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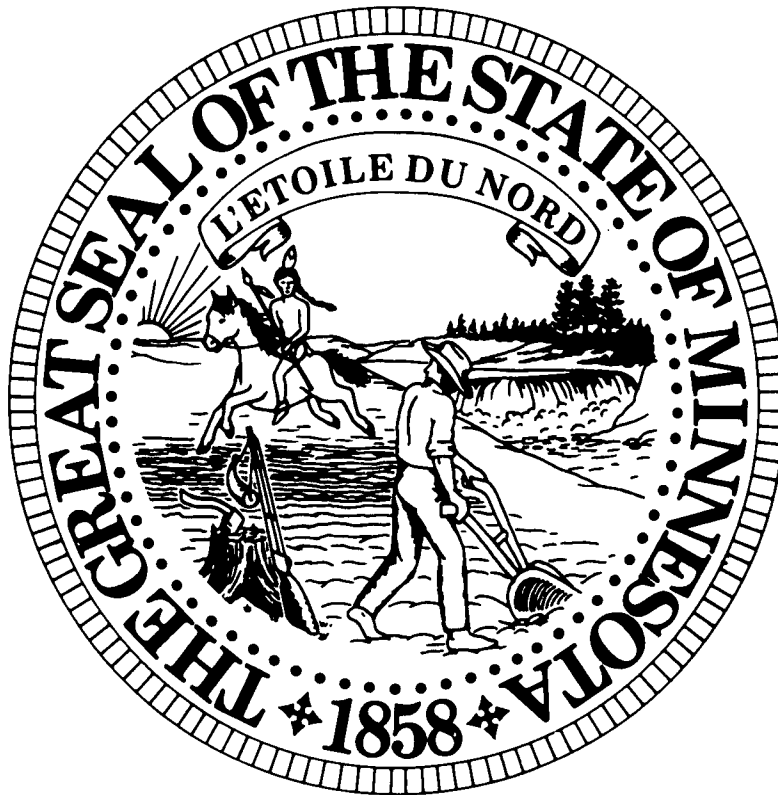
# The Minnesota State Register

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# State Register

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

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

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

### Printing Schedule and Submission Deadlines

Vol. 15 Issue Number	*Submission deadline for Adopted and Proposed Rules, Commissioners' Orders**	*Submission deadline for Executive Orders, Contracts, and Official Notices**	Issue Date
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28	Monday 24 December	Friday 28 December	Monday 7 January 1991
29	Friday 28 December	Monday 7 January	Monday 14 January
30	Monday 7 January	Monday 14 January	Tuesday 22 January

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

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

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

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

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

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

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# Minnesota Rules: Amendments and Additions

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

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

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

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

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# Proposed Rules

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

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

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

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

## Department of Health

### Proposed Permanent Rules Relating to Certification of Environmental Laboratories

#### Notice of Intent to Adopt Rules Without a Public Hearing

**NOTICE IS HEREBY GIVEN** that the Minnesota Department of Health (hereinafter "Department") intends to adopt the above-entitled amendments to rules by expanding the list of metal analytes eligible for certification under the Clean Water Program and the Safe Drinking Water Program. To accomplish this purpose the Department intends to amend *Minnesota Rules* part 4740.2020, subpart 4, without a public hearing following the procedures set forth in the Administrative Procedure Act in *Minnesota Statute* §§ 14.22 to 14.28 (1990). The statutory authority to adopt the rules is *Minnesota Statute* §§ 144.97 and 144.98 (1990).

All persons have until January 31, 1991 to submit comment in support of or in opposition to the proposed rules or any part or subpart of the rules. Comment is encouraged. Each comment should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rules within the comment period, ending January 31, 1991. If 25 or more persons submit a written request for a public hearing within the comment period, a public hearing will be held unless a sufficient number withdraw their requests in writing. Any person requesting a public hearing should state his or her name and address and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed. If a public hearing is required, the Department will proceed pursuant to *Minnesota Statutes*, Sections 14.131 to 14.20 (1988).

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

Al Tupy  
Laboratory Services Section  
Public Health Laboratory Division  
Minnesota Department of Health  
717 Delaware Street Southeast  
Minneapolis, Minnesota 55440  
Telephone: (612) 623-5690

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

The rule authorizes environmental testing laboratories to become certified by the Department to perform tests for certain specified analytes under two testing programs: the Safe Drinking Water Act, 42 United States Code, Section 300f et seq., *Minnesota Statutes*, Section 144.381 et seq., and 40 Code of Federal Regulations 141; and the Clean Water Act, 33 United States Code, Section 1251 et. eq. and 40 Code of Federal Regulations, Section 136. This amendment increases the number of analytes listed in part 4790.2040, subpart 4.

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

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

## Proposed Rules

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A STATEMENT OF NEED AND REASONABLENESS that describes the need for and reasonableness of the proposed amendment and identifies the data and information relied upon to support the proposed amendment has been prepared and is available from Al Tupy upon request at the above address.

Pursuant to *Minnesota Statute* Section 14.115, subdivision 2, the impact on small businesses has been considered in the promulgation of this rule amendment. The Department's analysis and position regarding the impact of the amendment on small businesses is set forth in the Statement of Need and Reasonableness. Anyone wishing to present evidence or argument as to the amendment's effect on small businesses is encouraged to do so.

Pursuant to *Minnesota Statute* Section 14.115, subdivision 4 (c), the Department, in order to provide an opportunity for small businesses to participate in the rule making process, will mail copies of the proposed rule amendment and this Notice to all laboratories which are currently certified or in the application process. To the Department's knowledge this includes all laboratories which do environmental testing. These laboratories are encouraged to comment.

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

Dated: 18 December 1990

Sister Mary Madonna Ashton  
Commissioner

### Rules as Proposed

#### 4740.2040 CERTIFIED TEST CATEGORIES.

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

Subp. 4. **Metal chemistry.** ~~The analysis of lead is eligible to be certified for the Clean Water Program and the Safe Drinking Water Program.~~

A. Metals analytes eligible for certification under the Clean Water Program are:

- (1) aluminum;
- (2) antimony;
- (3) arsenic;
- (4) barium;
- (5) beryllium;
- (6) boron;
- (7) cadmium;
- (8) calcium;
- (9) chromium, hexavalent;
- (10) chromium;
- (11) cobalt;
- (12) copper;
- (13) gold;
- (14) iridium;
- (15) iron;
- (16) lead;
- (17) lithium;
- (18) magnesium;
- (19) manganese;
- (20) mercury;
- (21) molybdenum;
- (22) nickel;

- (23) osmium;
- (24) palladium;
- (25) platinum;
- (26) potassium;
- (27) rhodium;
- (28) ruthenium;
- (29) selenium;
- (30) silver;
- (31) sodium;
- (32) thallium;
- (33) tin;
- (34) titanium;
- (35) vanadium; and
- (36) zinc.

