areas: 104, 107, 114, 115, 116, 152, 168, 172, 174, 183, 197, 199, 201, 213, 223, 224, 229, 233, 235, 239, 243, 245, 248, 251, 263, 264, 266, 292, 293, 297, 298, 345A, 338B, and 339B.

Subp. 4. **Intensive deer permit areas.** The following deer permit areas are designated intensive deer permit areas: 105, 110, 111, 122, 126, 127, 156, 159, 167, 170, 175, 178, 180, 181, 182, 184, 203, 208, 209, 210, 214, 221, 222, 225, 227, 236, 240, 241, 242, 244, 256, 257, 260, 261, 265, 267, 268, 287, 343A, 343B, 342B, 343B, 345B, 346A, 346B, 347A, 347B, 348A, 348B, 349A, and 349B.

Subp. 5. **Early antlerless deer permit areas.** The following deer permit areas are designated early antlerless deer permit areas: 101, 105, 110, 111, 157, 159, 178, 180, 181, 182, 208, 209, 210, 214, 221, 222, 225, 227, 236, 241, 256, 257, 260, 261, 265, 268, 346, 349, and 601.

## **6232.1800 EITHER-SEX PERMITS AND PREFERENCE DRAWINGS.**

Subpart 1. **Procedures for applying for an either-sex permit.** Residents and nonresidents are eligible for either-sex permits. A person may not apply for an either-sex deer permit without first purchasing a firearms or ~~all-season muzzleloader~~ deer license. The application may be made for only one of the deer permit areas described in this part, and must be for the ~~zone and dates~~ season option on the applicant's deer license. A person may not submit more than one application for an either-sex permit. A person may apply for an either-sex permit or a special hunt permit, but not both.

The application deadline is the first Thursday following Labor Day.

[For text of subps 2 and 3, see M.R.]

Subp. 4. **2008 antlerless permit quotas; Zone 1.** Up to 3,000 either-sex permits are available in deer permit area 154 in Zone 1 for the 2008 season.

Subp. 5. **2008 antlerless permit quotas; Zone 2.** Up to the following quotas of either-sex permits are available in deer permit areas in Zone 2 for the 2008 season:

- A. deer permit area 215: 5,000;
- B. deer permit area 218: 2,500;
- C. deer permit area 219: 1,200;
- D. deer permit area 230: 600;
- E. deer permit area 232: 700;
- F. deer permit area 234: 500;

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G. deer permit area 237: 100;  
H. deer permit area 238: 50;  
I. deer permit area 246: 3,000;  
J. deer permit area 247: 1,500;  
K. deer permit area 249: 2,500;  
L. deer permit area 250: 500;  
M. deer permit area 252: 150;  
N. deer permit area 253: 300;  
O. deer permit area 254: 1,900;  
P. deer permit area 255: 800;  
Q. deer permit area 262: 150;  
R. deer permit area 269: 250;  
S. deer permit area 270: 25;  
T. deer permit area 271: 25;  
U. deer permit area 272: 25;  
V. deer permit area 273: 2,400;  
W. deer permit area 274: 30;  
X. deer permit area 275: 30;  
Y. deer permit area 276: 250;  
Z. deer permit area 277: 800;  
AA. deer permit area 278: 250;  
BB. deer permit area 279: 150;  
CC. deer permit area 280: 75;  
DD. deer permit area 281: 100;  
EE. deer permit area 282: 30;  
FF. deer permit area 283: 30;  
GG. deer permit area 284: 30;  
HH. deer permit area 285: 500;  
II. deer permit area 286: 50;  
JJ. deer permit area 288: 50;  
KK. deer permit area 289: 25;  
LL. deer permit area 290: 200;  
MM. deer permit area 291: 600;  
NN. deer permit area 294: 100;  
OO. deer permit area 295: 250;  
PP. deer permit area 296: 150; and  
QQ. deer permit area 299: 250.

Subp. 6. **2008 antlerless permit quotas; Zone 3; season option A.** Up to the following quotas of either-sex permits are available in deer permit areas in Zone 3 for the 2008 season option A:

A. deer permit area 338: 100;  
B. deer permit area 339: 100;  
C. deer permit area 341: 350;  
D. deer permit area 342: 300; and  
E. deer permit area 344: 100.

Subp. 7. **2008 antlerless permit quotas; Zone 3; season option B.** Up to 250 either-sex permits are available in deer permit area 344 in Zone 3 for the 2008 season option B.

## **6232.1950 TAKING DEER BY FIREARMS OR MUZZLELOADERS UNDER BONUS PERMITS.**

Subpart 1. **Purchase.** The purchase of a bonus permit is authorized for any person who has purchased and presents a regular firearms or muzzleloader deer license for the current year. Bonus permits may be purchased for one-half the cost of a regular license from electronic license system agents, the Department of Natural Resources License Center, and other authorized agents.

### Subp. 2. **Restrictions.**

A. Bonus permits may be used to take antlerless deer by firearms during the regular firearms and muzzle-loader seasons as follows: provided the person has a valid license for that season.



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~~A. B. for During the regular firearms season, hunters must have a regular firearms license valid for the appropriate zone and time option, except the muzzle-loader option, to take deer under a bonus permit in the respective zone and time period for which the license is valid, and muzzleloader seasons, one bonus permit may be used to take an antlerless deer in one managed deer permit area as prescribed in part 6232.1750. Up to four bonus permits may be used to take antlerless deer in intensive deer permit areas as prescribed in part 6232.1750 and in special hunt areas as prescribed in part 6232.1600, and or 6232.2100.~~

~~B. For the muzzle-loader season, one bonus permit may be used to take an antlerless deer in one managed deer permit area as prescribed in part 6232.1750. Up to four bonus permits may be used to take antlerless deer in intensive deer permit areas as prescribed in part 6232.1750 and in special hunt areas prescribed by the commissioner.~~

## **6232.1970 TAKING DEER BY FIREARMS UNDER EARLY ANTLERLESS PERMITS.**

Subpart 1. **Purchase.** The purchase of up to two early antlerless permits is authorized for any person who has purchased and presents a license valid for the firearm or muzzleloader season. Early antlerless permits may be purchased for one-quarter the cost of a regular license from electronic license system agents, the Department of Natural Resources License Center, and other authorized agents.

Subp. 2. **Restrictions.** For the early antlerless season, hunters must have a firearms license valid for any season option or a muzzleloader license. Up to two early antlerless permits may be used to take antlerless deer by firearms in deer permit areas as prescribed in part 6232.1750, subpart 5. At least one early antlerless permit must be purchased to participate in the season.

## **6232.2100 MUZZLE-LOADER SEASON AND AREAS.**

Subpart 1. **Season.** The muzzle-loader season is the 16-day deer season beginning the Saturday nearest November 27. Special permit areas may be open for less than 16 days. ~~Persons selecting this season may not hunt deer by firearms during the regular firearms season.~~

Subp. 2. **Open zone.** The muzzle-loader season is open statewide, except that the following deer permit areas are closed: permit areas 116, 126, 127, 203, 224, and 287, ~~except the following wildlife management areas in permit area 203: Elm Lake, Eckvoll, and Mud Lac.~~

Subp. 3. **Legal deer by muzzle-loader.** Antlerless deer and legal bucks may be taken by muzzle-loader in any open area during the muzzle-loader season by muzzleloader hunters who do not purchase a regular firearms license. Hunters who purchase both a regular firearms and muzzleloader license may take legal bucks in any open area and may take antlerless deer in any managed or intensive deer permit area, but may take antlerless deer in a lottery deer permit area only if the person has obtained an either-sex permit through the procedure described in part 6232.1800.

Subp. 4. **2008 muzzleloader special hunt areas.** The following muzzleloader special hunt areas are authorized for the 2008 season:

A. Jay Cooke State Park in Carlton County is open only to deer hunters with a valid permit from November 29 to December 3 for taking antlerless deer and legal bucks. The exceptions are the campground, River Inn, and Swinging Bridge areas, which will remain open to the public and closed to hunting. No more than 120 permits shall be issued to individuals authorized to hunt during the muzzleloader season. Up to four bonus permits may be used to take antlerless deer. This is special hunt area 935;

B. Crow Wing State Park in Crow Wing County is open only to deer hunters with a valid permit from December 5 to December 7 for taking antlerless deer and legal bucks. No more than 45 permits shall be issued to individuals authorized to hunt during the muzzleloader season. Up to four bonus permits may be used to take antlerless deer. This is special hunt area 936;

C. Soudan Underground Mine State Park in St. Louis County is open only to deer hunters with a valid permit from November 29 to December 14 for taking antlerless deer and legal bucks. Exceptions are the Stuntz Bay Road and boathouse areas, which will remain open to the public and closed to hunting. No more than 20 permits shall be issued to individuals authorized to hunt during the muzzleloader season. Up to four bonus permits may be used to take antlerless deer. This is special hunt area 937;

D. portions of the city of Tower in St. Louis County are open only to deer hunters with a valid permit from November 29 to December 14 for taking antlerless deer and legal bucks. No more than 30 permits shall be issued to individuals authorized to hunt during the muzzleloader season. Up to four bonus permits may be used to take antlerless deer. This is special hunt area 938;

E. Interstate State Park in Chisago County west (north in some locations) of the railroad trail is open only to deer hunters with a valid permit from November 29 to December 14 for taking antlerless deer only. No more than 20 permits shall be issued to individuals authorized to hunt during the muzzleloader season. Up to four bonus permits may be used to take antlerless deer. This is special hunt area 939;

F. Lake Shetek State Park in Murray County is open only to deer hunters with a valid permit December 6 and 7 for taking antlerless deer only. No more than 15 permits shall be issued to individuals authorized to hunt during the muzzleloader season. Up to one bonus permit may be issued to take an antlerless deer. This is special hunt area 940;

G. Lake Maria State Park in Wright County is open only to deer hunters with a valid permit from December 6 to December 8 for taking antlerless deer and legal bucks. No more than 25 permits shall be issued to individuals authorized to hunt during the muzzleloader season. Lake Maria State Park is designated as an earn-a-buck hunt. Multiple deer may be registered at the same time. All deer taken at the park must be registered at Lake Maria State Park and presented for inspection. One bonus permit may be used to take an antlerless deer. This is special hunt area 941;

H. Nerstrand Big Woods State Park and Prairie Creek Woods Scientific and Natural Area in Rice County are open only to deer

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hunters with a valid permit from November 29 to December 1 for taking antlerless deer and legal bucks. No more than 50 permits shall be issued to individuals authorized to hunt during the muzzleloader season. One bonus permit may be used to take an antlerless deer. This is special hunt area 942;

I. Rice Lake State Park in Dodge and Steele Counties is open only to deer hunters with a valid permit from November 29 to December 1 for taking antlerless deer only. No more than 20 permits shall be issued to muzzleloader licensees only. One bonus permit may be used to take an antlerless deer. This is special hunt area 943;

J. Sibley State Park in Kandiyohi County is open only to deer hunters with a valid permit December 6 and 7 for taking antlerless deer only. No more than 40 permits shall be issued to individuals authorized to hunt during the muzzleloader season. This is special hunt area 944;

K. Vermillion Highlands Wildlife Management Area in Dakota County is open November 29 to December 14 for taking antlerless deer and legal bucks. No more than 25 permits shall be issued to individuals licensed to hunt deer during the muzzleloader season. Up to four bonus permits may be used to take antlerless deer. This is special hunt area 945; and

L. Roseau River Wildlife Management Area, Pool 1 Sanctuary, in Roseau County is open November 29 to December 14 for taking antlerless deer and legal bucks. Individuals authorized to hunt the muzzleloader season may hunt without a special permit and numbers are not limited.

## 6232.2500 DISABLED HUNT.

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

Subp. 2. **Open areas.** Disability permittees may hunt in open areas and seasons as designated by the commissioner and published in the annual hunting regulations booklet. In 2008, the following areas are open for hunting by disabled hunters:

A. Carlos Avery Wildlife Management Area Sanctuary in Anoka County is open October 11 to October 19 for taking antlerless deer and legal bucks using legal firearms or bow and arrow. The Minnesota Deer Hunters Association and Capable Partners are the sponsoring nonprofit organizations;

B. Camp Ripley Military Reservation in Morrison County is open October 8 and 9 for taking antlerless deer and legal bucks using legal firearms or bow and arrow. No more than 60 permits shall be issued. One bonus permit may be used, but a hunter may not take more than one deer. The St. Cloud Veterans Affairs Medical Center is the sponsoring organization;

C. Rosemoen Island in the Lac qui Parle Wildlife Management Area Sanctuary in Chippewa County is open September 13 to September 21 for taking antlerless deer and legal bucks using legal firearms or bow and arrow. One bonus permit may be used and the bag limit is two deer. Capable Partners is the sponsoring nonprofit organization;

D. Rydell National Wildlife Refuge in Polk County is open October 9 to October 11 for taking antlerless deer or legal bucks using legal firearms or bow and arrow. No more than 20 permits shall be issued. The Options Resource Center for Independent Living is the sponsoring nonprofit organization;

E. Orwell Wildlife Management Area in Otter Tail County is open to taking antlerless deer and legal bucks using legal firearms and bows and arrows from November 4 to November 6. No more than six permits will be issued. Capable Partners is the sponsoring organization;

F. Rice Lake National Wildlife Refuge in Aitkin County is open to taking antlerless deer and legal bucks using legal firearms from October 2 to October 5. No more than 20 permits shall be issued. One bonus permit may be used, but a hunter may not take more than one deer;

G. portions of Scott County in St. Lawrence and Blakeley Townships are open for taking antlerless deer and legal bucks using legal firearms October 4 and 5. No more than 12 permits shall be issued. The Scott County Veterans Service Office and the Scott County Sheriff's Office are the sponsoring organizations; and

H. portions of the Legionville Training Center in Crow Wing County is open to taking antlerless deer and legal bucks using legal firearms October 3 and 4. No more than three permits shall be issued.

## 6232.4700 REGISTRATION BLOCKS.

[For text of subps 1 to 136, see M.R.]

Subp. 137. **Registration Block 446.** Registration Block 446 consists of that portion of the state lying within the following described boundary: Beginning on State Trunk Highway (STH) 40 County State-Aid Highway (CSAH) 24 at the west boundary of the state; thence along the west boundary of the state to the south boundary of Yellow Medicine County; thence east along the south boundary of Yellow Medicine County to U.S. Highway 75; thence along U.S. Highway 75 to STH 40 CSAH 24; thence along STH 40 CSAH 24 to the point of beginning.

[For text of subps 138 to 157, see M.R.]

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## **6232.4800 DEER REGISTRATION BLOCKS FOR 2008.**

Subpart 1. **Designation of deer registration blocks.** Notwithstanding part 6232.4700, the registration blocks described in this part are effective for the 2008 deer season. All other deer registration blocks for 2008 are the same as described in part 6232.4700.

Subp. 2. **Registration Block 273.** Registration Block 273 consists of that portion of the state lying within the boundary described in part 6232.4700, subpart 114.

Subp. 3. **Registration Block 214.** Registration Block 214 consists of that portion of the state within the boundary described in part 6232.4700, subpart 116.

Subp. 4. **Registration Block 215.** Registration Block 215 consists of that portion of the state within the boundary described in part 6232.4700, subpart 117.

Subp. 5. **Registration Block 276.** Registration Block 276 consists of that portion of the state lying within the boundary described in part 6232.4700, subpart 118.

Subp. 6. **Registration Block 277.** Registration Block 277 consists of that portion of the state lying within the boundary described in part 6232.4700, subpart 119.

Subp. 7. **Registration Block 269.** Registration Block 269 consists of that portion of the state lying within the boundary described in part 6232.4700, subpart 122.