**B. Metals analytes eligible for certification under the Safe Drinking Water Program are:**

- (1) antimony;
- (2) arsenic;
- (3) barium;
- (4) beryllium;
- (5) cadmium;
- (6) chromium;
- (7) copper;
- (8) lead;
- (9) mercury;
- (10) nickel;
- (11) selenium; and
- (12) thallium.

## Department of Revenue

### Proposed Permanent Rules Relating to the Valuation and Assessment of Utilities

#### Notice of Intent to Adopt Rules Without a Public Hearing

NOTICE IS HEREBY GIVEN that the State Department of Revenue, Local Government Services Division proposes to adopt the above-entitled rules without a public hearing. The Commissioner has determined that the proposed adoption of these rules will be noncontroversial in nature and has elected to follow the procedures set forth in *Minnesota Statutes*, section 14.21 to 14.28.

Persons interested in these rules shall have 30 days to submit comments on the proposed rules. The proposed rules may be modified if the modifications are supported by the data and views submitted to the agency and do not result in a substantial change in the proposed language.

Unless twenty-five or more persons submit written requests for a public hearing on the proposed rules within the 30-day comment

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

## Proposed Rules

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period, a public hearing will not be held. In the event a public hearing is required, the agency will proceed according to the provisions of *Minnesota Statutes*, sections 14.13 to 14.18.

Persons who wish to submit comments or a written request for a public hearing should submit such comments or request to:

Ronald Cook  
Local Government Services Division  
Minnesota Department of Revenue  
Mail Station 3340  
St. Paul, MN 55146-3340  
(612) 296-0392

Authority for the adoption of these rules is contained in *Minnesota Statutes*, section 270.06 (14). Additionally, a Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rules and identifies the data and information relied upon to support the proposed rules has been prepared and is available from Ronald Cook, at the above mentioned address, upon request.

Upon adoption of the final rules without a public hearing, the proposed rules, this notice, the Statement of Need and Reasonableness, all written comments received, and the final Rules as Adopted will be delivered to the Attorney General for review as to form and legality, including the issue of substantial change. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the final rules as proposed for adoption, should submit a written statement of such request to Ronald Cook, at the above listed address.

The proposed rules if adopted will effectively amend the current rules of the Department of Revenue relating to ad valorem (property) taxes imposed on utilities. The present rules deal generally with the valuation, allocation and apportionment of property of electric, gas distribution, pipelines and cooperative electric companies. The proposed rules if adopted would allow the commissioner to require utility companies to file additional reports which are already prepared for other reasons and provide for equalization of certain utility property based on assessment/sales ratios computed by the Department of Revenue.

A copy of the proposed rule is available together with a statement of need and reasonableness and may be obtained by contacting Ronald Cook at the above mentioned address.

John P. James  
Commissioner of Revenue

### Rules as Proposed

#### 8100.0200 INTRODUCTION.

The commissioner of revenue will estimate the valuation of the entire system of a utility company operating within the state. The entire system will be valued as a unit instead of valuing the component parts, utilizing data relating to the cost of the property and the earnings of the company owning or operating the property. The resulting valuation will be allocated or assigned to each state in which the utility company operates. Finally, by the process of apportionment, the portion allocated to Minnesota will be distributed to the various taxing districts within the state. Most of the data used in the valuation, allocation, and apportionment process will be drawn from reports submitted to the Department of Revenue by the utility companies. These reports will include Minnesota Department of Revenue Annual Utility Reports (UTL forms), Reports to the Minnesota Public Utilities Commission, Annual Reports to Shareholders, Annual Reports to the Federal Energy Regulatory Commission and Annual Reports to the Interstate Commerce Commission. Periodic examinations of the supporting data for these reports will be made by the Department of Revenue.

The methods, procedures, indicators of value, capitalization rates, weighting percents, and allocation factors will be used as described in parts 8100.0300 to 8100.0600 for 1990 and subsequent years.

As in all property valuations, the commissioner of revenue reserves the right to exercise his or her judgment whenever the circumstances of a valuation estimate dictate the need for it.

#### 8100.0300 VALUATION.

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

Subp. 3. **Cost approach.** The cost factor to be considered in the utility valuation formula is the original cost less depreciation of the system plant, plus improvements to the system plant, plus the original cost of construction work in progress on the assessment date. The original cost of any leased operating property used by the utility must be reported to the commissioner in conjunction with the annual utility report. If the original cost of the leased operating property is not available, the commissioner shall make an estimate of the cost by capitalizing the lease payments. Depreciation will not be allowed on construction work in progress. Depreciation will be allowed as a deduction from cost in the amount allowed on the accounting records of the utility company, as such records are required to be maintained by the appropriate regulatory agency, except that depreciation may be reduced if available information indicates the amount deducted does not equal actual accrued depreciation when the current estimated remaining life is considered.

Depreciation, however, shall not exceed the prescribed percentage of cost: for electric companies, 20 percent; for gas distribution companies, 50 percent; and for pipeline companies, 50 percent. If the amount of depreciation shown on the company's books exceeds these percentages, the company may deduct ~~40 percent of the excess for the assessment year 1990 and 50 percent of the excess for the assessment year 1991 and subsequent.~~

The cost indicator of value computed in accordance with this subpart will be weighted for each type of utility company as follows: electric companies, 85 percent; gas distribution companies, 75 percent; and pipeline companies, 75 percent.

The following example illustrates how the cost indicator of value would be computed for an electric company:

1. Utility Plant	\$200,000,000
2. Construction Work in Progress	\$ 5,500,000
3. Total Plant	\$205,500,000
4. Nondepreciable Plant (Land, Intangibles, C. W.I.P.)	\$ 17,500,000
5. Depreciable Plant	\$188,000,000
6. Book Depreciation	\$ 40,000,000
7. Maximum Depreciation (20%)	\$ 37,600,000
8. <del>40%</del> <u>50%</u> Excess Depreciation Allowance	\$ 960,000
	<u>\$ 1,200,000</u>
9. Total Allowable Depreciation	\$ 38,560,000
	<u>\$ 38,800,000</u>
10. Total Cost Indicator of Value	\$166,940,000
	<u>\$166,700,000</u>

[For text of subs 4 to 8, see M.R.]

**8100.0700 EQUALIZATION.**

Subpart 1. In general. After the apportionment of value referred to in part 8100.0600 has been made, the values of structures valued by the commissioner must be equalized to coincide with the assessment levels of commercial and industrial property within each respective county receiving a share of the apportioned utilities value. This equalization will be accomplished through the use of an assessment/sales ratio.

Subp. 2. Assessment/sales ratio computation. A comprehensive assessment/sales ratio study compiled annually by the sales ratio section of the Local Government Services Division of the Department of Revenue will be used in this computation. The portions of this study which will be used for purposes of this part are known as the "County Commercial and Industrial Sales Ratio."

This commercial and industrial (C & I) sales ratio is computed through an analysis of the certificates of real estate value filed by the buyers or sellers of commercial or industrial property within each county. The information contained on these certificates of real estate value is compiled pursuant to requests, standards, and methods set forth by the Minnesota Department of Revenue acting upon recommendations of the Minnesota Legislature. The most recent C & I study available will be used for purposes of this part.

The median C & I sales ratio from this County Commercial and Industrial Sales Ratio study will be used as a basis to estimate the current year C & I median ratio for each county.

The process used to estimate this current year median ratio will be as follows:

The State Board of Equalization abstract of market value will be examined. The current estimated market value of commercial and industrial property within each county will be taken from this abstract. The amount of the value of new commercial and industrial construction ("new" meaning since the last assessment period), as well as the value of commercial and industrial property which has changed classification (for example, commercial to tax exempt property) will also be taken from the abstract. The value of new construction will then be deducted from the estimated market value, resulting in a net estimated current year market value for commercial and industrial property within the county. The value of commercial and industrial property which has changed classification will be deducted from the previous years estimated market value to arrive at a net estimated previous year market value for commercial and industrial property within the county. The net current year value will be compared to the net previous year's estimated market value for commercial and industrial property within the county and the difference between the two values noted. This difference will be divided by the previous year's net estimated market value for commercial and industrial property to find the percentage of increase, or decrease, in assessment level for each year. This percent of change will be applied to the most recent C & I median ratio to estimate the current year's C & I median ratio. An example of this calculation for a typical county is shown below.

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## Proposed Rules

<u>1990 E.M.V. for Commercial and Industrial Property</u>	<u>\$12,000,000</u>	
<u>Less: New Construction</u>	<u>1,500,000</u>	
<u>1990 Net E.M.V. for C &amp; I property</u>		<u>\$10,500,000</u>
<u>1989 E.M.V. for C &amp; I property</u>	<u>\$10,250,000</u>	
<u>Less: Classification changes</u>	<u>250,000</u>	
<u>1989 Net E.M.V. for C &amp; I property</u>		<u>10,000,000</u>
<u>Difference 1989 vs 1990 E.M.V.</u>		<u>500,000</u>
<u>Percent of change (500,000/10,000,000)</u>		<u>5%</u>
<u>1989 Median C &amp; I ratio</u>		<u>88%</u>
<u>1990 Estimated Median C &amp; I ratio (88% x 105%)</u>		<u>92.4%</u>

This same calculation is performed for each Minnesota county. If there are five or fewer valid sales of commercial and industrial property within a county during the study period, these few sales are insufficient to form the basis for a meaningful C & I ratio. Therefore, the median assessment/sales ratio to be used for purposes of the example computation in this subpart will not be the median C & I ratio but will be the weighted median ratio of all property classes within the county for which a sales ratio is available. This weighted median ratio is computed in the same manner using the same procedures and standards as the C & I ratio. In addition, the example computation in this subpart will not be performed using the commercial and industrial estimated market value but will use the estimated market value for all property within the county. All other aspects of the calculations are identical except for this substitution.

<u>Class of Property</u>	<u>Amount of Value</u>	<u>Percent of Value</u>	<u>Median Ratio</u>	<u>Weighted Median Ratio</u>
<u>Residential</u>	<u>\$ 20,000,000</u>	<u>20%</u>	<u>86%</u>	<u>17.00%</u>
<u>Agricultural</u>	<u>55,000,000</u>	<u>55%</u>	<u>95%</u>	<u>52.25%</u>
<u>Seasonal - Recreational</u>	<u>5,000,000</u>	<u>5%</u>	<u>90%</u>	<u>4.50%</u>
<u>Commercial Industrial</u>	<u>20,000,000</u>	<u>20%</u>	<u>85%</u>	<u>17.00%</u>
<u>Total</u>	<u>\$100,000,000</u>	<u>100%</u>		<u>90.75%</u>

Subp. 3. **Application of the estimated current year median assessment/sales ratio.** After the estimated current year median ratio has been calculated under subpart 2, it is used to adjust the apportioned estimated market value of utility structures valued by the commissioner. The value of these structures is reduced by the difference between 95 percent and the median ratio as adjusted in subpart 2. This is done by subtracting the current year median ratio, as adjusted, from the 95 percent provided for in *Minnesota Statutes*, section 278.05, subdivision 4, to arrive at an equalization factor. The estimated market value of utility structures is multiplied by the equalization factor to arrive at the reduction amount. The reduction amount is subtracted from the estimated market value of the utility structures to arrive at the equalized market value of structures. In no instance will any adjustment be made if, after comparing the current year median sales ratio as adjusted to the assessment level of utility structures, the difference between the two is ten percent or less. An example of this adjustment is as follows:

	<u>County A</u>	<u>County B</u>
<u>Estimated Level of Assessment for Utility Property*</u>	<u>100.00%</u>	<u>100.00%</u>
<u>95 percent provided for in Minnesota Statutes, section 278.05, subdivision 4</u>	<u>95.00%</u>	<u>95.00%</u>
<u>County Commercial/Industrial Sales Ratio</u>	<u>87.00%</u>	<u>93.00%</u>
<u>Equalization Factor</u>	<u>8.00%</u>	<u>0.00%</u>
<u>Estimated Market Value of Structures</u>	<u>1,000,000</u>	<u>1,000,000</u>
<u>Reduction in Value</u>	<u>80,000</u>	<u>0</u>
<u>Equalized Market Value of Structures</u>	<u>920,000</u>	<u>1,000,000**</u>

\*For purposes of this example, assume that utility property is assessed at 100 percent of market value.

\*\*No adjustment is made because the Estimated Current Year Median Sales Ratio is within ten percent of the assessment level of utility property.

All utilities operating within a particular county will be equalized at the same percentage. No adjustment for equalization will be made to machinery or personal property.

These equalized estimated market values of utility structures valued by the commissioner will be forwarded to the county assessor denoting specific utility companies and taxing districts together with personal property and machinery values pursuant to Minnesota Statutes.

## Adopted Rules

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

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

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

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

## Department of Agriculture

### Adopted Permanent Rules Relating to Food Vending Machines

The rules proposed and published at *State Register*, Volume 14, Number 51, pages 2908-2914, June 18, 1990 (14 SR 2908) are adopted with the following modifications:

#### Rules as Adopted

#### 1550.5000 DEFINITIONS.

Subp. ~~16.~~ 16. Potable water. "Potable water" means water of a quality and from a source of supply and system operated, located, and constructed in accordance with Department of Health rules relating to public water supplies, water wells, and plumbing installations.