Subp. 8. **Registration Block 270.** Registration Block 270 consists of that portion of the state lying within the boundary described in part 6232.4700, subpart 123.

Subp. 9. **Registration Block 271.** Registration Block 271 consists of that portion of the state lying within the boundary described in part 6232.4700, subpart 124.

Subp. 10. **Registration Block 272.** Registration Block 272 consists of that portion of the state lying within the boundary described in part 6232.4700, subpart 125.

Subp. 11. **Registration Block 275.** Registration Block 275 consists of that portion of the state lying within the boundary described in part 6232.4700, subpart 126.

Subp. 12. **Registration Block 282.** Registration Block 282 consists of that portion of the state lying within the boundary described in part 6232.4700, subpart 127.

Subp. 13. **Registration Block 283.** Registration Block 283 consists of that portion of the state lying within the boundary described in part 6232.4700, subpart 128.

Subp. 14. **Registration Block 284.** Registration Block 284 consists of that portion of the state lying within the boundary described in part 6232.4700, subpart 129.

Subp. 15. **Registration Block 285.** Registration Block 285 consists of that portion of the state lying within the boundary described in part 6232.4700, subpart 130.

Subp. 16. **Registration Block 274.** Registration Block 274 consists of that portion of the state lying within the boundary described in part 6232.4700, subpart 131.

Subp. 17. **Registration Block 278.** Registration Block 278 consists of that portion of the state lying within the boundary described in part 6232.4700, subpart 132.

Subp. 18. **Registration Block 281.** Registration Block 281 consists of that portion of the state lying within the boundary described in part 6232.4700, subpart 133.

Subp. 19. **Registration Block 290.** Registration Block 290 consists of that portion of the state lying within the boundary described in part 6232.4700, subpart 134.

Subp. 20. **Registration Block 291.** Registration Block 291 consists of that portion of the state lying within the boundary described in part 6232.4700, subpart 135.

Subp. 21. **Registration Block 299.** Registration Block 299 consists of that portion of the state lying within the boundary described in part 6232.4700, subpart 136.

Subp. 22. **Registration Block 279.** Registration Block 279 consists of that portion of the state lying within the boundary described in part 6232.4700, subpart 137.

Subp. 23. **Registration Block 280.** Registration Block 280 consists of that portion of the state lying within the boundary described in part 6232.4700, subpart 138.

Subp. 24. **Registration Block 286.** Registration Block 286 consists of that portion of the state lying within the boundary described in part 6232.4700, subpart 139.

Subp. 25. **Registration Block 288.** Registration Block 288 consists of that portion of the state lying within the boundary described in part 6232.4700, subpart 140.

Subp. 26. **Registration Block 289.** Registration Block 289 consists of that portion of the state lying within the boundary described in part 6232.4700, subpart 141.

Subp. 27. **Registration Block 294.** Registration Block 294 consists of that portion of the state lying within the boundary described

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in part 6232.4700, subpart 142.

Subp. 28. **Registration Block 234.** Registration Block 234 consists of that portion of the state lying within the boundary described in part 6232.4700, subpart 143.

Subp. 29. **Registration Block 237.** Registration Block 237 consists of that portion of the state lying within the boundary described in part 6232.4700, subpart 144.

Subp. 30. **Registration Block 295.** Registration Block 295 consists of that portion of the state lying within the boundary described in part 6232.4700, subpart 145, except that part comprising Registration Block 238 under subpart 31.

Subp. 31. **Registration Block 238.** Registration Block 238 consists of that portion of the state lying within the boundary described in part 6232.4700, subpart 146.

Subp. 32. **Registration Block 250.** Registration Block 250 consists of that portion of the state lying within the boundary described in part 6232.4700, subpart 147.

Subp. 33. **Registration Block 296.** Registration Block 296 consists of that portion of the state lying within the boundary described in part 6232.4700, subpart 148.

Subp. 34. **Registration Block 252.** Registration Block 252 consists of that portion of the state lying within the boundary described in part 6232.4700, subpart 149.

Subp. 35. **Registration Block 253.** Registration Block 253 consists of that portion of the state lying within the boundary described in part 6232.4700, subpart 150.

Subp. 36. **Registration Block 292.** Registration Block 292 consists of that portion of the state lying within the boundary described in part 6232.4700, subpart 151.

Subp. 37. **Registration Block 293.** Registration Block 293 consists of that portion of the state lying within the boundary described in part 6232.4700, subpart 152.

Subp. 38. **Registration Block 230.** Registration Block 230 consists of that portion of the state lying within the boundary described in part 6232.4700, subpart 153.

Subp. 39. **Registration Block 232.** Registration Block 232 consists of that portion of the state lying within the boundary described in part 6232.4700, subpart 154.

Subp. 40. **Registration Block 233.** Registration Block 233 consists of that portion of the state lying within the boundary described in part 6232.4700, subpart 155.

Subp. 41. **Registration Block 254.** Registration Block 254 consists of that portion of the state lying within the boundary described in part 6232.4700, subpart 156.

Subp. 42. **Registration Block 255.** Registration Block 255 consists of that portion of the state lying within the boundary described in part 6232.4700, subpart 157.

**REPEALER.** Minnesota Rules, parts 6232.1300, subpart 4; and 6232.1400, are repealed.

**EFFECTIVE PERIOD.** The expedited emergency amendments to Minnesota Rules, parts 6232.0200, 6232.0300, 6232.0400, 6232.0800, 6232.1300, 6232.1600, 6232.1750, 6232.1800, 6232.1950, 6232.2100, 6232.2500, and 6232.4700 expire December 31, 2008. After the emergency amendments, the permanent rules as they read prior to the amendments again take effect, except as they may be amended by permanent rule. Minnesota Rules, parts 6232.0350, 6232.1970, and 6232.4800 and the repealer expire December 31, 2008.

## Department of Natural Resources

### Adopted Expedited Emergency Game and Fish Rules: Taking Lynx

**NOTICE IS HEREBY GIVEN** that the above entitled rules have been adopted through the process prescribed by *Minnesota Statutes*, section 84.027, subdivision 13 (b). The statutory authority for the contents of the rule is *Minnesota Statutes*, sections 97B.605, 97B.621, 97B.625, 97B.631, 97B.635, 97B.911, 97B.915, 97B.921, 97B.925.

The emergency conditions that do not allow compliance with *Minnesota Statutes*, sections 97A.0451 to 97A.0459, are as follows: Rule changes are being made to comply with a federal court order that directs the Minnesota DNR to implement, by Oct. 25, 2008, regulatory and programmatic changes to restrict, modify, or eliminate the incidental taking of Canada Lynx through trapping activities in the core Canada Lynx ranges.

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# Expedited Emergency Rules

The federal court order will be in effect until the U.S. Fish and Wildlife Service issues an Incidental Take Permit, which could require further changes to lynx rules. The timeline for issuing the incidental take permit exceeds the 360-day maximum effective time for emergency rules under *Minnesota Statutes* 97A.0451 to 97A.0459. The 18-month effective time of rules under *Minnesota Statutes* 84.027 subdivision 13(b) will better accommodate the incidental take permit process. Once the incidental take permit is finalized, the DNR will begin a permanent rulemaking process.

Dated: August 4, 2008

Mark Holsten, Commissioner  
Department of Natural Resources

## 6234.1000 DESCRIPTION OF FURBEARER ZONES.

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

Subp. 5. **Lynx Management Zone.** The Lynx Management Zone consists of that portion of the state lying north and east of a line beginning on U.S. Highway 53 at the east boundary of the state; thence along U.S. Highway 53 to the north boundary of the state.

## 6234.2200 USE OF TRAPS.

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

Subp. 5a. **Body-gripping traps in the Lynx Management Zone.** In the Lynx Management Zone, a person may not set, place, or operate, except as a waterset, any body-gripping or "conibear" type trap that has a maximum jaw opening, when set, of greater than five inches and less than 7-1/2 inches measured from the inside edges of the body-gripping portions of the jaws, unless the trap is set:

A. at least three feet above the ground or snow level in a tree, or on a leaning pole six inches or less in diameter; or

B. in a cubby box recessed at least seven inches from the box opening, which must be less than 50 square inches in opening size. A cubby box may be constructed of any material, but must be constructed and set in a manner that only allows an animal to enter through the cubby box opening.

[For text of subps 6 to 12, see M.R.]

Subp. 13. **Trap staking and tethering in the Lynx Management Zone.** In the Lynx Management Zone, except for watersets, all traps must be staked or otherwise secured by tethering chains or cables not more than 18 inches long, in a manner that prevents captured animals from removing the trap from the trap site.

Subp. 14. **Trap tether swivels.** In the Lynx Management Zone, except for watersets, all leghold traps must have two or more swivels in the tethering chain or cable.

Subp. 15. **Bait restrictions.** In the Lynx Management Zone, the use of fresh meat, rabbits or hares, or parts of rabbits or hares as bait is prohibited. Other meat may be used as bait if it has been unfrozen and exposed to air for at least 24 hours before being placed in a trap.

Subp. 16. **Sight attractant restrictions.** In the Lynx Management Zone, the use of suspended flags or other sight attractants within 20 feet of a trap is prohibited.

## 6234.2400 SPECIAL RESTRICTIONS ON USE OF SNARES.

[For text of subps 1 to 7, see M.R.]

Subp. 8. **Snare loop diameter.** The diameter of a snare loop may not exceed ten inches. In the Lynx Management Zone, the diameter of a snare loop must be at least eight inches when set on land.

Subp. 9. **Snare cable diameter.** Snare cable or wire may not exceed one-eighth inch in diameter. In the Lynx Management Zone, snare cable or wire must be at least 5/64 inch in diameter when set on land.

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

## 6234.2700 SPECIAL RESTRICTIONS ON TAKING AND POSSESSION OF FURBEARERS.

The restrictions in items A ~~and B~~ to C apply to the possession and transportation of accidental captures.

A. A person may not possess or transport a fisher, otter, pine marten, fox, bobcat, lynx, or gray wolf that was accidentally killed or was lawfully killed while causing or threatening injury or damage until the person notifies the local conservation officer, other authorized department employee, or regional enforcement office, of the killing and receives authorization to possess, transport, or skin the animal.

B. A person may possess or transport mink, muskrat, beaver, badger, opossum, or raccoon accidentally killed or lawfully killed while causing or threatening injury or damage, only if the local conservation officer or other authorized employee of the department is notified within 24 hours of such killing and before any skinning has begun.

C. A person must report any incidental taking of a Canada lynx to the local conservation officer within 24 hours.

# Executive Orders

The governor has the authority to issue written statements or orders, called Executive Orders, as well as Emergency Executive Orders. The governor's authority is specified in the *Constitution of the State of Minnesota*, Article V, and in *Minnesota Statutes* § 4.035. Emergency Executive Orders, for protection from an imminent threat to health and safety, become effective immediately, are filed with the secretary of state, and published in the *State Register* as soon as possible after they are issued. Other Executive Orders become effective 15 days after publication in the *State Register* and filing with the secretary of state. Unless otherwise specified, an executive order expires 90 days after the date the governor who issued the order vacates office.

## Office of the Governor

### Executive Order #08-13: Designating the Responsible Authority for the Central Corridor Light Rail Line

I, **TIM PAWLENTY, GOVERNOR OF THE STATE OF MINNESOTA**, by virtue of the authority vested in me by the Constitution and applicable statutes, do hereby issue this executive order:

**WHEREAS**, the Commissioner of the Minnesota Department of Transportation and the Metropolitan Council have been involved in the planning and development of the proposed light rail transit line between Downtown Minneapolis and Downtown St. Paul, commonly referred to as the Central Corridor Light Rail Transit Line; and

**WHEREAS**, *Minnesota Laws 2008*, Chapter 287, Article 1, Section 104, provides, in relevant part, that for “each proposed light rail transit facility in the metropolitan area, the governor must designate either the Metropolitan Council or the state of Minnesota acting through the commissioner of transportation as the entity responsible for planning, designing, acquiring, constructing, and equipping the facility;” and

**WHEREAS**, the Commissioner of Transportation and the Metropolitan Council have entered into a Cooperation Agreement whereby the agencies agreed that the Metropolitan Council, in consultation with the Commissioner, should act as the lead agency in designing and constructing the proposed Central Corridor Light Rail Transit Line; and

**WHEREAS**, the Metropolitan Council is an appropriate entity to act as the responsible authority for planning, designing, acquiring, constructing, and equipping the proposed Central Corridor Light Rail Transit Line in accordance with Minnesota law.

**NOW, THEREFORE**, pursuant to the provisions of *Minnesota Statutes 2008*, Chapter 287, Article 1, Section 104:

I hereby designate the Metropolitan Council as the entity responsible for planning, designing, acquiring, constructing, and equipping the proposed Central Corridor Light Rail Transit Line.

**IN TESTIMONY WHEREOF**, I have set my hand on this 13<sup>th</sup> day of August, 2008.

Signed: **TIM PAWLENTY**  
Governor

Filed according to law:

Signed: **MARK RITCHIE**  
Secretary of State

# Commissioners' Orders

Various agency commissioners are authorized to issue "commissioner's orders" on specified activities governed by their agency's enabling laws. See the *Minnesota Statutes* governing each agency to determine the specific applicable statutes. Commissioners' orders are approved by assistant attorneys general as to form and execution and published in the *State Register*. These commissioners orders are compiled in the year-end subject matter index for each volume of the *State Register*.

## Minnesota Department of Natural Resources Designation of Forest Trails in the Vicinity of the Chippewa National Forest in Beltrami, Cass, and Itasca Counties

**NOTICE IS HEREBY GIVEN** that pursuant to *Minnesota Statutes 2006*, section 89.19, subdivision 2, the forest trails described in this order are designated for specified recreational uses.

### WHEREAS:

1. *Minnesota Statutes 2006*, section 89.19, subdivision 2 authorizes designation of forest trails by written order and requires public notice and public meetings prior to trail designation.
2. *Minnesota Laws 2003*, chapter 128, article 1, section 167 (as amended in 2005 and 2007) directs the Commissioner of Natural Resources to complete a review of the classification of state forests with respect to motor vehicle use and to designate roads and trails within state forests.
3. The Department of Natural Resources published its proposed motor vehicle use classification and forest road and trail designations in a draft plan in August 2006.
4. All public notice and public meeting requirements of *Minnesota Statutes*, section 89.19, subdivision 2 and other applicable laws and rules have been met.