Subp. ~~17.~~ 17. Potentially hazardous foods. "Potentially hazardous foods" means food that consists, in whole or in part, of milk, milk products, eggs, meat, poultry, fish, shellfish, edible crustacea, or other ingredients, including synthetic ingredients, that is in a form capable of supporting rapid and progressive growth of infectious or toxigenic microorganisms. The term does not include foods that have a pH level of 4.6 or below or a water activity ( $a_w$ ) value of 0.85 or less at 77 degrees Fahrenheit (25 degrees centigrade) and foods in hermetically-sealed containers processed to prevent spoilage.

Subp. ~~18.~~ 18. Readily accessible. "Readily accessible" means exposed or capable of being exposed for cleaning and inspection without the use of tools.

Subp. ~~19.~~ 19. Regulatory authority. "Regulatory authority" means the Department of Agriculture or the authorized home rule charter or statutory city or county responsible for licensing and inspection of vending machines.

Subp. ~~20.~~ 20. Safe materials. "Safe materials" means materials that may not reasonably be expected to result, directly or indirectly, in their becoming a component or otherwise affecting the characteristics of food. The term includes food additives or color additives as defined in section 201(s) or (t) of the federal Food, Drug, and Cosmetic Act only if they are used in conformity with regulations established under section 409 or 706 of that act. The term includes other materials only if, as used, they are not food additives or color additives as defined in section 201(s) or (t) of the federal Food, Drug, and Cosmetic Act and are used in conformity with applicable regulations of the United States Food and Drug Administration.

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## Adopted Rules

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Subp. ~~20-~~ 21. **Sanitizing.** "Sanitizing" means effective bactericidal treatment of clean food contact surfaces of utensils and equipment by an approved process that is effective in destroying microorganisms, including pathogens, without adversely affecting the product or the safety of the consumer.

Subp. ~~21-~~ 22. **Single-service article.** "Single-service article" means a cup, container, lid or closure, plate, knife, fork, spoon, stirrer or paddle, straw, napkin, wrapping material, toothpick, or similar article made wholly or in part from paper, paperboard, molded pulp, foil, wood, plastic, synthetic, or other readily destructible materials, and intended by the manufacturers and generally recognized by the public as to be discarded after only one usage.

Subp. ~~22-~~ 23. **Vending machine.** "Vending machine" means a self-service device offered for public use that, upon insertion of a coin, coins, token, credit card, or other payment device, dispenses single or multiple servings of food or beverage, either in bulk or in package, without the necessity of replenishing the device between each vending operation.

### 1550.5090 WATER SUPPLY.

Water used in a vending machine must be from ~~an approved~~ a source in accordance with chapter 4720 and must be of a safe and sanitary quality. This part has been satisfied if the requirements in items A to E are met.

A. Water used in a vending machine must be potable water and from ~~an approved~~ a source in accordance with chapter 4720. Water used as a product ingredient must be piped into the vending machine under pressure, and all connections and fittings must be installed in accordance with law. Containers for the storage of water must be designed and maintained as food contact surfaces. Bottled water use is not excluded.

### 1550.5100 WASTE DISPOSAL.

Waste must be maintained in suitable containers and properly disposed of to prevent a nuisance. This part has been satisfied if the requirements in items A to C are met.

A. Trash and waste material must be ~~frequently~~ removed from the machine location as frequently as necessary to prevent nuisance and unsightliness and must be disposed of in a manner approved by law.

### 1550.5120 PERSONNEL CLEANLINESS.

Subpart 1. **Handling of food or food contact surfaces.** ~~Employees must maintain a high degree of personal cleanliness and must conform to good hygienic practices while engaged in handling food or food contact surfaces of utensils or equipment.~~

Subp. ~~2-~~ and **servicing.** Employees must thoroughly wash their hands and exposed portions of their arms before engaging in vending machine servicing operations and after smoking, eating, or using the toilet. Employees must wear clean outer garments, must not use tobacco in any form, and must keep their fingernails clean and trimmed during servicing operations.

Subp. ~~3-~~ 2. **Employee health.** No employee, while infected with a disease in a communicable form that can be transmitted by foods or who is a carrier of organisms that cause such a disease or while affected with a boil, an infected wound, or an acute respiratory infection, may work with food in any capacity in which there is a likelihood of that person contaminating food or food contact surfaces with pathogenic organisms or transmitting disease to other persons.

## Department of Agriculture

### Adopted Permanent Rules Relating to Sanitation Requirements for Vending Machine Operations

The rules proposed and published at *State Register*, Volume 15, Number 15, pages 877-878, October 8, 1990 (15 SR 877) are adopted as proposed.

## Ethical Practices Board

### Adopted Permanent Rules Relating to Campaign Financing

The rules proposed and published at *State Register*, Volume 15, Number 10, pages 554-564, September 4, 1990 (15 SR 554) are adopted with the following modifications:

#### Rules as Adopted

#### ECONOMIC INTEREST DISCLOSURE

4505.0100 DEFINITIONS. [Withdrawn at 15 SR 1226]

4505.0200 ACTING OR PART-TIME LOCAL OR PUBLIC OFFICIAL. [Withdrawn at 15 SR 1226]



4505.0300 LATE FILING FEES. [Withdrawn at 15 SR 1226]

4505.0600 OCCUPATION AND PRINCIPAL PLACE OF BUSINESS. [Withdrawn at 15 SR 1226]

4505.0700 REAL PROPERTY. [Withdrawn at 15 SR 1226]

4505.0900 FILING. [Withdrawn at 15 SR 1226]

4505.1000 JOINT INTERESTS. [Withdrawn at 15 SR 1226]

#### **LOBBYIST REGISTRATION AND REPORTING**

4510.0100 DEFINITIONS. [Withdrawn at 15 SR 1226]

4510.0300 OBLIGATION TO REGISTER. [Withdrawn at 15 SR 1226]

4510.0400 OBLIGATION TO REPORT. [Withdrawn at 15 SR 1226]

4510.0500 DISBURSEMENT REPORTS. [Withdrawn at 15 SR 1226]

4510.0600 DISCLOSURE OF GIFTS, LOANS, HONORARIUMS, ITEMS, OR BENEFITS. [Withdrawn at 15 SR 1226]

4510.0700 ORIGINAL SOURCE OF FUNDS. [Withdrawn at 15 SR 1226]

4510.0800 LOBBYIST RETAINED BY MORE THAN ONE EMPLOYER OR PRINCIPAL. [Withdrawn at 15 SR 1226]

4510.1500 RECORD RETENTION. [Withdrawn at 15 SR 1226]

#### **CONFLICTS OF INTEREST**

4515.0100 DEFINITIONS. [Withdrawn at 15 SR 1226]

4515.0300 APPLICABILITY OF THE CONFLICTS OF INTEREST PROVISIONS. [Withdrawn at 15 SR 1226]

4515.0400 NOTICE OF POTENTIAL CONFLICT OF INTEREST. [Withdrawn at 15 SR 1226]

4515.0500 REMOVAL FROM CONFLICT OF INTEREST. [Withdrawn at 15 SR 1226]

4515.0600 OBTAINING AND FILING FORMS. [Withdrawn at 15 SR 1226]

4515.0700 CHANGES AND CORRECTIONS. [Withdrawn at 15 SR 1226]

4515.0800 FILING OF FALSE STATEMENTS. [Withdrawn at 15 SR 1226]

**EFFECTIVE DATE:** The amendments to *Minnesota Rules*, parts 4505.0100, subparts 1b, 8, 9, and 10; 4505.0200; 4505.0300; 4505.0600; 4505.0700; 4505.0900; 4505.1000; 4510.0100, subparts 1b, 4, 4a, 4b, 4c, 5; 4510.0300; 4510.0400, subpart 4; 4510.0500, subparts 3, 4, 6, 7; 4510.0600; 4510.0700; 4510.0800; 4510.1000; 4510.1500; 4515.0100, subparts 5a and 7; 4515.0300; 4515.0400; 4515.0500; 4515.0600; 4515.0700; and 4515.0800 are effective January 1, 1991.

**REPEALER:** *Minnesota Rules*, part 4510.1000, is repealed.

## **Department of Human Services**

### **Adopted Permanent Rules Relating to Community Alternative Care Program**

The rules proposed and published at *State Register*, Volume 15, Number 8, pages 414-430, August 20, 1990 (15 SR 414) are adopted with the following modifications:

#### **Rules as Adopted**

##### **9505.3510 DEFINITIONS.**

Subp. 2. **Acting case manager.** "Acting case manager" means a person who is a public health nurse, medical social worker, ~~county~~ social worker, or registered nurse who is appointed by the department and performs case management services specified in subpart 6 for an applicant until the applicant's eligibility for CAC services is determined and a case manager is assigned.

Subp. 10a. **Counseling and training services.** "Counseling and training services" means counseling and training approved by the case manager for primary caregivers in issues pertaining to the maintenance of the recipient in the home. Examples of counseling are

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## Adopted Rules

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crisis counseling and family or individual counseling as required for family functioning. An example of training is teaching a family member or other primary caregiver a treatment regimen or how to use medical equipment or other adaptive equipment necessary to avoid institutionalization.

Subp. 36. **Occupational therapist.** "Occupational therapist" means a person who is currently registered as an occupational therapist with the American Occupational Therapy Association or who is a graduate of a program in occupational therapy approved by the Council of Medical Education of the American Medical Association in collaboration with the American Occupational ~~Therapy Association~~ Certification Board and who is acquiring the supervised clinical experience prerequisite to registration by the American Occupational Therapy Association.

Subp. 39. **Prescribed drug.** "Prescribed drug" means a drug as defined in *Minnesota Statutes*, section 151.01, subdivision 5, ~~ordered~~ authorized by the recipient's physician, and specified in the recipient's care plan.

Subp. 42. **Public health nurse.** "Public health nurse" means a registered nurse ~~certified who meets the requirements of Minnesota Statutes, section 148.232, or the voluntary registration requirements established by the Minnesota Department Board of Health as a public health nurse Nursing under Minnesota Statutes, section 145A.02, subdivision 18 148.171, paragraph (8).~~

### 9505.3520 ELIGIBILITY FOR COMMUNITY ALTERNATIVE CARE SERVICES.

An individual is eligible for home and community-based services through CAC if the conditions in items A to I are met.

D. The individual has designated a primary caregiver who has been determined by a health care professional in coordination with the case manager to be capable of providing specific health services to the individual in the individual's residence and has expressed a willingness to provide the specific health services according to the individual's care plan.

### 9505.3535 INTERDISCIPLINARY TEAMS; ESTABLISHMENT AND MEMBERSHIP.

Subpart 1. **Applicant's interdisciplinary team.** No later than ten working days after being designated as an applicant's acting case manager, the acting case manager must form an interdisciplinary team. The acting case manager shall consult the applicant or, when it is appropriate, the applicant's representative in forming the team. The team must consist of at least the persons specified in items A to K.

F. the ~~county~~ social worker designated under part 9505.3530, subpart 3;

Subp. 2. **Interdisciplinary team; reconvened.** The case manager must reconvene the interdisciplinary team established under subpart 1 when a reassessment is required to determine a recipient's continued eligibility for CAC. If possible, the case manager shall assure continuity of service of team members. At a minimum, the reconvened team must include the persons specified in items A to I.

E. the ~~county~~ social worker designated under part 9505.3530, subpart 3;

### 9505.3540 INTERDISCIPLINARY TEAM RESPONSIBILITIES; ASSESSMENT.

Subp. 5. **Authorization to release information.** The team must ask the applicant or the applicant's representative to sign forms that authorize the release of the applicant's medical records to the team for the assessment. A separate form supplied provided by the commissioner must be completed and signed for each authorization of release of information. The period of the authorization must not exceed one year. The following information must be on the form before the applicant's signature or, when it is appropriate, the signature of the applicant's representative:

Subp. 6. **Rights, appeals, and freedom to choose.** The team must give the applicant or the applicant's representative written information about the applicant's rights under CAC including:

D. the right to accept or reject a recommendation of the team to use home and community-based services rather than reside in a hospital.

The acting case manager must document compliance with this subpart by signing and submitting to the department forms supplied provided by the commissioner that state the required information was given to the applicant or, when it is appropriate, the applicant's representative.

### 9505.3560 CASE MANAGEMENT SERVICES.

Subp. 3. **Case manager responsibilities.** The case manager or, when it is appropriate, the acting case manager must:

Q. request the applicant, recipient, or the representative of the applicant or recipient, and the individual's physician to approve and sign the individual's care plan.

The information required in items N, O, and Q must be provided on forms provided by the commissioner. An applicant or recipient is ineligible for CAC services if the applicant or recipient or, when it is appropriate, the applicant's or recipient's representative fails to sign the care plan. The acting case manager of an applicant or the case manager of a recipient must explain to the person whose signature is being requested the consequences of failing to sign.

**9505.3580 RESPITE CARE SERVICES.**

Subp. 3. **Contract required.** The lead agency shall contract with each person, facility, agency, or entity that provides respite care services. If the respite care is provided in the recipient's home, the contract must require the service to be provided as specified in subpart 2, item B. Additionally, the contract must include the authority of the person providing the respite care to act in the event of an emergency affecting the recipient or the recipient's home or must include the name of the person designated by the primary caregiver to act on behalf of the primary caregiver in the event of such an emergency. The lead agency shall monitor the contractor's compliance with the terms of the contract.