**NOW THEREFORE, IT IS ORDERED** that the forest trails described below are hereby designated pursuant to authority vested in me by Minnesota law:

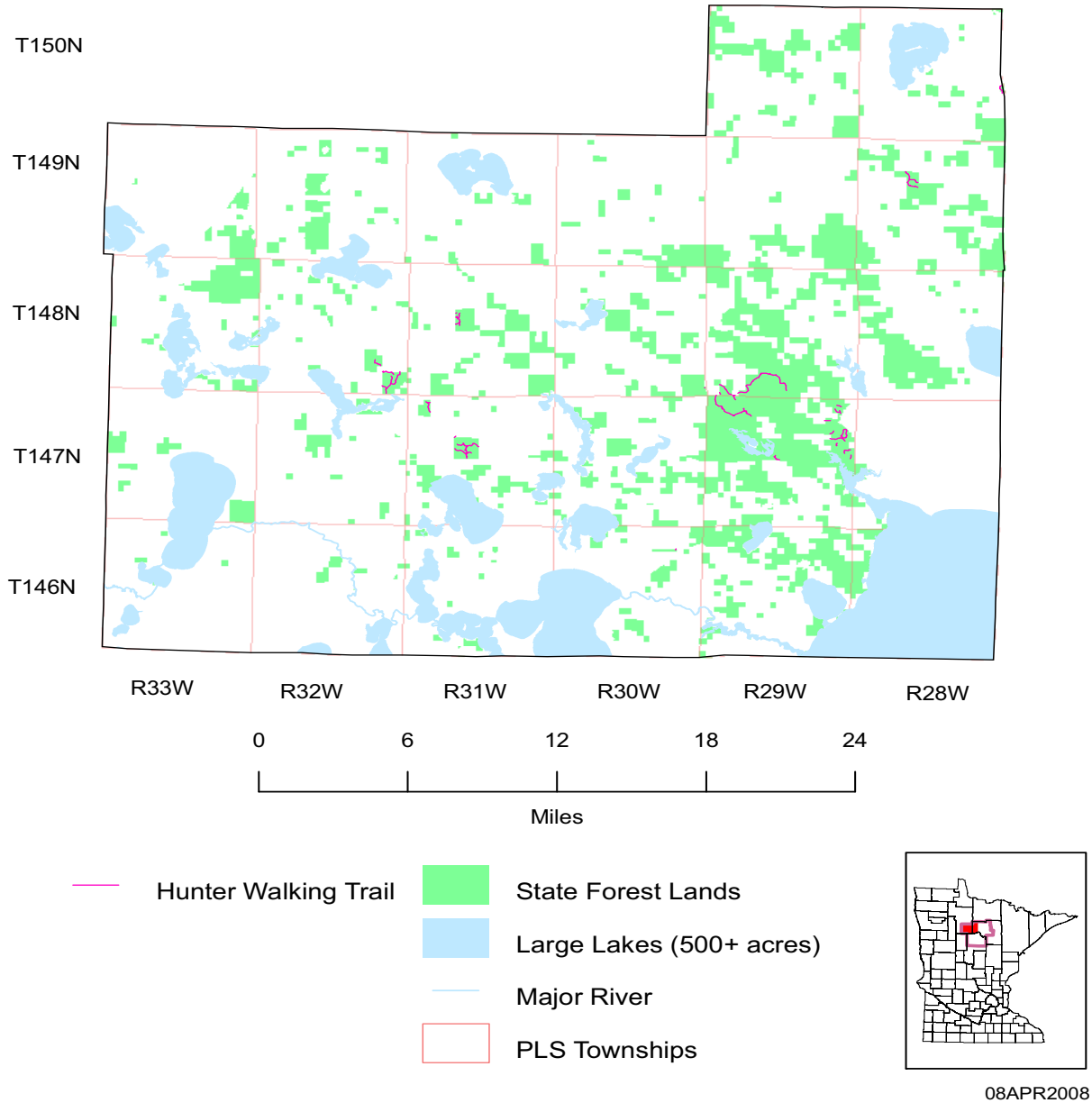
1. Hunter Walking Trails – The 38.9 miles of trails depicted on the maps in *Exhibits A-1, A-2, and A-3*, attached hereto and incorporated herein, are designated primarily for use as hunter walking trails.
2. All Terrain Vehicle (ATV) / Off-Highway Motorcycle (OHM) Trails – The 8.8 miles of trail depicted on the maps in *Exhibits A-1, A-2, and A-3*, attached hereto and incorporated herein, are designated primarily for use as ATV and OHM trails.
3. Hiking / Biking Trails – The 3.6 miles of trails depicted on the maps in *Exhibits A-1, A-2, and A-3*, attached hereto and incorporated herein, are designated primarily for use as hiking or biking trails.

**IT IS FURTHER ORDERED** that these trail designations shall become effective December 31, 2008.

Dated: 4 August 2008

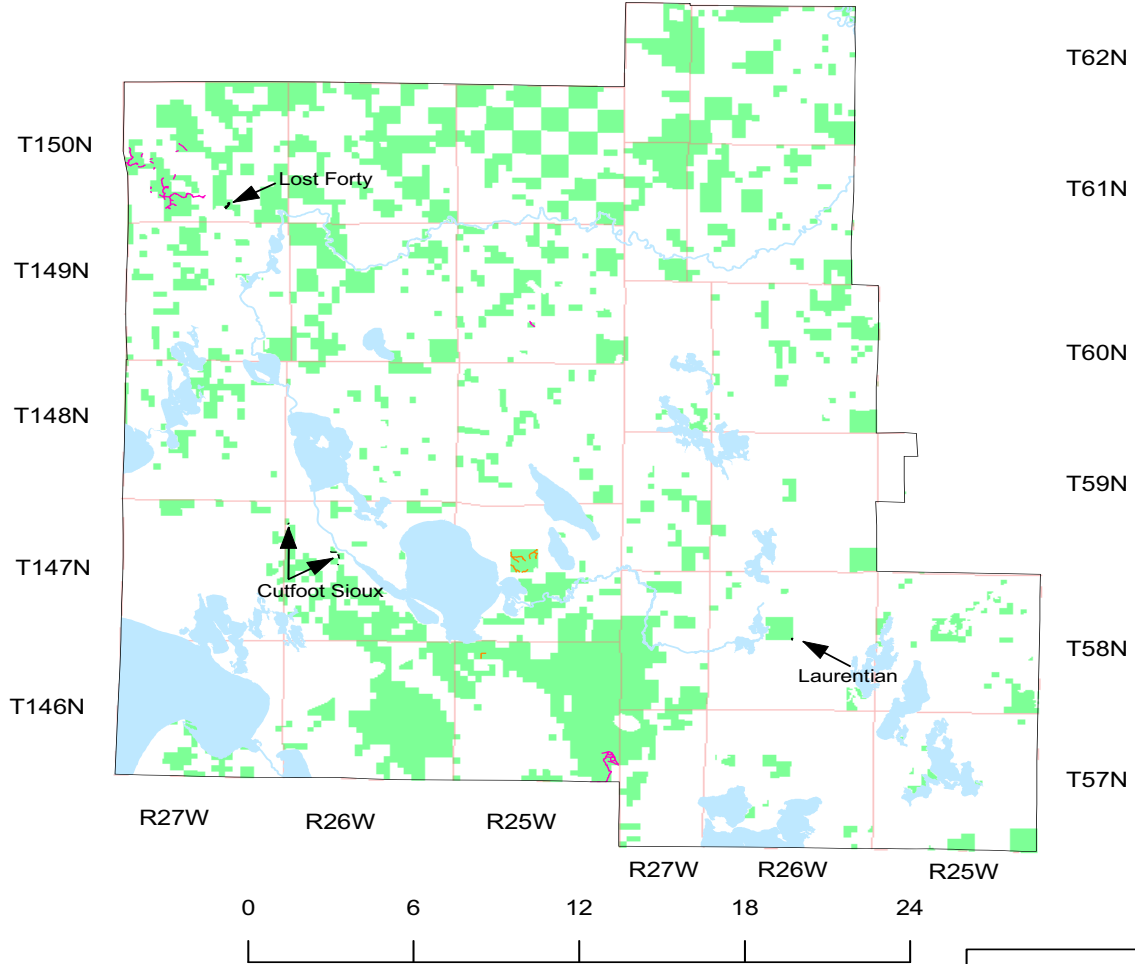
Mark Holsten, Commissioner  
Department of Natural Resources


**Exhibit A-1**  
Forest Trail Designation  
Northwestern Chippewa Area

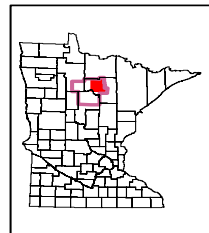




**Exhibit A-2**  
**Forest Trail Designation**  
**Northeastern Chippewa Area**

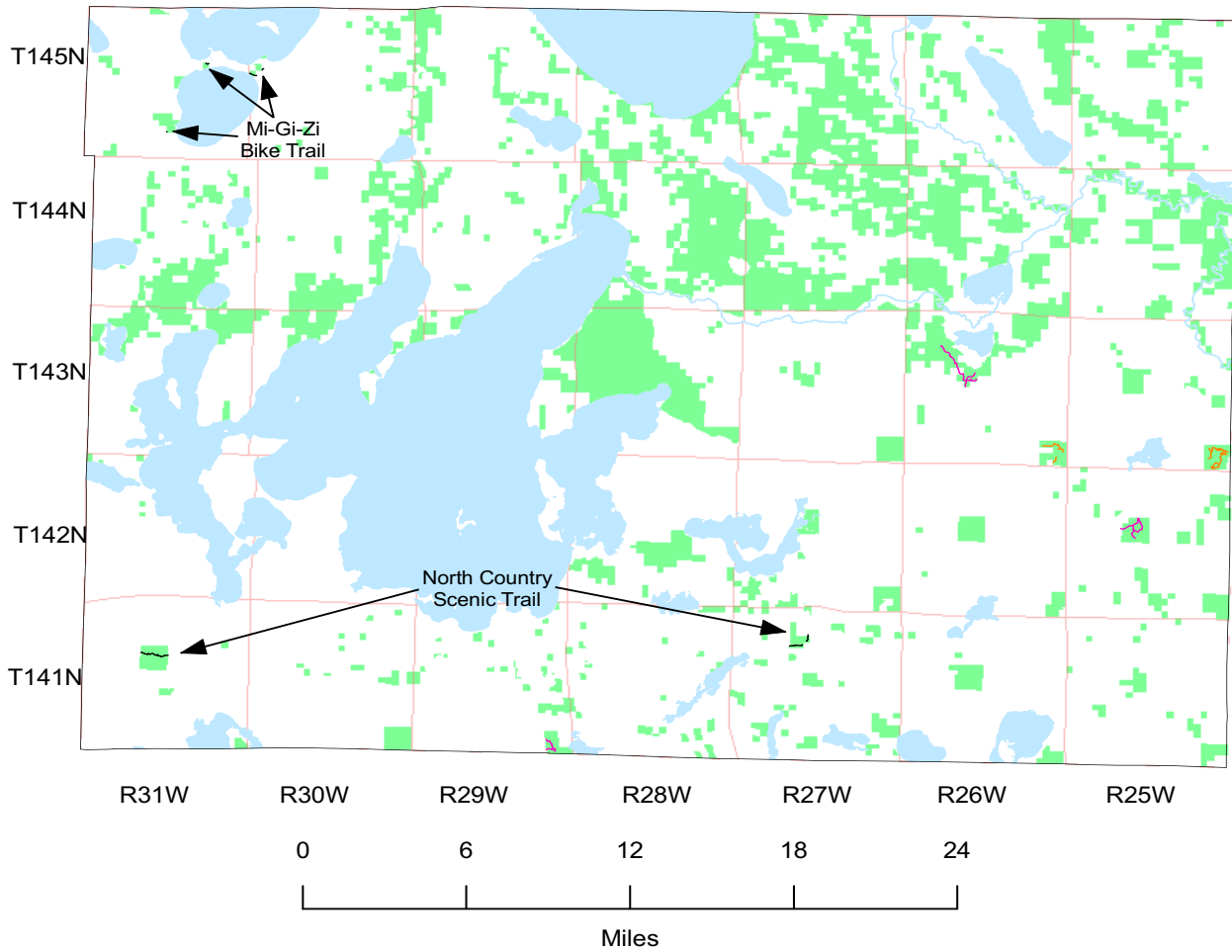


- |   |                        |   |                          |
|---|------------------------|---|--------------------------|
|  | Hunter Walking Trail   |  | State Forest Lands       |
|  | ATV/OHM Trail          |  | Large Lakes (500+ acres) |
|  | Hiking or Biking Trail |  | Major River              |
|   |                        |  | PLS Townships            |

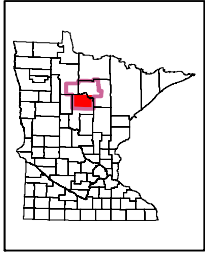


08APR2008

**Exhibit A-3**  
**Forest Trail Designation**  
**Southern Chippewa Area**



- Hunter Walking Trail
- ATV/OHM Trail
- Hiking or Biking Trail
- State Forest Lands
- Large Lakes (500+ acres)
- Major River
- PLS Townships



08APR2008

## Minnesota Department of Natural Resources

### Decision Record

### Official Notice and Order

### Undesignation of Forest Roads in Becker County pursuant to *Minnesota Statutes*, Section 89.71, Subdivision 1.

### Undesignation of State Forest Roads in Becker County - Road Numbers 0109, 0114, 0115, 0122, 0252

**NOTICE PUBLISHED: September 1, 2008**

**EFFECTIVE DATE: October 1, 2008**

**NOTICE IS HEREBY GIVEN** that the Commissioner of the Minnesota Department of Natural Resources orders the undesignation of forest roads identified in *Exhibit A*, attached hereto and incorporated herein, in Becker County.

**WHEREAS:**

1. *Minnesota Statutes*, Section 89.002, subdivision 3, directs the Commissioner of Natural Resources to provide a system of state forest roads for access to state forest land and other forest land under the Commissioner's authority, which is adequate to permit the Commissioner to manage, protect, and develop those lands and their resources consistent with the forest resource management policy, and to meet demands for forest resources;
2. *Minnesota Statutes*, Section 89.71, subdivision 1, provides that the commissioner may designate and undesignate forest roads by written order published in the *State Register*.
3. All notice and procedural requirements in *Minnesota Statutes*, and other applicable rules and law have been complied with.
4. The forest road undesignation is both needed and reasonable.

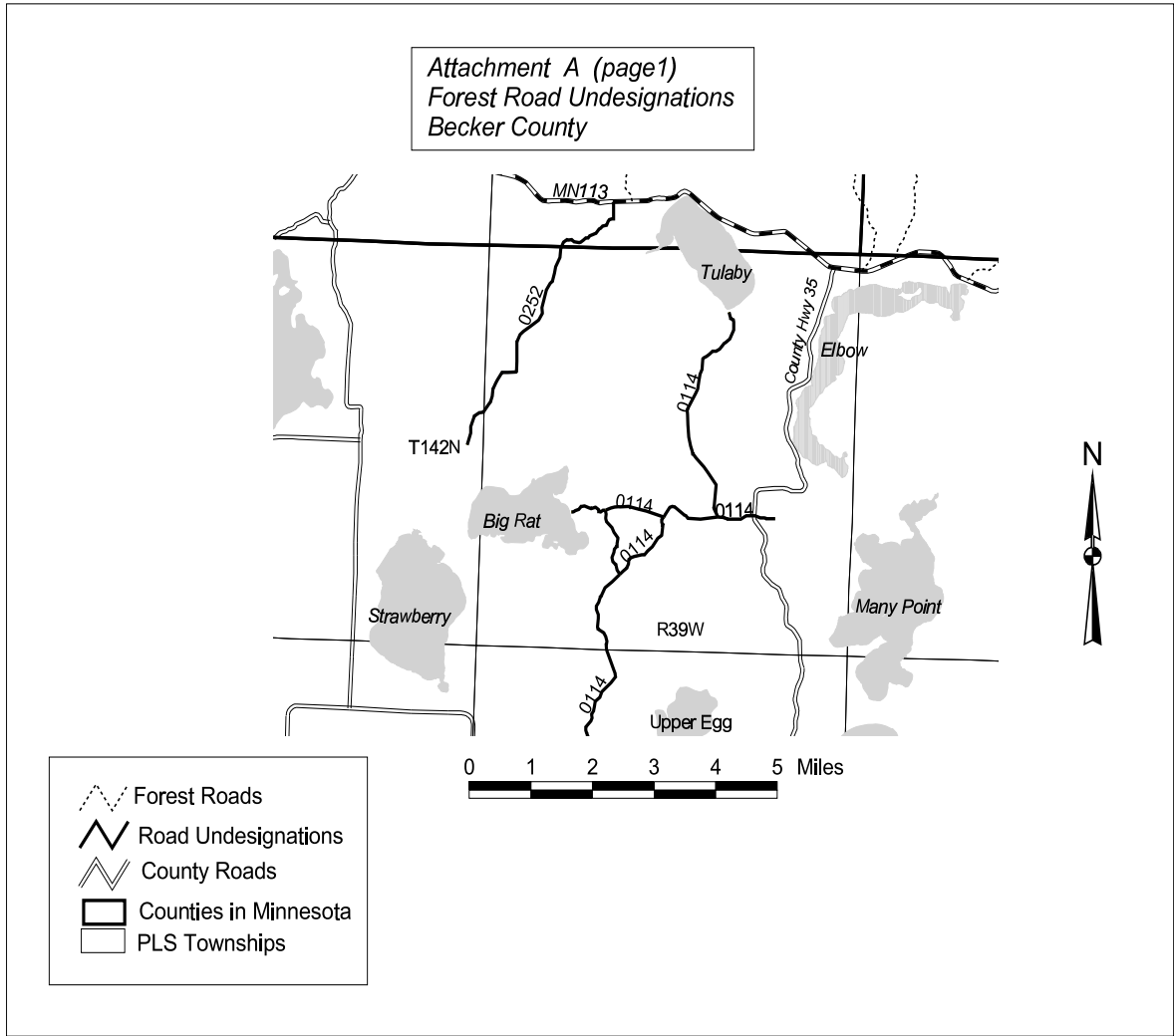
**NOW THEREFORE, IT IS ORDERED** that the state forest roads shown on the attached map attached as *Exhibit A* are hereby undesignated and removed from the state forest road system pursuant to authority vested in me by Minnesota law.