**9505.3600 COUNSELING AND TRAINING SERVICES.**

Subp. 5. **Eligibility to provide counseling and training.** A person providing counseling and training services to a recipient, a primary caregiver, or a recipient's family member must be the recipient's physician, a registered nurse, a public health nurse, a ~~county~~ social worker, or a medical social worker, or other qualified person as specified in the recipient's care plan and approved by the case manager. The person providing training service must determine and must document in the recipient's care plan whether a person being trained as the primary caregiver is competent to provide the services required to maintain the recipient at home.

**9505.3624 PRESCRIBED DRUGS.**

Subpart 1. **Eligibility for service.** Prescribed drugs are available under CAC if the drug is ~~prescribed~~ authorized by the recipient's physician, is specified in the recipient's care plan, and would be available under medical assistance to the recipient as an inpatient, as provided by *Minnesota Statutes*, section 256B.0625, subdivision 13.

**9505.3640 LOCAL AGENCY RESPONSIBILITIES.**

Subp. 3. **Calculation of parental or spousal contribution.** ~~The local agency must determine the financial contribution to be made by a recipient's parent or spouse, as appropriate, for services to the recipient.~~ The financial contribution of a parent or spouse shall be determined according to *Minnesota Statutes*, sections 256B.14 and 252.27, and appropriate rules adopted under those statutes. The refusal or failure of a recipient's obligated parent or spouse to pay the contribution does not affect the recipient's eligibility for medical assistance and CAC.

~~The local agency of the recipient's county of financial responsibility shall refer the refusal or failure to pay to the county attorney for action to enforce payment of the contribution.~~

If the department or the local agency finds that the obligated parent or spouse refused or failed to pay the determined contribution, a cause of action against the obligated parent or spouse may be initiated as authorized in *Minnesota Statutes*, sections 252.27 and 256B.14.

## Department of Human Services

### Adopted Permanent Rules Relating to County Assistance; Mentally Ill Persons Released from State Hospitals

The rule proposed and published at *State Register*, Volume 14, Number 45, pages 2580-2581, May 7, 1990 (14 SR 2580) is adopted as proposed.

## Pollution Control Agency

### Adopted Permanent Rules Relating to Hazardous Waste and Polychlorinated Biphenyls

The rules proposed and published at *State Register*, Volume 14, Number 47, pages 2695-2710, May 21, 1990 (14 SR 2695) and Volume 15, Number 11, pages 610-612, September 10, 1990 (15 SR 610) are adopted with the following modifications:

#### Rules as Adopted

**7045.0484 GROUNDWATER PROTECTION.**

Subp. 12. **Detection monitoring program.** An owner or operator required to establish a detection monitoring program under this part shall perform the following:

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

## Adopted Rules

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F. The owner or operator must determine whether there is statistically significant evidence of contamination for any chemical parameter ~~of~~ or hazardous constituent specified in the permit under item A at a frequency specified under item D.

G. If the owner or operator determines under item F that there is statistically significant evidence of contamination for chemical parameters or hazardous constituents specified under item A at any monitoring well at the compliance point, the owner or operator must:

(4) Within 90 days, submit to the commissioner an application for a permit modification to establish a compliance monitoring program meeting the requirements of subpart 13. The application must include the following information:

(a) an identification of the concentration ~~of~~ of a part 7045.0143 constituent detected in the groundwater at each monitoring well at the compliance point;

## Department of Transportation

### Adopted Permanent Rules Relating to Bridge Inspection and Inventory

The rules proposed and published at *State Register*, Volume 14, Number 46, pages 2629-2631, May 14, 1990 (14 SR 2629) and Volume 15, Number 2, page 46, July 9, 1990 (15 SR 46) are adopted as proposed.

Adopted Rules are continued on page 1519

## Commissioners' Orders

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### Department of Natural Resources

#### Commissioner's Order No. 2394: Regulations for the Transportation and Shipping of Fishes; Superseding Commissioner's Order No. 2175

PURSUANT TO AUTHORITY vested in me by *Minnesota Statutes* § 97A.551 and other applicable law, I, Joseph N. Alexander, Commissioner of Natural Resources, hereby prescribe the following regulations for the transportation and shipping of fishes taken by anglers.

##### Section 1. PURPOSE.

Any fishes taken by anglers must be transported in such a manner that regulations for length and possession limits can be enforced.

##### Sec. 2. DEFINITIONS.

For purposes of this order the following definitions shall apply:

- (a) **Undressed fishes** have heads, tails, fins and skins intact, whether or not entrails, gills or scales are removed.
- (b) **Dressed fishes** have heads and scales or skin removed in addition to removal of entrails and gills.
- (c) **Fillets** are that portion of fish flesh that has been removed from a fish. Scales or skin may be removed or intact.

##### Sec. 3. PREPARATION AND PACKING FOR TRANSPORTATION.

All fishes that are being transported or shipped by residents or nonresidents shall be packed and wrapped in such a way that they may be readily unpacked, unwrapped, separated, examined, and counted.

(a) **Except for bullheads**, sunfish and crappies, all dressed fishes and fillets shall retain in a place other than the belly a patch of skin with scales intact measuring at least one inch square. Dressed and filleted saugers shall be counted as walleyes.

(b) **Filleted fishes** shall not be reduced to more than two fillets per fish.

(c) **Fishes having statewide length limits**, including muskellunge, sturgeon, splake, Atlantic salmon, and brook, brown, and rainbow trout, shall only be transported or shipped undressed.

(d) **Where length limits** are in effect only on certain waters, fishes covered by length limits that are possessed by anglers while on those waters shall be undressed.

(e) **Any fishes possessed** while on the water or during transport that have been prepared, packed, and labeled by a licensed fish packer must comply with provisions of the commissioner's order regulating licensed fish packers.

Sec. 4. This order is effective March 1, 1991.

Sec. 5. Commissioner's Order No. 2175 is hereby superseded.

Dated at St. Paul, Minnesota, this 10th day of December, 1990.

Joseph N. Alexander, Commissioner  
Department of Natural Resources

## Department of Natural Resources

### Commissioner's Order No. 2398: Regulations for the Taking and Possession of Certain Species of Fish in Inland Waters; Superseding Commissioner's Order No. 2366

**PURSUANT TO AUTHORITY** vested in me by *Minnesota Statutes* §§ 97A.045, 97C.395, 97C.401 and other applicable law, I, Joseph N. Alexander, Commissioner of Natural Resources, hereby prescribe the following regulations for the taking and possession of certain species of fish in inland waters.

**Section 1.** The species of fish listed in this section may be taken by angling in the specified inland waters except for such of these waters as may otherwise be closed to the taking of fish. The taking and possession of such fish is subject to the seasons, limits, and other restrictions set forth herein or in other applicable laws, regulations, or orders. All dates are inclusive. Whenever the closing date of a season prescribed herein falls on a Saturday, the season shall extend through the following day.

<u>Species and Open Season</u>	<u>Daily &amp; Possession Limits</u>
(a) Large and small mouthed bass. In all waters lying east and north of U.S. Highway 53 from Duluth to International Falls and in Pelican and Ash Lakes, St. Louis County, Saturday two weeks prior to Memorial Day weekend. In all other waters, Saturday nearest May 29 to February 15.	6 (In aggregate.)
(b) Trout, including brook, brown and rainbow trout, splake and Atlantic salmon, but not including lake trout.	
(1) All streams and rivers from Lake Superior upstream to the posted boundaries are open continuously. In the posted areas of the Knife River in Lake County, trout may be taken only from June 1 to August 31, or as otherwise posted pursuant to experimental regulations. Except in the Pigeon River in Cook County and the St. Louis River in St. Louis County, a single hook only shall be used for angling.	5 (In aggregate. Not more than 3 may be over 16 inches in length except only 1 rainbow or steelhead over 16 inches with unclipped fins. Clipped fins must show healed scar. 1 may be Atlantic salmon. Minimum 10 inch length limit for all species.)
(2) In all streams of Lake Superior watershed in St. Louis, Lake and Cook Counties, above the posted boundaries (noted in 1 above), except the St. Louis River and Estuary (that body of water lying inland of Minnesota Point) and their tributaries, Saturday nearest April 15 to September 30.	10 (In aggregate. Not more than 1 may be 16 inches in length or over. Not more than 5 in aggregate may be rainbow trout or brown trout. Not more than 1 may be Atlantic salmon.)
(3) In all other streams of the state (not listed in 1 or 2 above): South of U.S. Highway 12, 10 a.m. on Saturday nearest April 15 to September 30; North of U.S. Highway 12, Saturday nearest April 15 to September 30.	5 (In aggregate. Not more than 1 may be 16 inches in length or over. No minimum length.)
(4) In lakes only: statewide from Saturday two weeks prior to Saturday of Memorial Day weekend to October 31. In addition: on all lakes entirely within the Boundary Waters Canoe Area Wilderness except Ram Lake, from Saturday nearest January 1 to March 31; and on all lakes entirely or partly outside the Boundary Waters Canoe Area Wilderness and exceptions from Saturday nearest January 15 to March 15 (stream trout lakes or exceptions lying partly outside the Boundary Waters Canoe Area Wilderness include Ram, Meditation, and Lizz Lakes). Lakes in Aitkin, Becker, Beltrami, Cass, Crow Wing and Hubbard Counties are closed for winter season, from Saturday nearest January 15 to March 15.	5 (In aggregate. Except not more than 3 may be 16 inches in length or over. Atlantic salmon 1 minimum 16 inches in length.)

# Commissioners' Orders

<u>Species and Open Season</u>	<u>Daily &amp; Possession Limits</u>
(c) Lake trout. Statewide from Saturday two weeks prior to Saturday of Memorial Day weekend to September 30. In addition: on all waters lying entirely within the Boundary Waters Canoe Area Wilderness except Saganaga and Ram Lakes, from Saturday nearest January 1 to March 31; on all waters lying entirely or partly outside the Boundary Waters Canoe Area Wilderness and exceptions from Saturday nearest January 15 to March 15; lake trout lakes partly outside BWCAW and exceptions include Snowbank, Magnetic, Ram, Seagull, Clearwater, and Saganaga. All streams and rivers from Lake Superior upstream to posted boundaries, from December 1 to September 30.	3
(d) Salmon, including chinook, coho, and pink salmon, except Atlantic salmon. Continuous in all waters.	10 (In aggregate.)
(e) Walleye and sauger. In all waters from Saturday two weeks prior to Saturday of Memorial Day weekend to February 15.	6 (In aggregate.)
(f) Northern pike. In all waters from Saturday two weeks prior to Saturday of Memorial Day weekend to February 15.	3
(g) Muskellunge (including hybrid). In all waters from the first Saturday in June to February 15. Minimum size limit: 36 inches in length, except in Cook, Lake, Rice, Yellow Medicine, Steele, and Lyon Counties and on Big Mantrap Lake, Hubbard County and Shoepac Lake, St. Louis County, where 30 inch minimum size limit applies.	1
(h) Rock bass. Continuous in all waters.	30
(i) White bass. Continuous in all waters.	30
(j) Crappies. Continuous in all waters.	15
(k) Sunfish. Continuous in all waters.	30
(l) Catfish. Continuous in all waters.	5 (With only 1 over 24 inches on tributaries to the Red River of the North.)
(m) Perch. Continuous in all waters.	100
(n) Bullheads. Continuous in all waters.	100
(o) Sturgeon. May be taken in tributaries of the St. Croix River only. Saturday nearest July 1 to October 31.	1 (Minimum length 45 inches.)
(p) Carp, dogfish, redhorse, sheepshead, suckers, eelpout, garfish, whitefish, goldeyes, tullibeas, buffalofish, smelt. Continuous in all waters.	No limits.

**Sec. 2.** The daily and possession limits on the taking of northern pike, as set forth in Section 1, shall also apply to the taking thereof by dark house spearing.

**Sec. 3.** Two lines may be used for angling through the ice in all waters of the state, except in designated trout lakes and designated trout streams where only one line may be used.

**Sec. 4.** Smelt may be taken in all waters at anytime by dip net, and minnow seines not more than 25 feet in length or four feet in depth, except seines may not be used in any stream, except the St. Louis River and in Lake Superior. Seines may not be used in Lake Superior within 100 feet of the mouth of any stream.

## **Sec. 5. ANGLING HOURS.**

(a) Angling hours on all streams and rivers from Lake Superior upstream to posted boundaries are from one hour before sunrise to one hour after sunset daily during the open season.

(b) Angling hours for trout on all other inland waters are from one hour before sunrise to 11 p.m. daily during the open season.

(c) Angling hours for all other species on all inland waters are continuous during the open season, except for certain waters which are subject to experimental or special regulations.

**Sec. 6.** Any fish that is hooked (snagged) in any part of the body except the mouth shall immediately be unhooked and returned to the water, whether dead or alive.

**Sec. 7.** Certain waters of the state are subject to experimental or special regulations for the taking and possession of fish. The provisions of this order shall apply to such waters only insofar as they are inconsistent with the experimental or special regulations pertaining thereto.

**Sec. 8.** Commissioner's Order No. 2366 is hereby superseded.

Dated at St. Paul, Minnesota, this 10th day of December, 1990.