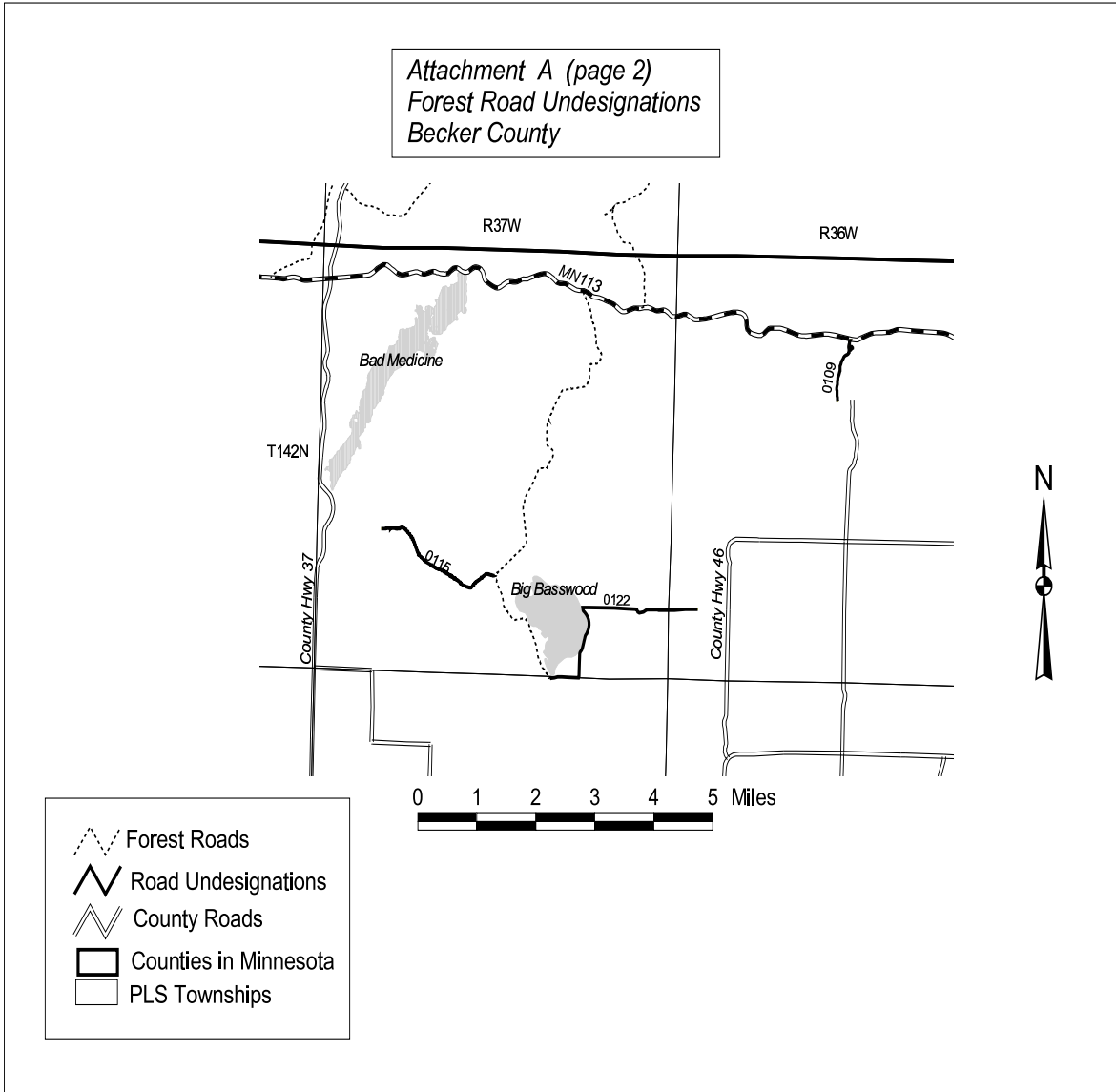
**IT IS FURTHER ORDERED** that the designation of those forest roads identified in attached *Exhibit A* shall become effective on October 1, 2008.

Dated: 6 August 2008

Mark Holsten, Commissioner  
Department of Natural Resources

# Commissioner's Orders





# Commissioner's Orders

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## Minnesota Department of Natural Resources

### Decision Record

### Official Notice and Order

### Undesignation of Forest Roads in Beltrami County pursuant to *Minnesota Statutes*, Section 89.71, Subdivision 1.

### Undesignation of State Forest Roads in the Mississippi Headwaters State Forest - Road Number 0076A

**NOTICE PUBLISHED: September 1, 2008**

**EFFECTIVE DATE: October 1, 2008**

**NOTICE IS HEREBY GIVEN** that the Commissioner of the Minnesota Department of Natural Resources orders the undesignation of forest roads identified in *Exhibit A*, attached hereto and incorporated herein, in the Mississippi Headwaters State Forest.

#### **WHEREAS:**

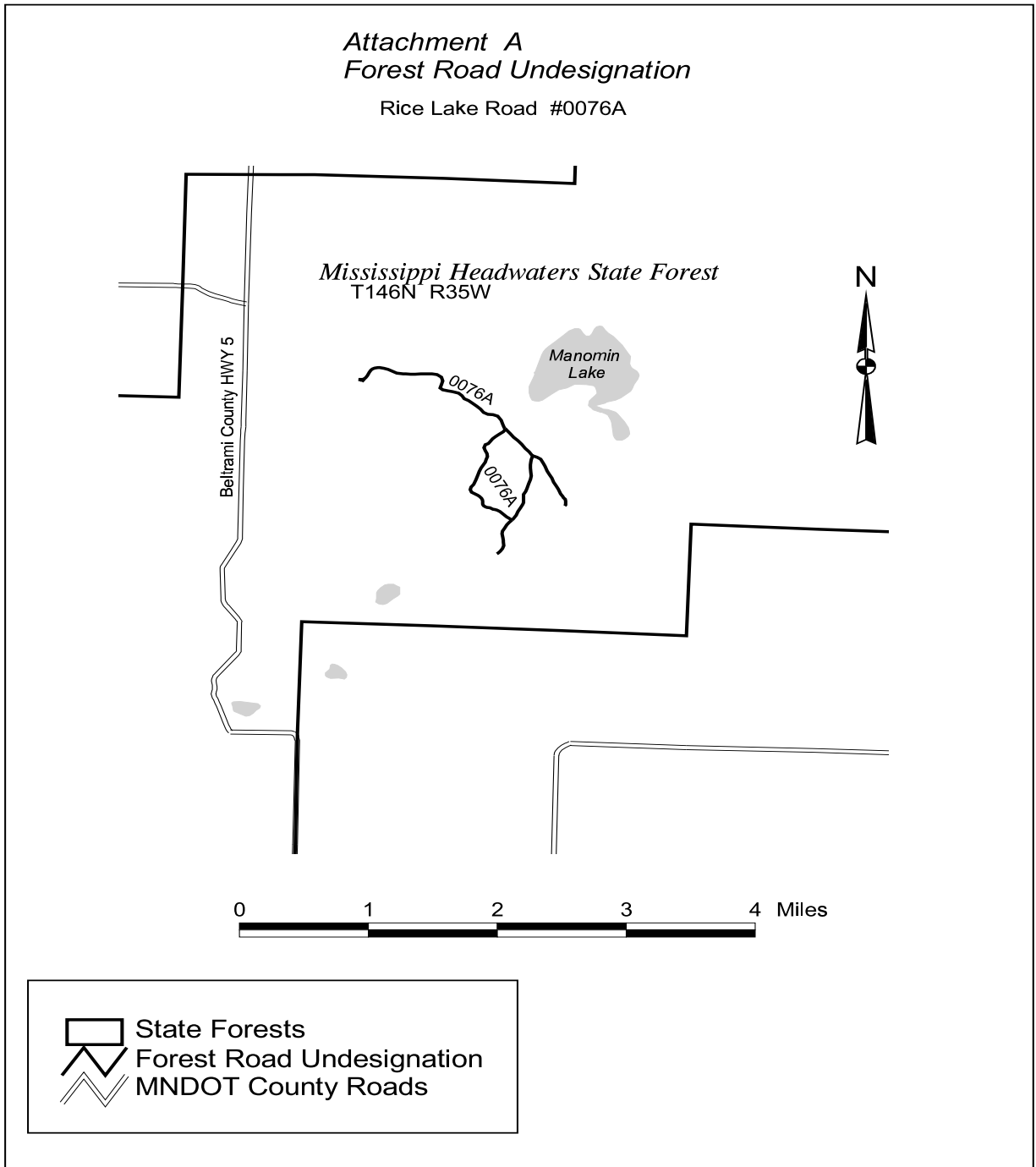
1. *Minnesota Statutes*, Section 89.002, subdivision 3, directs the Commissioner of Natural Resources to provide a system of state forest roads for access to state forest land and other forest land under the Commissioner's authority, which is adequate to permit the Commissioner to manage, protect, and develop those lands and their resources consistent with the forest resource management policy, and to meet demands for forest resources;
2. *Minnesota Statutes*, Section 89.71, subdivision 1, provides that the commissioner may designate and undesignate forest roads by written order published in the State Register.
3. All notice and procedural requirements in *Minnesota Statutes*, and other applicable rules and law have been complied with.
4. The forest road undesignation is both needed and reasonable.

**NOW THEREFORE, IT IS ORDERED** that the state forest roads shown on the attached map attached as *Exhibit A* are hereby undesignated and removed from the state forest road system pursuant to authority vested in me by Minnesota law.

**IT IS FURTHER ORDERED** that the designation of those forest roads identified in attached *Exhibit A* shall become effective on October 1, 2008.

Dated: 6 August 2008

Mark Holsten, Commissioner  
Department of Natural Resources



# Commissioner's Orders

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## Minnesota Department of Natural Resources

### Decision Record

### Official Notice and Order

### Undesignation of Forest Roads in Clearwater County pursuant to *Minnesota Statutes*, Section 89.71, Subdivision 1.

### Undesignation of State Forest Roads in Clearwater County - Road Numbers 0107, 0108, 0120, 0125S and part of 0125

**NOTICE PUBLISHED: September 1, 2008**

**EFFECTIVE DATE: October 1, 2008**

**NOTICE IS HEREBY GIVEN** that the Commissioner of the Minnesota Department of Natural Resources orders the undesignation of forest roads identified in *Exhibit A*, attached hereto and incorporated herein, in Clearwater County.

#### **WHEREAS:**

1. *Minnesota Statutes*, Section 89.002, subdivision 3, directs the Commissioner of Natural Resources to provide a system of state forest roads for access to state forest land and other forest land under the Commissioner's authority, which is adequate to permit the Commissioner to manage, protect, and develop those lands and their resources consistent with the forest resource management policy, and to meet demands for forest resources;
2. *Minnesota Statutes*, Section 89.71, subdivision 1, provides that the commissioner may designate and undesignate forest roads by written order published in the State Register.
3. All notice and procedural requirements in *Minnesota Statutes*, and other applicable rules and law have been complied with.
4. The forest road undesignation is both needed and reasonable.

**NOW THEREFORE, IT IS ORDERED** that the state forest roads shown on the attached map attached as *Exhibit A* are hereby undesignated and removed from the state forest road system pursuant to authority vested in me by Minnesota law.

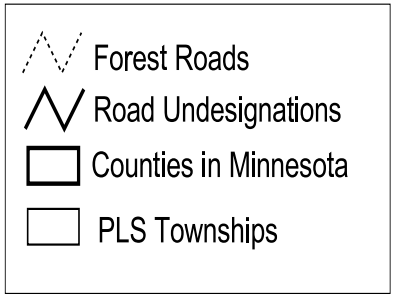
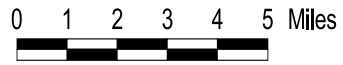
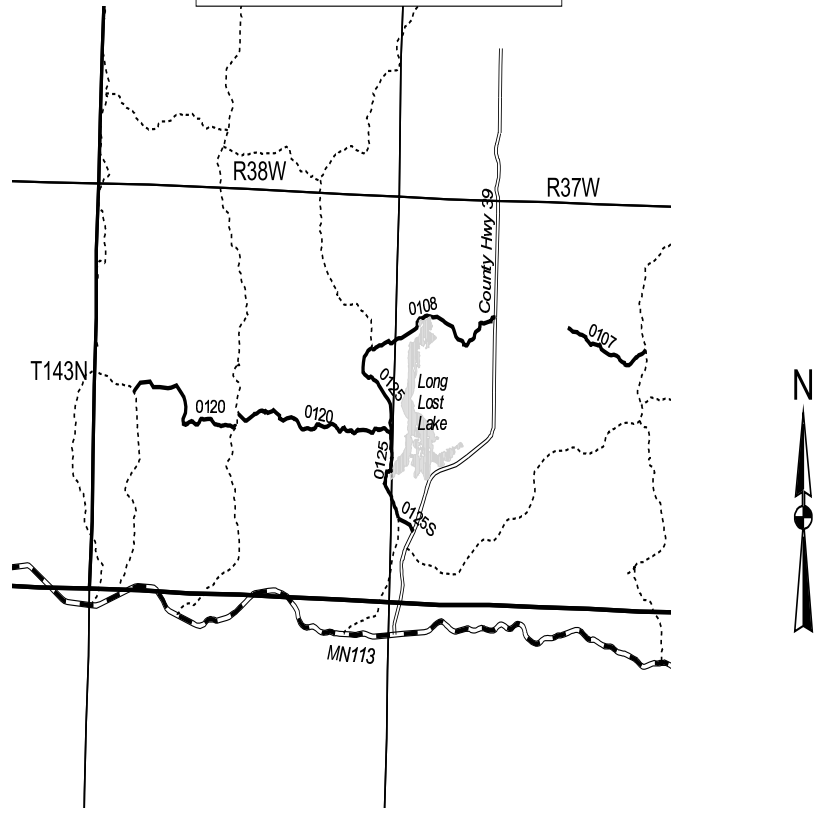
**IT IS FURTHER ORDERED** that the designation of those forest roads identified in attached *Exhibit A* shall become effective on October 1, 2008.

Dated: 6 August 2008

Mark Holsten, Commissioner  
Department of Natural Resources



Attachment A  
Forest Road Undesignations  
Clearwater County



# Commissioner's Orders

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## Department of Natural Resources

### Designation of Wildlife Management Areas

#### Order No. WMA 08-003

Pursuant to the provisions of *Minnesota Statutes*, section 97A.135, subdivision 1 and *Minnesota Statutes*, section 97A.145, subdivision 1, the following described lands that will be under the jurisdiction of the Minnesota Department of Natural Resources meet the criteria as being suited for wildlife management areas:

#### **Florida Creek Wildlife Management Area, Lac qui Parle County**

The South Half of the Southwest Quarter of the Southwest Quarter (S1/2SW1/4SW1/4) of Section Thirty-three (33), Township One Hundred Seventeen (117) North, Range Forty-five (45) West.

#### **Raguet Wildlife Management Area, Carver County**

That part of the Southwest Quarter of Section 35, Township 116 North, Range 23 West, Carver County, Minnesota, bounded by the following described lines:

Commencing at the northwest corner of said Southwest Quarter; thence South 02 degrees 22 minutes 55 seconds East, assumed bearing, a distance 928.00 feet along the east line of said Southwest Quarter; thence North 85 degrees 59 minutes 05 seconds East a distance of 696.00 feet; thence South 39 degrees 00 minutes 55 seconds East a distance of 710.85 feet to the center line of State Trunk Highway Number 212 and the POINT OF BEGINNING; thence South 73 degrees 54 minutes 39 seconds West a distance of 460.00 feet; thence South 26 degrees 00 minutes 55 seconds East a distance of 481.71 feet to the south line of the North Half of the South Half of said Southwest Quarter; thence South 88 degrees 58 minutes 05 seconds East a distance of 1773.50 feet to the east line of said Southwest Quarter; thence North 02 degrees 54 minutes 05 seconds West a distance of 1265 feet, more or less, to the center line of State Trunk Highway Number 212; thence southwesterly along said center line a distance of 1650 feet, more or less, to the point of beginning.

#### **Carlos Avery Wildlife Management Area, Anoka County**

The East Half of the North Half of the Northeast Quarter of the Northeast Quarter (E1/2N1/2NE1/4NE1/4) and the East Half of the West Half of the North Half of the Northeast Quarter of the Northeast Quarter (E1/2W1/2N1/2NE1/4NE1/4) of Section Twenty (20), Township Thirty-two (32) North, Range Twenty-two (22) West.

#### **Wood Lake Wildlife Management Area, Brown County**

The South Half (S 1/2) of Section Twenty Eight (28), Township One Hundred Eight (108) North of Range Thirty Three (33) West, Brown County, Minnesota, EXCEPTING therefrom the following described tracts:

##### Parcel 1:

Commencing at the Northwest corner of the Southwest Quarter (SW 1/4), Section Twenty Eight (28), Township One Hundred Eight (108) North, Range Thirty Three (33) West, thence running South 10 rods; thence East 8 rods; thence North 10 rods; thence West 8 rods to the point of beginning, containing one-half (1/2) acre;

##### Parcel 2:

A tract commencing 8 rods East of the Northwest corner of the Southwest Quarter (1/4) of Section Twenty-eight (28), Township One Hundred Eight (108) North, Range Thirty-three (33) West, thence East 4 1/2 rods, thence South 16 rods, thence West 12 1/2 rods, thence North 6 rods, thence East 8 rods, thence North 10 rods to the point of beginning, containing Three-quarters (3/4) of an acres, subject to any and all easements over and across said land;

##### Parcel 3:

All land lying below the 97.0 foot contour elevation in the SW1/4 of the SW1/4 as shown on the Topographical Map of the State Relief Agency of the State of Minnesota dated May 29, 1936, containing 0.18 acres more or less.

AND

The Southeast Quarter (SE1/4) of Section Twenty-nine (29), Township One Hundred Eight (108) North, Range Thirty-three (33) West, excepting therefrom all land lying below the 97.0 foot contour elevation in the SE1/4 of the SE1/4 as shown on the topographical map of the State Relief Agency of the State of Minnesota dated May 29, 1936.

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# Commissioner's Orders

## **Walnut Lake Wildlife Management Area, Faribault County**

The East Half of the Southeast Quarter (E1/2SE1/4), the Southwest Quarter of the Southeast Quarter (SW1/4SE1/4), and the Southeast Quarter of the Northeast Quarter (SE1/4NE1/4) of Section Fourteen (14), Township One Hundred and Two (102) North, Range Twenty-five (25) West.

## **Vermillion River Wildlife Management Area, Dakota County**

The Northwest Quarter of the Northwest Quarter (NW ¼ NW ¼) of Section Twenty-three (23), Township One Hundred Fourteen (114) North, Range Nineteen (19) West.

The Southwest Quarter (SW1/4) and the Southeast Quarter (SE1/4) of Section Fifteen (15), Township One Hundred Fourteen (114) North, Range Nineteen (19) West, EXCEPT the East two (2) rods of said SE1/4.

## **Maple Meadows Wildlife Management Area, Polk County**

The Northeast Quarter of the Southwest Quarter (NE1/4SW1/4), Section Fifteen (15), Township One Hundred Forty-eight (148) North, Range Forty-four (44) West.

## **Florida Creek Wildlife Management Area, Lac qui Parle County**

The Southeast Quarter (SE1/4) and the South Half of the Northeast Quarter (S1/2NE1/4), Section Eight (8), Township One Hundred Sixteen (116) North, Range Forty-five (45) West, Lac Qui Parle County, Minnesota, EXCEPTING THEREFROM the following described parcels of land:

Parcel 1:

That part of the Southwest Quarter of the Southeast Quarter (SW1/4SE1/4) of Section Eight (8), Township One Hundred Sixteen (116) North, Range Forty-five (45) West, described as follows:

Commencing at the southeast corner of Section Eight (8); thence North 90 degrees 00 minutes 00 seconds West, assumed bearing along the south line of said Section, a distance of 1561.00 feet to the point of beginning of the tract to be described; thence continuing North 90 degrees 00 minutes 00 seconds West, along said south line, a distance of 942.00 feet; thence North 00 degrees 49 minutes 18 seconds East a distance of 831.00 feet; thence South 87 degrees 27 minutes 59 seconds East a distance of 324.00 feet; thence South 00 degrees 01 minutes 00 seconds West a distance of 154.00 feet; thence South 86 degrees 03 minutes 00 seconds East a distance of 620.00 feet; thence South 01 degrees 07 minutes 00 seconds West a distance of 620.00 feet to the point of beginning, said tract contains 15.25 acres more or less and is subject to any easements of record including an existing road right-of-way over the southerly 33.00 feet thereof.

Parcel 2:

The Southeast Quarter of the Southeast Quarter, Section Eight (8), Township One Hundred Sixteen (116) North, Range Forty-five (45) West.

## **McCarthy Lake Wildlife Management Area, Wabasha County**

The East 30 acres of the North Half of Southeast Quarter and the East 50 acres of the South Half of Southeast Quarter of Section 2-109-10. The West 50 acres of the North Half of Southeast Quarter of Section 2-109--10; the Southwest Quarter of Northeast Quarter; the Southeast Quarter of Northeast Quarter; the Southeast Quarter of Northwest Quarter; the Northeast Quarter of Southwest Quarter and the West 30 acres of the South Half of Southeast Quarter of Section 2-109-10.

EXCEPTING THEREFROM the following described four properties:

All that part of the Southeast Quarter of the Northwest Quarter and all that part of the Northeast Quarter of the Southwest Quarter of Section 2-109-10 lying Westerly of a line measured at right angles to 250' Easterly of and parallel with the center line of Judicial Ditch No. 2;

All that part of the Southeast Quarter of the Northeast Quarter of Section 2, Township 109 North, Range 10 West, Wabasha County, Minnesota, bounded by the following described lines:

Commencing at the northeast corner of said Section 2; thence on an assumed bearing of South 00 degrees 50 minutes 16 seconds West, 1355.58 feet along the east line of said Section 2 to the northeast corner of said Southeast Quarter of the Northeast Quarter and to the point of beginning; Thence South 00 degrees 50 minutes 16 seconds West, 879.03 feet along the east line of said Section 2; Thence North 61 degrees 54 minutes 11 seconds

# Commissioner's Orders

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West, 1093.65 feet; Thence North 10 degrees 57 minutes 11 seconds West, 381.96 feet to a point on the north line of said Southeast Quarter of the Northeast Quarter. Thence South 89 degrees 23 minutes 32 seconds East, 1050.25 feet along the north line of said Southeast Quarter of the Northeast Quarter to the point of beginning;

All that part of the Southeast Quarter of the Southeast Quarter of said Section 2 bounded by the following described lines: Beginning at the southeast corner of said Section 2; Thence on an assumed bearing of North 00 degrees 50 minutes 16 seconds East, 1050.92 feet along the east line of said Section 2; Thence North 78 degrees 09 minutes 04 seconds West, 960.23 feet; Thence South 01 degrees 38 minutes 33 seconds East, 565.13 feet; Thence South 06 degrees 07 minutes 26 seconds West, 605.13 feet; Thence South 78 degrees 35 minutes 17 seconds West, 329.65 feet to a point on the south line of said Section 2; Thence South 89 degrees 17 minutes 06 seconds East, 1296.00 feet to the point of beginning;

The South 660 feet of the East 660 feet of the Southeast Quarter of the Southeast Quarter of said Section 2.

## **Fenmont Wildlife Management Area, Nobles County**

The Southwest Quarter (SW1/4) of Section One (1), Township One Hundred Four (104) North, Range Forty-two (42) West. and

A tract of land in Section One (1), Township One Hundred Four (104) North, Range Forty-two (42) West described and bounded as follows:

Commencing at the southwest corner of the Southeast Quarter (SE1/4) of said Section 1 as the place of beginning, and then East along the south line of said Section 1 to the southeast corner of said Section 1; thence North along the east line of said Section 1 a distance of 1120 feet; thence West and parallel with the south line of said Section 1 a distance of 1490 feet; thence North and parallel to the east line of said Section 1 a distance of 1170 feet; thence West and parallel with the south line of said Section 1 a distance of 1150 feet to the west line of the Southeast Quarter (SE1/4) of said Section 1; thence South along the west line of the Southeast Quarter (SE1/4) of said Section 1 a distance of 2220 feet to the point of beginning and there terminating.

## **Waukon RIM Wildlife Management Area, Redwood County**

That part of the Northeast Quarter of the Northwest Quarter, Section 29, Township 113 North, Range 35 West, Redwood County, Minnesota, lying southerly of the following described line;

Commencing at a point on the east line of said Northwest Quarter, a distance of 2061.00 feet northerly of the center quarter corner of said Section 29; thence southerly along the north quarter line on an assumed bearing of South 00 degrees 18 minutes East for 336.00 feet to an existing fence line and the POINT OF BEGINNING; thence North 86 degrees 30 minutes West along the fence line and the fence line extended 1372.64 feet to an iron monument on the bank of the Redwood River; thence continuing North 86 degrees 30 minutes West a distance of 30 feet, more or less, to the centerline of said river and there terminating.

And

That part of the Northwest Quarter of the Northwest Quarter, Section 29, Township 113 North, Range 35 West, Redwood County, Minnesota, lying southerly and easterly of the Redwood river;

And

That part of the Southeast Quarter of the Northwest Quarter, Section 29, Township 113 North, Range 35 West, Redwood County, Minnesota, lying northerly of the following described line:

Commencing at the southwest corner of said Southeast Quarter of the Northwest Quarter; thence North a distance of 49.5 rods; thence East a distance of 241 feet 4 inches; thence South a distance of 533.75 feet to a point 283.00 north of the south line of said Southeast Quarter of the Northwest Quarter; thence East a distance of 100.00 feet thence southeasterly, a distance of 810 feet, more or less, to a point described as being 269 feet East of the northeast corner of Block 1, Hoskens Addition to the City of North Redwood; thence southeasterly to a point on the north line of Front Street which is 513 feet East of the southeast corner of said Block 1 and there terminating.

And

That part of the Southwest Quarter of the Northwest Quarter, Section 29, Township 113 North, Range 35 West, Redwood County, Minnesota, lying southerly of the centerline of the Redwood River and EXCEPTING therefrom the following described parcels:

Parcel 1:

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## Commissioner's Orders

Lots 2, 3, 4, 5, 6, 7 and 8 of Auditors Subdivision No. 1, Section 29

Parcel 2:

That part of the said Southwest Quarter of the Northwest Quarter lying southerly of the following described line: Beginning at the northwest corner of said Lot 8 of Auditors Subdivision No. 1; thence West, a distance of 613 feet, more or less to the west line of said Southwest Quarter of the Northwest Quarter and there terminating.

And

Lot 2 of Auditor's Subdivision of No. 1, Section 30, Township 113 North, Range 35 West, EXCEPTING therefrom the south 275 feet of the east 140 feet of said Lot 2.

And

The South Half of the Northeast Quarter (S1/2NE1/4) of Section Twenty-nine (29), Township One Hundred Thirteen (113) North, Range Thirty-five (35) West of the Fifth Principal Meridian. EXCEPTING THEREFROM the following described tract, to wit: Commencing at the Northwest corner of the South Half of the Northeast Quarter (S1/2NE1/4) of said Section 29 running thence East along the North line of the South Half of the said Northeast Quarter (S1/2NE1/4) a distance of 1584 feet to a point, running thence in a southeasterly direction to a point which is 2112 feet East and 528 feet South of the point of beginning, running thence in a Northwesterly direction to the West line of said Northeast Quarter (NE1/4) to a point which is 330 feet South of the point of beginning, thence North a distance of 330 feet to the point of beginning. Said excepted tract containing 17.6 acres, more or less.

And

The South Half of the Northwest Quarter (S1/2NW1/4) of Section Twenty-eight (28), Township One Hundred Thirteen (113) North, Range Thirty-five (35) West.

And

A tract of land commencing at the northwest corner of the Northwest Quarter of the Southeast Quarter (NW1/4SE1/4) of Section Twenty-nine (29), Township One Hundred Thirteen (113) North, Range Thirty-five (35) West, and running thence east on the quarter line 23 rods; thence running south 14 rods; thence running west 23 rods; thence north 14 rods to the place of beginning, containing 2 acres, more or less.

### **Banks Wildlife Management Area, Cottonwood County**

The Northeast Quarter (NE1/4) of Section Twenty-seven (27), Township One Hundred Five (105) North, Range Thirty-five (35) West.

### **Chetomba Creek Wildlife Management Area, Renville County**

The North Half of the Northwest Quarter (N1/2NW1/4) of Section Seventeen (17), Township One Hundred Sixteen (116) North, Range Thirty-seven (37) West.

### **Ricehaven Wildlife Management Area, St. Louis County**

All those lands bounded by the following described lines:

On the North by the North line of Section 12, Township 50, Range 21, extended, and the North line of Section 7, Township 50, Range 20; On the West by the West line of Section 12, Township 50, Range 21; On the South by the South lines of Government Lots 5, 6, 7 and 8, Section 12, Township 50, Range 21; On the Southeast by a line commencing at the intersection of the South line of Government Lot 3, Section 7, with the West line of Section 7, Township 50, Range 20; thence North along said West line to a point 660 feet South of the North line of Government Lot 3 extended; thence East at right angles to said last described line 360 feet to a point; thence North at right angles to said last described line 300 feet to a point; thence East at right angles to said last described line 300 feet to a point; thence North at right angles to said last described line to the North line of Government Lot 3; thence East along said North line to the Northeast corner of said Government Lot 3, Section 7, Township 50, Range 20; On the East by the East lines of Government Lots 1 and 2, Section 7, Township 50, Range 20. ALL according to the United States Government Survey thereof, and except that portion encompassed by the shore of Leeman Lake.

### **Benderberg Wildlife Management Area, Chippewa County**

That part of the South Half of the Northwest Quarter (S1/2 NW 1/4), that part of the Northeast Quarter of the Southwest Quarter (NE1/4SW1/4) and the Northwest Quarter of the Southeast Quarter (NW1/4SE1/4) of Section Thirty-three (33), Township One Hundred Nineteen (119) North, Range Forty-one (41) West, Chippewa County, Minnesota, described as follows:

## Commissioner's Orders

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Beginning at the northwest corner of said Southwest Quarter of the Northwest Quarter; thence South 00 degrees 00 minutes 22 seconds East, assumed bearing along the west line of said Section 33, a distance of 33.00 feet; thence South 89 degrees 58 minutes 46 seconds East a distance of 788.15 feet; thence South 28 degrees 48 minutes 28 seconds East a distance of 2990.08 feet to a point on the south line of said Northeast Quarter of the Southwest Quarter; thence North 89 degrees 57 minutes 40 seconds East, along the south line of the said Northeast Quarter of the Southwest Quarter, a distance of 405.44 feet to the southeast corner of the said Northeast Quarter of the Southwest Quarter; thence North 89 degrees 57 minutes 43 seconds East along the south line of said Northwest Quarter of the Southeast Quarter, a distance of 1313.91 feet to the southeast corner of the said Northwest Quarter of the Southeast Quarter; thence North 00 degrees 14 minutes 04 seconds West, along the east line of the said Northwest Quarter of the Southeast Quarter, a distance of 1321.68 feet to the northeast corner of the said Northwest Quarter of the Southeast Quarter; thence North 89 degrees 57 minutes 31 seconds West, along the north line of the said Northwest Quarter of the Southeast Quarter, a distance of 1312.60 feet; to the center of said Section 33; thence North 00 degrees 10 minutes 39 seconds West, along the east line of the Southeast Quarter of the Northwest Quarter a distance of 1328.61 feet to the northeast corner of the said Southeast Quarter of the Northwest Quarter; thence North 89 degrees 58 minutes 46 seconds West, along the north line of the South Half of the Northwest Quarter, a distance of 2626.22 feet to the said point of beginning.

The North Half of the Northwest Quarter (N1/2NW1/4) of Section Nineteen (19), Township One Hundred Nineteen (119), North, Range Forty-one (41) West.

### **Erickson-Lidstrom Family Wildlife Management Area, Kanabec County**

The North Half of Section Ten (10), Township Thirty-nine (39) North, Range Twenty-three (23) West EXCEPTING there from the North Half of the Northwest Quarter of the Northwest Quarter (N1/2NW1/4NW1/4) of said Section 10.

**NOW THEREFORE, IT IS HEREBY ORDERED** that the lands described above are designated as wildlife management areas upon acquisition.

Dated: 31 July 2008

Mark Holsten, Commissioner  
Department of Natural Resources

## Official Notices

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

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

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## Minnesota Department of Human Services Renewal of Request for Information (RFI) on Technology Services to Support Development of Automated Eligibility Determination

**Note:** This RFI was originally published on June 23, 2008, with a submission date of July 21, 2008. The department finds that it is in its best interest to re-open the RFI and to leave it open for a longer period of time to ensure that the department can obtain as much information as possible to inform its procurement process. Please note the extended submission deadline for this RFI, and potential for responding to portions of the request.

### Purpose and Objective

The purpose of this Request for Information (RFI) is to identify and obtain information from potential vendors about technology services, including hardware and software that would support development of an automated eligibility determination function for programs administered by the Minnesota Department of Human Services (DHS). The technology services should be sufficiently robust to support eligibility determinations and case maintenance for either

- An automated eligibility determination system for health care programs that can be extended and scaled to perform eligibility determinations for other programs in the future;
- An automated eligibility determination system that determines eligibility for multiple programs (i.e.: health care programs, cash programs, child care programs, food support programs and foster care programs)
- An automated eligibility determination system and web accessible graphical user interface (GUI) for health care programs, the GUI of which can be expanded to encompass other programs for which eligibility is determined on another platform.
- A web accessible GUI that can overlay an existing automated eligibility determination system and be expanded as eligibility determinations for other programs are added to the existing eligibility determination platform.

The State is seeking information that it may use for future planning, policy development, and competitive contracting for professional/technical services and/or technology products. The State has recently conducted an assessment of its HealthMatch Project. A copy of the report, *HealthMatch Project Assessment Summary*, dated May 2, 2008, is available upon request. The summary will provide prospective vendors with background information on work done to date to construct an automated health care eligibility determination system.

Response to this RFI is completely voluntary, and this RFI and responses do not in any way obligate the State. A Response to this RFI does not provide any advantages to respondents in potential future Requests for Proposal (RFPs), for competitive contracting or (Cite 33 SR 393)

# Official Notices

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procurement. Respondents are responsible for all costs associated with the preparation and submission of responses to this RFI.

All materials submitted in response to this RFI will become property of the State and will become public, according to *Minnesota Statutes* § 13.03 unless otherwise defined by *Minnesota Statutes* § 13.37 as “Trade Secrets”. If the Responder submits information in response to this RFI that it believes to be trade secret/confidential materials as defined by that statute, and the Responder does not want such data used or disclosed for any purpose, the Responder must: clearly mark every page of trade secret materials in its Response with the words “Trade Secret” at the time of submission; and justify the trade secret justification for each item in its Response. If the State should decide to issue an RFP and award a contract based on any information received from responses to this RFI, all public information, including the identity of the responders, will be disclosed upon request.

## Timelines

**Deadline for submission: 2:00 pm CDT, Monday, March 31, 2009**

## Background

DHS’ role in state government is to provide core health and human services to Minnesota’s most vulnerable people. To accomplish that responsibility, DHS administers some of the most complex programs in state government — public health care eligibility; child support collections; payment for medical services; eligibility and payment for cash, food, child care, foster care, and housing programs; child welfare case management; grants administration, and long-term care financing. The most effective way to ensure that Minnesotans receive health and social services to which they are entitled is to provide an eligibility determination process that is uniform, efficient, automated and business-driven.

DHS’ administration of publicly-funded programs is a joint state-county effort, with county and tribal human services agency staff performing the intake, eligibility determination and case management for the majority of clients. Program eligibility is currently determined by approximately 2500 workers in offices at the State level, at the 87 counties, and at the tribal level.

Currently, health care program eligibility is determined using two DHS legacy systems for the Medical Assistance and General Assistance Medical Care programs, and a combination of manual processes and legacy system entry for the MinnesotaCare program. One of the two systems that determine eligibility for Medical Assistance and General Assistance Medical Care is an integrated eligibility system that also determines eligibility and issues payments for 13 other cash, food, child care, and housing programs. DHS also uses an automated state master index (SMI) that provides a common client index for all publicly-funded programs.

In response to the need for improved customer service, greater program and fiscal integrity, and system flexibility, DHS is gathering information relevant to automated eligibility determination processes that offer customer self-service opportunities on the Internet, provide increased accuracy of eligibility determinations, and allow for greater flexibility in the overall state/county administrative structure. Responses should provide solutions that conform to DHS’ Strategic Plan for Information Technology (available upon request).

## GOALS OF THIS PROJECT:

The goals of this project include the following:

- **Rules Engines:** The Department is requesting information on proven, commonly-used, declarative-style rules engines that support open standards (e.g. JSR-94). The solution must scale to more than 10,000 rules, and work within the State’s enterprise architecture.
- **Data Collection:** The Department is requesting information on proven, commonly-used frameworks for data collection that support open standards. This includes workflow needs. The solution will be a web or “rich” client application that is scalable to 5,000+ concurrent users, and must work within the State’s enterprise architecture.
- **Accounts Receivable System:** The Department is requesting information on proven, commonly-used premium billing and payments processing frameworks that support open standards. The solution must be flexible to enable customized processing logic and work within the State’s enterprise architecture.
- **Interfaces:** The Department is requesting information on approaches to provide interfaces to multiple related systems required for business processing, including the health care claims payment system, child welfare system, child support collection system, as well as numerous interfaces to sources providing data needed for verification of eligibility including the Social Security Administration, IRS, and Department of Agriculture.



• **Case Maintenance:** The department is requesting information on proven solutions to acting on changes triggered by user-entered data, data received through a system interface, or aging of a case. The solution must be able to date-stamp system changes and preserve history so that the effect of case changes can be processed retroactively.

All components must be able to meet DHS requirements for the following three criteria:

1. Flexibility to support frequent changes in programs and eligibility policy, including legislative mandates.
2. Extensibility to meet policy and program objectives now and into the future.
3. Scalability to handle user volume now and into the future. System users include State, county and tribal staff, program clients and advocates, providers, and other agency partners. User volume is expected to exceed 5000+ concurrent users.

### PROPOSAL CONTENT

#### Responders are encouraged to:

1. Provide information on technologies, services and/or activities that can support automated eligibility determination for a wide variety of public programs. The Department is willing to review proposals that address one or more of the five goals of this project. In particular, DHS is interested in reviewing proven business rules engines that can support complex government programs, including but not limited to TANF, food support, and health care programs such as Medicaid and Medicare supplemental programs
2. Provide information on how these technologies services and/or activities could meet the needs of automated health care program eligibility processing now and be expanded later to include all programs in a cost-effective manner.
3. Describe how products are adaptable to accommodate frequent program changes.
4. Describe metrics for performance measurement of any proposed product or service.
5. Provide three references.
6. Provide evidence of successful applications of the products and services in other state's health and/or human services programs within the last year.

#### Response Submission Procedures and Instructions

If responding via hard copy, please provide six copies of your response. Alternatively, Respondents may submit one electronic copy of the response to Tom Trant at the email address below. Include a cover page with the name, title, address, telephone number or e-mail address of whom to contact in the event there are questions regarding your submission.

The department reserves the right to schedule in-person sessions to permit presentation of selected responses.

Respondents are responsible for all costs associated with the preparation and submission of responses to this RFI.

Information must be received by 2:00 p.m. on Monday, March 31, 2009. While DHS staff will be conducting most review activities in August and September 20, responses will be accepted until March 31, 2009. Submit information to:

Tom Trant

**Mailing Address:** 540 Cedar St. P.O. Box 64993  
St. Paul, MN 55164-0993

**Delivery Address:** 444 Lafayette Road  
St. Paul, Minnesota, 55164-0993

**E-mail Address:** *Thomas.F.Trant@state.mn.us*

#### Inquiries:

All submissions, questions, concerns or communications regarding this RFI should be addressed to, or e-mailed to:

Tom Trant

Minnesota Department of Human Services  
Health Care Operations

**Telephone:** (651) 431-3177

**E-mail:** *Thomas.F.Trant@state.mn.us*

# Official Notices

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## Minnesota Department of Labor and Industry

### Workers' Compensation Division

#### Notice of Annual Adjustment to Workers' Compensation Vocational Rehabilitation Hourly Rates

In 2008 the legislature amended **Minnesota Statutes** § 176.102, subd. 2 to add paragraph (b), which provides:

(b) On October 1, 2008, the maximum hourly rate for rehabilitation services under *Minnesota Rules*, part 5220.1900, subpart 1c, is increased to \$91, and the maximum hourly rate for rehabilitation services under *Minnesota Rules*, part 5220.1900, subpart 1d, is increased to \$81. These increases are in lieu of the October 1, 2008, annual increase authorized by *Minnesota Rules*, part 5220.1900, subpart 1b. The maximum hourly rate and annual increase under *Minnesota Rules*, part 5220.1900, subpart 1e, and the hourly rate reduction under *Minnesota Rules*, part 5220.1900, subpart 1f, are unchanged by this paragraph.

*Laws of Minnesota* 2008, chapter 250, section 4

Therefore, effective October 1, 2008:

1. The maximum hourly rate for rehabilitation services under Minnesota Rules, part 5220.1900, subpart 1c is \$ 91.00.
2. The maximum hourly rate for rehabilitation services under Minnesota Rules, part 5220.1900, subpart 1d is \$81.00.
3. The maximum hourly rate for workers' compensation job development and placement services under Minnesota Rules, part 5220.1900, subpart 1e is increased by 2.0%, to \$69.08.

The increases provided in this Notice are made pursuant to *Laws of Minnesota* 2008, chapter 250, section 4, and Minn. Rules, part 5220.1900, subpart 1b.

Dated: August 14, 2008

Steve Sviggum, Commissioner  
Department of Labor and Industry

## Minnesota Department of Natural Resources

### Notice of Proposed Classification of State Forest Lands in Koochiching and Eastern Itasca Counties with Respect to Motor Vehicle Use

**NOTICE IS HEREBY GIVEN** that the Commissioner of the Minnesota Department of Natural Resources (DNR) proposes to classify State Forest lands located in Itasca and Koochiching counties with respect to operation of motor vehicles. The proposal is to assign all State Forest lands and other forest lands under the authority of the Commissioner to one of the following classes:

1. "Managed" (in which existing routes on forest lands are open for motor vehicle use unless posted closed),
2. "Limited" (in which existing routes on forest lands are closed to motor vehicle use unless posted open), or
3. "Closed" (Forest roads are open to motor vehicles licensed for highway use. No Off-Highway Vehicles (OHVs) are permitted, except that OHVs may operate on frozen public waters (e.g., across lakes for ice fishing.)

*Minnesota Rules Chapter 6100.1950* governs the classification of State Forests with respect to motor vehicle use.

The proposal covers the George Washington, Golden Anniversary, Koochiching, Pine Island, and Smokey Bear state forests and forest lands under the authority of the Commissioner located outside of state forest boundaries in Koochiching and eastern Itasca counties. In total, about 1.1 million acres of land will be classified with respect to motor vehicle use.

In conjunction with the proposed classification the Department of Natural Resources has developed a plan that identifies which roads

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## Official Notices

and trails on DNR-administered forest lands in the planning area will be open to use by various types of motor vehicles. There are over 3,400 miles of roads, trails, and other routes on state and county forest lands in the area.

The DNR will hold public meetings on the proposed classification and road and trail use designations at:

1. Itasca Community College Theater, 1851 E. Hwy 169, Grand Rapids, MN on Tuesday, October 28, 2008 from 6:00 to 8:30 PM.
2. Rainy River Community College Auditorium, 1501 Hwy 71, International Falls, MN on Wednesday, October 29, 2008 from 6:00 to 8:30 PM.
3. Bigfork City Hall, 200 Main Avenue (Corner of Main and Ash Street), Bigfork, MN on Thursday, October 30, 2008 from 6:00 to 8:30 PM.

The department will present information and receive public comments on the proposal at each of the meetings.

The classification proposal, road and trail designation plan, and related maps are on the DNR website at  
*[www.dnr.state.mn.us/input/mgmtplans/ohv/designation/status.html](http://www.dnr.state.mn.us/input/mgmtplans/ohv/designation/status.html)*.

Copies of the documents can also be obtained from:

Jack Olson, Natural Resources Planner  
Minnesota Department of Natural Resources  
1601 Minnesota Drive  
Brainerd, MN 56401  
Phone: (218) 833-8716  
E-mail: [jack.olson@dnr.state.mn.us](mailto:jack.olson@dnr.state.mn.us)

Written comments on the proposal can also be submitted to the above address until 4:30 PM on November 7, 2008.

Forrest Boe, Director of Trails & Waterways  
Minnesota Department of Natural Resources

# State Grants & Loans

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

## Grant Applicants

Have you checked up on all the “active” state grants? For *State Register* subscribers a “Contracts & Grants” section is available that lists all grants and contracts open for bid. Open the *State Register* and click on Bookmarks in the upper left corner. You will see a list of ALL the current rules, with an INDEX, and previous years’ indices, as well as a list of all contracts and grants open for bid. Subscribe and receive LINKS to the *State Register*. You also receive Subscriptions cost \$180 a year (an \$80 savings). Here’s what you receive via e-mail:

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It’s all E-mailed to you, at end-of-day on Friday, instead of waiting for the non-subscriber’s issue released on Monday. Contact Cathy Hoekstra, our subscriptions manager, at (651) 297-8777, or Fax: (651) 297-8260, or E-mail: [cathy.hoekstra@state.mn.us](mailto:cathy.hoekstra@state.mn.us)

## Minnesota Department of Human Services Health Care Eligibility and Access Division Notice of Request for Proposals to Provide Culturally Specific Minnesota Health Care Program Outreach Activities and Services to Uninsured Minnesotans

NOTICE IS HEREBY GIVEN that the Minnesota Department of Human Services is requesting proposals from qualified organizations to effectively reach and assist uninsured Minnesotans, especially those that are American Indian, Hispanic/Latino, and African American, in obtaining coverage through Minnesota Health Care Programs.

To access the RFP, go to the DHS public web site on or after 10 a.m. August 25, 2008 Central Time: [www.dhs.state.mn.us](http://www.dhs.state.mn.us) under “Partners and Providers”, “Grants and RFPs” .

For more information, or to obtain a paper copy of the Request for Proposal, contact:

Debra Wagner  
Department of Human Services  
Health Care Eligibility and Access Division  
444 Lafayette Road North, St. Paul, MN 551550989  
Phone: (651) 431-3471  
Fax: (651) 431-7572  
E-mail: [Deb.wagner@state.mn.us](mailto:Deb.wagner@state.mn.us)

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

Proposals submitted in response to this Request for Proposals must be received at the address above no later than **4:00 p.m., Central Time, September 29, 2008**. One (1) original and six (6) copies of the Proposal must be submitted. Late proposals will not be considered. Fax or e-mailed proposals will not be considered.

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

## Minnesota Pollution Control Agency Regional Division

### Proposals Accepted for Nonpoint Source Water Pollution Project Grants through the Federal Clean Water Act Section 319 Grant Program

The Minnesota Pollution Control Agency (MPCA) hereby announces that it will accept proposals for nonpoint source water developmental, education or research (DER) projects. Projects will be funded through the federal Clean Water Act (CWA) Section 319 Nonpoint Source Grant Program (Section 319). Proposals will be accepted from local units of government and other entities interested in leading a nonpoint source pollution control project. The MPCA anticipates that approximately one million dollars (\$1,000,000) will be available this year, contingent upon Congressional appropriation.

Section 319 provides federal grant money for nonpoint pollution abatement and water resource restoration. This year, these funds will be offered only for **developmental, education or applied research projects** with statewide or regional applicability that demonstrate new or innovative technology, new best management practices, or develop educational programs related to reducing nonpoint source pollution. A research project must answer a research question related to the goal of reducing nonpoint source pollution. **Proposals for implementation grants will not be accepted.**

#### Criteria and Process for Project Selection

EPA Section 319 guidance provides the criteria and procedural conditions under which the MPCA may award assistance. Proposals are reviewed and scored by both the MPCA review team and members of the Project Coordination Team (PCT). The PCT is a public interagency group established in *Minnesota Statute* who assists the MPCA in recommending to the Commissioner projects that should receive financial and/or technical assistance. After scoring, proposals are ranked to determine which projects can be funded, based on available dollars. Once projects are selected for funding, the project sponsor and project manager are notified of the next steps in preparing a detailed project work plan and budget. **Project sponsors must address a specific action step in the current Minnesota Non Point Source Management Plan.** <http://www.pca.state.mn.us/water/nonpoint/mplan.html>

#### Request Limits:

There is a three-hundred thousand dollar (\$300,000.00) cap on each project grant request.

Project grant requests must be matched dollar for dollar.

#### Proposal Schedule:

Proposals due: October 10, 2008

Proposal sponsors will be notified of award or rejection: Approximately December 23, 2008

For successful applicants, detailed work plans and budgets due to MPCA: January 20, 2009

Projects selected for funding should be aware that Section 319 grant funds will not be received from the federal government until after the Congressional appropriation. Past history has shown that these funds will not be available until perhaps the end of next summer or later.

#### Submission Deadline and Requirements

All completed proposals must be received electronically by **4:30 p.m. on Friday, October 10, 2008** in order to be eligible. All proposals must be submitted in electronic form (preferred computer file format is Microsoft Word) to

***CWP319.grant.program@pca.state.mn.us***

Faxed copies will not be accepted. Hard copies mailed in or dropped off will not be accepted.

The Section 319 proposal form and requirements and other program information are available for downloading from the MPCA Web site at:

<http://www.pca.state.mn.us/water/cwp-319.html>

# State Grants & Loans

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If you need additional information, e-mail or call:

Sara Johnson  
CWA Section 319 Coordinator  
Minnesota Pollution Control Agency  
Phone Number: (651) 296-8278  
E-mail: [sara.johnson@pca.state.mn.us](mailto:sara.johnson@pca.state.mn.us)

## State Contracts

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

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

**Requirements:** There are no statutes or rules requiring contracts to be advertised for any specific length of time, but the Materials Management Division strongly recommends meeting the following requirements:

- \$0 - \$5000 does not need to be advertised. Contact the Materials Management Division: (651) 296-2600
- \$5,000 - \$25,000 should be advertised in the *State Register* for a period of at least seven calendar days;
- \$25,000 - \$50,000 should be advertised in the *State Register* for a period of at least 14 calendar days; and
- anything above \$50,000 should be advertised in the *State Register* for a minimum of at least 21 calendar days

## How to Work with Contracts

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**State Department of Administration (Admin)  
Minnesota State Colleges and Universities  
Notice of Availability of Request for Proposal (RFP) for Designer Selection for:  
Workforce Program and Infrastructure Remodeling  
State Designer Selection Board Project No. 08-16**

The State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities, on behalf of Minneapolis Community and Technical College, through the State Designer Selection Board, is soliciting proposals from interested, qualified consultants for architectural and engineering design services for the above referenced project.

A full Request for Proposals is available on the Minnesota State Colleges Universities website,  
*<http://www.finance.mnscu.edu/facilities/index.html>*. click on "Announcements."

A copy of the pre-design is available for review at *<http://www.finance.mnscu.edu/facilities/index.html>*. An informational meeting is scheduled for **9:00 AM, September 3, 2008 in L-3100** at Minneapolis Community and Technical College, 1501 Hennepin Avenue, Minneapolis, MN 55403. All firms interested in this meeting should contact Valerie Frolov at (612) 659-6808 or *[Valerie.frolov@minneapolis.edu](mailto:Valerie.frolov@minneapolis.edu)* to sign up for the meeting. Project questions will also be taken by this individual.

Proposals must be delivered to Real Estate and Construction Services front desk in, **room 309 of the Administration Building**, 50 Sherburne Ave., St. Paul, MN 55155 **not later than 4:00 P.M., September 15, 2008**. Late responses will not be considered.

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

**State Department of Administration (Admin)  
Minnesota State Colleges and Universities  
Notice of Availability of Request for Proposal (RFP) for Designer Selection for:  
Transportation and Emerging Technologies Renovation  
State Designer Selection Board Project No. 08-14**

The State of Minnesota, acting through its Board of Trustees of the Minnesota State Colleges and Universities, on behalf of Dakota County Technical College, through the State Designer Selection Board, is soliciting proposals from interested, qualified consultants for architectural and engineering design services for the above referenced project.

A full Request for Proposals is available on the Minnesota State Colleges Universities website,  
*<http://www.finance.mnscu.edu/facilities/index.html>* click on "Announcements."

A copy of the pre-design is available for review at *<http://www.finance.mnscu.edu/facilities/index.html>*. An informational meeting is scheduled for 9:00 AM, Wednesday September 3, 2008 at Dakota County Technical College, Room 2-142, on the Dakota County Technical College campus, 1300 145<sup>th</sup> Street East, Rosemount, MN 55068. All firms interested in this meeting should contact Paul DeMuth, at (651) 423-8370 or *[paul.demuth@dctc.edu](mailto:paul.demuth@dctc.edu)* to sign up to attend the meeting. Project questions will also be taken by this individual.

Proposals must be delivered to the Real Estate and Construction Services front desk in **room 309 of the Administration Building**, 50 Sherburne Ave., St. Paul, MN 55155 **not later than 4:00 P.M., September 15, 2008**. Late responses will not be considered.

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

# State Contracts

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## Department of Administration (Admin) WSCA/NASPO Contract Administration Pre-Solicitation Notification

The Minnesota Department of Administration, Materials Management Division, on behalf of the State of Minnesota, and in association with the National Association of State Procurement Officials (NASPO) and the Western States Contracting Alliance (WSCA) is preparing a Request for Proposal (RFP) from Manufacturers of Personal Computer Equipment and Related Devices for the WSCA/NASPO PC Contracts 2009-2014.

The purpose of this pre-solicitation announcement is to give interested parties notice that the RFP will be issued in September, 2008.

The Contracts resulting from the RFP will replace the current WSCA/NASPO PC Contracts 2004-2009. For reference purposes, you may see copies of all the RFP's issued under the WSCA/NASPO PC Contracts 2004-2009 at the following url:

*<http://www.mmd.admin.state.mn.us/wsca/News.htm>*

This might assist you in understanding both the process and requirements for these contracts. The current contracts are generating an average of over \$2 billion in sales annually. As of July 18, 2008, twenty states have executed an Intent to Participate in the new contracts.

The RFP will include EPEAT minimum requirements and preferences for verification of third-party certifications from bodies such as Blue Angel, Energy Star, etc.

The categories of equipment in the RFP will include, but not be limited to: servers, desktops, laptops, tablet PCs, PDAs, printers, multi-functional printing devices, storage solutions, monitors, local area network devices, and instructional bundles.

The sale of LCD Projectors, separate from an instructional bundle, will be allowed under the new Contracts resulting from the RFP.

Interested parties, who logged in and downloaded this document from the MMD website, will be added to an e-mail distribution list that will be used to announce the actual advertisement of the RFP in September, 2008.

However, interested parties are cautioned that it is still their responsibility to watch the MMD website for the solicitation announcement. MMD will not be held responsible for an interested party not receiving the e-mail notification announcement of the RFP.

The announcement will also be linked on *[www.naspo.org](http://www.naspo.org)* (under Cooperative Purchasing, Opportunities), *[www.aboutwsca.org](http://www.aboutwsca.org)* (under Opportunities) and may appear, in compliance with applicable state laws, on the websites of states that potentially might participate in the resulting contracts.

## Minnesota State Colleges and Universities (MnSCU) Anoka Ramsey Community College, Cambridge Campus NOTICE OF INTENT is to Request Bids for a New Parking Lot

**Project Description:** For the construction of a new 100 stall parking lot and relocation of infiltration basin.

**Sealed Bids to:** Heidi Vidor, Business Office  
Room D223, Campus Center Building,  
Anoka Ramsey Community College, Cambridge Campus  
300 Spirit River Drive South  
Cambridge, MN 55008

**Pre-Bid Meeting:** 10 AM, Tuesday, September 9, 2008  
Room E 103, Campus Center Building  
Review Bid Documents, bidding procedures, other conditions, and answer questions.



**Bid Date & Time:** 10 AM, Thursday, September 18, 2008  
Room E 103, Campus Center Building  
All Bids will be opened and publicly read aloud.

**Bid Documents:** Bidding Documents as prepared by the Project Architect/Engineer; *2008 Parking Lot Expansion, Larson Engineering, Inc.* are on file at the offices of the:

- 1) above named Project Architect/Engineer
- 2) Builders' Exchanges: St. Cloud, St. Paul and Minneapolis
- 3) McGraw Hill Construction Plan Room
- 4) MEDA Minority Contractors Plan Room

Complete sets only of Bidding Documents for use by Bidders in submitting a bid may be obtained at the following address:

Larson Engineering, Inc  
3524 Labore Road  
White Bear Lake, MN 55110  
(651) 481-9120

A deposit of \$100.00 is required for each set.

Each bid which totals over \$15,000.00 shall be accompanied by a certified check, payable to **Minnesota State Colleges and Universities**, in the sum of not less than 5% of the total base bid; or a corporate surety bond of a surety company duly authorized to do business in the state of Minnesota in the same amount; which is submitted as bid security, conditioned upon the Bidder entering into a contract with Minnesota State Colleges and Universities in accordance with the terms of the bid.

## Minnesota State Colleges and Universities (MnSCU) Office of the Chancellor Request for Proposals for Energy Benchmarking Study

Minnesota State Colleges and Universities Office of the Chancellor Planning is seeking the services of a consulting team to (1) document existing energy use at each of the 54 campuses; (2) develop protocols to effectively analyze energy consumption; and (3) develop processes to allow campuses to easily and accurately update and monitor energy use. The data will be used to build a knowledge base on which to advance and benchmark campuses and the System to apply best practices and operational enhancements to improve management of energy use.

A full Request for Proposals is available on the Minnesota State Colleges and Universities website: [www.facilities.mnscu.edu](http://www.facilities.mnscu.edu), click on "Announcements."

Proposals must be delivered at the following address, no later than **1:00 P.M., Wednesday, September 17, 2008**. Late responses will not be considered. Proposals shall be mailed or delivered to:

Ken Oas  
Minnesota State Colleges and Universities  
Wells Fargo Place  
30 7<sup>th</sup> Street East, Suite 350  
St. Paul, MN 55101-7804

Proposals received after this time will be returned unopened. No electronic submissions will be accepted. Proposals must be clearly labeled in the lower left hand corner: ***Energy Benchmarking Study***

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

# State Contracts

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## Department of Human Services (DHS)

### Managed Care & Payment Policy Division

#### Notice of Availability of Contract for Providing Health Care Services under Prepaid Medical Assistance Program (PMAP) including Minnesota Senior Care Plus (MSC+), Prepaid General Assistance Medical Care (PGAMC) and MinnesotaCare

The Minnesota Department of Human Services is requesting proposals from Managed Care Organizations (MCOs) for the purpose of providing health care services for public programs in Brown, Cass, Crow Wing, Dodge, Freeborn, Goodhue, Kanabec, Morrison, Sibley, Steele, Todd, Wabasha, Wadena and Waseca Counties. Additional county information will be available September 2, 2008. Please check the State Register for the link to this additional information.

The service begin date is January 1, 2009.

A Request for Proposals will be available by accessing the Department of Human Services public website after 12 noon on August 25, 2008 at:

[http://www.dhs.state.mn.us/main/idcplg?IdcService=GET\\_DYNAMIC\\_CONVERSION&RevisionSelectionMethod=LatestReleased&dDocName=id\\_000102](http://www.dhs.state.mn.us/main/idcplg?IdcService=GET_DYNAMIC_CONVERSION&RevisionSelectionMethod=LatestReleased&dDocName=id_000102)

To obtain a paper copy of the RFP, please contact Pam Olson at [pam.r.olson@state.mn.us](mailto:pam.r.olson@state.mn.us) or call 651-431-2526. Proposals submitted in response to the RFP in this notice must be sent to:

Request for Proposal Response

Attention: Pam Olson – 0984  
Managed Care & Payment Policy Division  
Department of Human Services  
444 Lafayette Road North  
St. Paul, MN 55155

no later than September 23, 2008 at 4 p.m. Central Time. Late proposals will not be considered and will be returned unopened to the submitting party. Faxed or emailed proposals will not be accepted.

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

## Department of Human Services (DHS)

### Community Partnerships Division

#### Request for Proposals for an Evaluation of the Runaway and Homeless Youth Programs

The Minnesota Department of Human Services, through its Community Partnerships Division, Office of Economic Opportunity (“State”), is seeking Proposals from qualified providers (“Responders” or Applicants”) to fund an evaluation of the programs that are funded with Runaway and Homeless Youth Act funding (*Minnesota Statutes*, 256K.45). The maximum funding available to award is \$20,000. The term of any resulting contract is anticipated to be from September 2008 until June 30<sup>th</sup>, 2009, when the evaluation report is due.

Proposals will be accepted until 4:00 p.m. CDT on September 19<sup>th</sup>, 2008. This RFP does not obligate the State to award a contract and the State reserves the right to cancel the solicitation if it is considered to be in its best interest. All costs incurred in responding to this RFP will be borne by the Responder.

All submissions, questions, requests for the full RFP, concerns or communications regarding this RFP must be addressed to:

Attention: Beth Holger  
Minnesota Department of Human Services  
Office of Economic Opportunity, Homeless Youth Programs  
PO Box 64962 - St. Paul, MN 55164-0962  
Phone: (651) 431-3823  
Fax: (651) 431-7509

Questions may also be e-mailed to: [beth.holger@state.mn.us](mailto:beth.holger@state.mn.us)

## Department of Natural Resources (DNR) Division of Ecological Resources Environmental Policy and Review Unit Notice of Request for Proposal for Consultant Services to Prepare a Joint State/ Federal Environmental Impact Statement (EIS) for the Proposed Mesabi Nugget Phase II Project

**NOTICE IS HEREBY GIVEN** that the Minnesota Department of Natural Resources (DNR), a state agency, seeks the services of a professional consultant to assist in preparing an environmental impact statement for the Mesabi Nugget Phase II Project near the Cities of Hoyt Lakes and Aurora, St. Louis County, Minnesota.

The DNR is Responsible Governmental Unit (RGU) is required to prepare an EIS for this project under *Minnesota Rules* 4410.4400, subpart 8. The agency is cooperating with the US Army Corps of Engineers (USACE), which is the Lead Federal Agency for the federal EIS.

The proposed Mesabi Nugget Phase II Project will produce iron oxide concentrate using established methods of magnetic separation and flotation. The major project components include: reactivation of a taconite mine; installation of a new crusher; and installation of a new concentrator with magnetic separation and flotation. The project will be located north of Hoyt Lakes, MN. The project will be located entirely on portions of the former LTV Steel Mining Company site, which was also known as Erie Mining Company prior to 1986. Prior to taconite mining, natural ore mining occurred in nearby pits as early as 1903.

The DNR seeks the services of a consultant with expertise in: preparing joint state and federal EISs and other environmental review documents; metallic mining operations and engineering; metallurgical and mineral processing; mineland reclamation; wastewater treatment; mercury methylation; waste management and spill prevention; municipal/domestic drinking water wells/operations; land use management/planning (shoreland zoning, variances, land use plans); erosion and sedimentation issues; geological and geotechnical evaluations; transportation and traffic analysis; archaeological, historical, and cultural resources; socioeconomics; visual impact evaluations; blasting & noise modeling analysis; air emission impact analysis & control technology assessment (Class I & II, Human Health & Ecological Risk Assessments, BACT, MACT); hydrology/hydrogeology; water quality analysis/modeling; water budgets and watershed yield models; stream ecology and geomorphology assessments (Rosgen analysis); wetland delineation, functional analysis, and mitigation; state and federal threatened and endangered species; aquatic ecology (biological monitoring studies); wildlife biology; and cumulative impact analysis.

The consultant must conduct necessary data collection and analysis, and prepare draft and final EISs, that fulfill the requirements of *Minnesota Rules* parts 4410.0200 to 4410.6500, the National Environmental Policy Act (NEPA) (42 U.S.C. §§ 4321 to 4347), the NEPA implementing regulations (40 C.F.R. parts 1500 to 1508, in particular 40 C.F.R. part 1502), and the USACE NEPA regulations (33 C.F.R. part 325 appendix B).

The full Request for Proposal contains detailed information about the proposed mine project and proposal content requirements. Call or write for the full request, which will be sent free of charge to interested vendors. Contact:

# State Contracts

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Kirk Rosenberger  
MN Department of Natural Resources  
Division of Ecological Services, Box 25  
500 Lafayette Road  
St. Paul, MN 55155-4025  
Phone: (651) 259-5163

Proposals from interested parties must be submitted to the department by **4:00 p.m.** on **Wednesday, September 24, 2008.**

## Department of Natural Resources (DNR) Notice of Availability of Contract for an On-line Boating Safety Course for DNR CERTIFICATION # 16202

The Minnesota Department of Natural Resources is requesting proposals for the purpose of developing and hosting an on-line, at no cost to the State, an Internet-based boating safety education course to be used by Minnesota water recreation enthusiasts to become safer boaters. Young boaters will be able to obtain their Minnesota Watercraft Operator's permit upon completion.

Work is proposed to start after October 15, 2008.

A Request for Proposals will be available by mail from this office September 3, 2008. **A written request (by direct mail or fax) is required to receive the Request for Proposal.** After September 3, 2008, the Request for Proposal must be picked up in person.

The Request for Proposal can be obtained from:

Tim Smalley  
MN Department of Natural Resources  
Boat & Water Safety Section  
500 Lafayette Rd.  
St. Paul, MN 55155-4046  
**Phone:** (651) 259-5354  
**E-mail:** [tim.smalley@dnr.state.mn.us](mailto:tim.smalley@dnr.state.mn.us)

Proposals submitted in response to the Request for Proposals in this advertisement must be received at the address above no later than 2:30 p.m., Central Daylight Time, Thursday September 11. **Late proposals will not be considered.** Fax or e-mailed proposals will **not** be considered.

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

## Department of Transportation (Mn/DOT) Engineering Services Division Notice of Potential Availability of Contracting Opportunities for a Variety of Highway Related Technical Activities ("Consultant Pre-Qualification Program")

This document is available in alternative formats for persons with disabilities by calling Juanita Voigt at (651) 366-4774 for persons who are hearing or speech impaired by calling Minnesota Relay Service at (800) 627-3529.

Minnesota (ACEC/MN), and the Department of Administration, to develop the Consultant Pre-Qualification Program as a new method of consultant selection. The ultimate goal of the Pre-Qualification Program is to streamline the process of contracting for highway related professional/technical services. Mn/DOT awards most of its consultant contracts for highway-related technical activities using this method, however, Mn/DOT also reserves the right to use Request for Proposal (RFP) or other selection processes for particular projects. Nothing in this solicitation requires Mn/DOT to use the Consultant Pre-Qualification Program.

Mn/DOT is currently requesting applications from consultants. Refer to Mn/DOT's Consultant Services web site, indicated below, to see which highway related professional/technical services are available for application. Applications are accepted on a continual basis. All expenses are incurred in responding to this notice will be borne by the responder. Response to this notice becomes public information under the Minnesota Government Data Practices.

Consultant Pre-Qualification Program information, application requirements and applications forms are available on Mn/DOT's Consultant Services web site at: <http://www.dot.state.mn.us/consult>.

Send completed application material to:

Juanita Voigt  
Consultant Services  
Office of Technical Support  
Minnesota Department of Transportation  
395 John Ireland Blvd. Mail Stop 680

## Department of Transportation (Mn/DOT) Engineering Services Division Notice Concerning Professional/Technical Contract Opportunities

**NOTICE TO ALL:** The Minnesota Department of Transportation (Mn/DOT) is now placing additional public notices for professional/technical contract opportunities on Mn/DOT's Consultant Services **website** at: [www.dot.state.mn.us/consult](http://www.dot.state.mn.us/consult).

New public notices may be added to the website on a daily basis and be available for the time period as indicated within the public notice.

## Department of Transportation (Mn/DOT) Office of Human Resources Request for Proposals (RFP) for Maintenance Services (Architectural) Certified List Program

The State of Minnesota through its Department of Transportation requests proposals to provide services in the following categories:

1. Architectural
2. Structural Engineering
3. Civil Engineering
4. Mechanical Engineering
5. Electrical Engineering

This program will be a Certified List Program consisting of firms that have been pre-approved to perform the above work for small specialty Maintenance and Construction projects. This Program will be utilized for Mn/DOT facilities only. Firms may apply for any or all of the work categories. The term of this program is two years with two one-year extension options. Mn/DOT will use these services on an as-needed basis, and not all successful responders will be authorized for all the services described above. The Certified List Program

# State Contracts

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is not a guarantee of an assignment since the use of services will depend upon the availability of funding for the program at the time the work is required. Responders must be licensed in the State of Minnesota for the work required under each category.

Responses to this advertisement become public information under the Minnesota Government Data Practices Act. This request does not obligate Mn/DOT to complete the work contemplated in this notice, and Mn/DOT reserves the right to cancel this RFP. All expenses incurred in responding to this notice will be borne by the responder.

The full RFP can be viewed on the Consultant Services Web Page at [www.dot.state.mn.us/consult/index.html](http://www.dot.state.mn.us/consult/index.html) under the P/T Notices Section.

If you have any questions regarding this advertisement, or are having problems viewing the RFP on the Consultant Services Web Page, you may contact:

Brad Hamilton, Contract Administrator

**Telephone:** (651) 366-4626

**E-mail:** [brad.hamilton@dot.state.mn.us](mailto:brad.hamilton@dot.state.mn.us)

Note: RESPONSES WILL BE DUE ON SEPTEMBER 16, 2008 AT 2:00 PM CENTRAL DAYLIGHT TIME.

## Non-State Bids, Contracts & Grants

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

### Anoka County

#### Notice of Requests for Proposals for the Replacement of Anoka County's Enterprise Backup System and the Acquisition of a Storage Area Network

**NOTICE IS HEREBY GIVEN** Anoka County is seeking proposals to provide the Anoka County Department of Information Services with a Enterprise Backup System and a Storage Area Network.

Proposals shall be submitted in exact accordance with the Request for Proposals (RFP) Package. The Request for Proposals Package may be obtained at the Anoka County web site: <http://www.co.anoka.mn.us/bids>.

Proposal due date: September 25, 2008.

If one needs an accommodation, such as an interpreter or printed material in an alternate format (i.e. Braille, large print, or audio), contact John Sullivan, Risk & Procurement Manager at (763) 323-5370, TDD/TTY: (763) 323-5289.

### Metropolitan Council

#### Notice of Request for Proposals (RFP) for Contract for Temporary Laboratory Staffing

##### Reference Number 08P109

The Metropolitan Council is soliciting proposals for temporary laboratory staffing services including laboratory aids, laboratory technicians, and scientists.

The anticipated schedule for this procurement is:

<i>Issue Request for Proposals</i>	<b>August 25, 2008</b>
<i>Proposals Due</i>	<b>September 12, 2008</b>
<i>Award Contract</i>	<b>Sept. – Oct. 2008</b>

All firms interested in submitting proposals for this contract and desiring to receive an RFP package are invited to make a request either by e-mail, fax or mail to:

Miriam Lopez-Rieth, Administrative Assistant  
Contracts and Procurement Unit  
Metropolitan Council  
390 North Robert Street  
St. Paul, MN 55101  
**Fax:** (651) 602-1083  
**E-mail:** [miriam.lopez-rieth@metc.state.mn.us](mailto:miriam.lopez-rieth@metc.state.mn.us)

# Non-State Bids, Contracts & Grants

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## Metropolitan Council - Metro Transit Bids Sought for Bus Batteries

The Metropolitan Council is soliciting sealed bids for Bus Batteries. Bids are due at **2:00 PM** on September 16, 2008. Bids must be submitted in accordance with the Invitation for Bids document available from:

Metropolitan Council  
Metro Transit Purchasing Department  
Candace Osiecki  
515 N. Cleveland Avenue  
St. Paul, MN 55114  
**Phone:** (612) 349-5070

## University of Minnesota (U of M) Subscribe to Bid Information Service (BIS)

The University of Minnesota offers 24-hour/day, 7-day/week access to all Request for Bids/Proposals through its web-based Bid Information Service (BIS). Subscriptions to BIS are free. Visit our website at [bidinfo.umn.edu](http://bidinfo.umn.edu) or call the BIS Coordinator at (612) 625-5534.

Request for Bids/Proposals are also available to the public each business day from 8:00 a.m. to 4:30 p.m. in the Purchasing Services lobby, Suite 560, 1300 S. 2nd Street, Minneapolis, Minnesota 55454.

## University of Minnesota (U of M) Seeking Sand & Aggregate Mining Partner(s) at UMore Park, City of Rosemount and Empire Township, Minnesota RFQ # 11021-2008-0825

### I. NOTICE OF REQUEST FOR QUALIFICATIONS

The University of Minnesota desires to identify and contract with one or more mining partners to do the mining and reclamation of large tracts of UMore Park which is currently an undeveloped agricultural research property. Consecutive with and subsequent to mining, UMore Park may be developed into a dynamic, University-founded community for the 21<sup>st</sup> century.

The University wants to recover this regionally significant sand and gravel resource for the benefit of the larger community, at the same time as generating financial support for the University's mission. Mining is an interim use and the reclamation of land post-mining can be used to further increase the interest and opportunity for subsequent development.

The University seeks a mining partner or partners who will perform to the highest operating standards at the best possible rate of financial support to the University. The mining partner(s) must demonstrate the capacity, track record and planning to show that they will be the best suited to what could be a several decades-long partnership with the University. Operations must be conducted in a manner consistent with the principles established by the Board of Regents.

Visit: <http://www.cppm.umn.edu/purchasing/rfp.html> to download a full copy of the RFQ



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## Non-State Bids, Contracts & Grants

### II. CONTACT FOR RFQ INQUIRIES:

Refer questions to:

PURCHASING SERVICES:  
Mr. Denis Larson  
Capital Planning & Project Management & Facilities Management  
400 Donhowe Building  
319 15th Ave. SE  
Minneapolis, MN 55455-1082  
**Phone:** (612) 625-5554  
**FAX:** (612) 624-5796  
**E-mail:** *d-lars@umn.edu*

### III. TENTATIVE SCHEDULE OF EVENTS

(Be advised that these dates are subject to change as University deems necessary.)

	DATE
RFQ issue.....	August 25, 2008
Last Day for Question @ Noon.....	September 12, 2008
RFQ Responses due @ Noon.....	September 30, 2008

The University reserves the right, in its sole discretion, to reject any and all proposals, accept any proposal, waive informalities in proposals submitted, and waive minor discrepancies between a proposal and these proposal instructions, as it deems to be in its best interest. Any waiver of the University with respect to the requirements of these proposal instructions shall apply only to the particular instance for which it was made or given, and no such waiver shall constitute a permanent or future waiver of such requirements.

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**PREPAYMENT REQUIRED.**

Merchandise may be returned if it is in resalable condition.

**NOTE:**

*State Register* and other subscriptions do not require sales tax or postage and handling fees.

<b>Shipping Charges</b>	
Subtotal	Add:
Up to \$25.00	\$3.00
\$25.01 - \$50.00	\$5.00
\$50.01 - \$100.00	\$7.00
\$100.01 - \$1,000.00	\$10.00



**Prices subject to change without notice.**

Please allow about 6 weeks for delivery.  
 In a hurry? Stop by our Bookstore.  
 Bookstore hours: 8:00-5:00 Monday-Friday

**For Your Convenience, photocopy this order blank**

Code No.	Quantity	Description	Item Price	Total
Name or Company			<b>Subtotal</b>	
Attention			6½ % tax MN residents 7% St. Paul residents	
Address				
City	State	Zip	Add Shipping Charges from chart at left.	
American Express/VISA/MasterCard/Discover No.			<b>TOTAL</b>	
Signature		Expiration Date	Telephone (During Day)	

**If tax exempt, please provide ES number or send completed exemption form.**