Joseph N. Alexander, Commissioner  
Department of Natural Resources

## Department of Natural Resources

### Commissioner's Order No. 2402: Regulations for the Management of Muskellunge; Amending Commissioner's Order No. 2346

**PURSUANT TO AUTHORITY** vested in me by *Minnesota Statutes* § 97C.011 and other applicable law, I, Joseph N. Alexander, Commissioner of Natural Resources, hereby prescribe the following amendment to Commissioner's Order No. 2346 regulating management of muskellunge.

**Section 1.** Sec. 2(a) of Commissioner's Order No. 2346 is amended to read as follows:

(a) Indian Lake, Douglas County, T.130, R.38, S.32,33. This designation shall remain in effect until midnight, December 31, 2000.

**Sec. 2.** This amendment is effective January 1, 1991.

**Sec. 3.** All other provisions of Commissioner's Order No. 2346 remain in full force and effect until superseded or rescinded.

Dated at St. Paul, Minnesota, this 10th day of December, 1990.

Joseph N. Alexander, Commissioner  
Department of Natural Resources

## Adopted Rules continued from page 1516

### Rural Finance Authority

#### Adopted Permanent Rules Relating to Seller-Sponsored Loan Participation Program

##### Rules as Adopted

##### 1651.0040 BORROWER ELIGIBILITY.

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

Subp. 3. **Beginning farmer criteria.** In addition to the requirements of subpart 2, beginning farmer applicants must:

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

F. not own ~~or have owned~~ more than ~~80~~ 160 acres of farmland.

Subp. 4. **Reentry farmer criteria.** In addition to the requirements of subpart 2, reentry farmer applicants must:

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

D. not currently own ~~any more than~~ 160 acres of farm real estate that is used for an agricultural purpose other than a homestead as defined by Minnesota Statutes, chapter 510.

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

## Adopted Rules

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### Rural Finance Authority

#### Adopted Permanent Rules Relating to the Beginning Farmer Program

##### Rules as Adopted

##### 1650.0010 APPLICABILITY AND PURPOSE.

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

Subp. 2. **Purpose.** The purpose of the Rural Finance Authority beginning farmer loan participation program and the bonds issued to finance or provide security for the program is to preserve and develop the state's agricultural resources by extending credit on real estate security through the purchase of participation interests in first mortgage loans made to persons entering farming ~~who have not owned a farm before entering the program.~~

##### 1650.0030 BORROWER ELIGIBILITY.

Subpart 1. **Criteria.** To be eligible for RFA loan participation, an applicant must meet the criteria in Minnesota Statutes, ~~sections~~ section 41B.03, subdivisions 1 and 3, ~~and 41B.039,~~ and those in this part.

Subp. 2. **Previous Current farm ownership.** An applicant is considered to ~~have not owned a farm~~ be a beginning farmer if:

A. ~~the applicant has never owned any farm real estate;~~

~~B.~~ the applicant has held a minority interest of less than 35 percent in a family farm corporation as defined in Minnesota Statutes, section 500.24, and ~~has~~ does not as an individual ~~owned own~~ any other farm real estate except as provided in item ~~C~~ B; or

~~C.~~ B. the applicant ~~has never owned~~ does not own farm real estate of more than ~~80~~ 160 acres.

[For text of subps 3 and 4, see M.R.]

## Official Notices

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

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

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### Minnesota Comprehensive Health Association

#### Notice of Meeting of the Public Policy and Legislative Committee

NOTICE IS HEREBY GIVEN that a meeting of the Minnesota Comprehensive Health Association Public Policy and Legislative Committee will be held on **Wednesday, January 9, 1991**, at 9:00 a.m. in Room 237, State Capitol, St. Paul, Minnesota.

For additional information, please call Lynn Gruber at 683-2150.

### Pollution Control Agency

#### Outside Opinion Sought Regarding Amendments of State Water Quality Standards (*Minnesota Rules Chapter 7050*)

NOTICE IS HEREBY GIVEN that the Minnesota Pollution Control Agency (agency) is seeking opinions and comments from the public on potential amendments to the state water quality standards found in *Minnesota Rules Chapter 7050*. Chapter 7050 contains the provisions and numerical standards that protect from pollution the uses provided by the water resources of Minnesota, such as drinking water supplies, swimming and fishing.

Specifically the agency is seeking scientific information from sources outside the agency on the environmental effects and toxicity of 2,3,7,8-Tetrachlorodibenzo-p-dioxin (TCDD). TCDD is a member of a family of chlorinated organic chemicals that includes



chemicals believed to cause cancer and tend to accumulate in the tissues of fish and other animals. A major source of TCDD is as an unwanted by-product of the use of chlorine in the pulp bleaching process in bleached kraft paper mills. The agency wants the information to assist it in establishing a statewide numerical water quality standard for TCDD. The standard would apply to surface waters in Minnesota. It would be used to help define which lakes, streams or rivers are polluted with TCDD. Also, the standard could be used as the basis for effluent limitations in discharge permits to limit the amount of TCDD allowed into Minnesota's surface waters.

The agency also is seeking opinions and suggestions on the concept of pollution prevention as it relates to the control of TCDD or other persistent and bioaccumulative toxic materials. Pollution prevention, as defined in the recently passed Minnesota Toxic Pollution Prevention Act (*Minnesota Statutes* Chapter 115D, 1990), means eliminating at the source the use, generation or release of toxic or hazardous substances. The agency is interested in ideas regarding the reduction or elimination of toxics in discharges, especially persistent and bioaccumulative substances, independent of their water quality standards or "allowable amounts".

Oral or written comments on these two issues will be taken at a public meeting to be held on Monday, March 4, 1991, beginning at 9:00 a.m. in the agency board room located at the address listed below.

Any person, whether he or she attends the public meeting or not, may submit information or opinions on these topics. Comments may be written or oral. The agency will consider whatever is submitted as it prepares the proposed amendments to Chapter 7050. Any written material received in response to this notice will become part of any rulemaking record generated in this matter.

Written statements may be sent to Mr. David E. Maschwitz at the address listed below:

Minnesota Pollution Control Agency  
Division of Water Quality  
520 Lafayette Road  
St. Paul, MN 55155

Oral comments and inquiries may be directed to Mr. Maschwitz during normal business hours at the agency or by phone at (612) 296-7255.

Written and oral comments will be accepted until April 26, 1991.

Gerald L. Willet  
Commissioner

## Department of Veterans Affairs

### Veterans Homes Board

#### Notice of Intent to Solicit Outside Opinion Regarding Proposed Rules for Governance of the Minnesota Veterans Homes

**NOTICE IS HEREBY GIVEN** that the Veterans Homes Board of the Minnesota Department of Veterans Affairs is seeking information or opinions from sources outside the agency in preparing amendments to its rules Chapter 9050 governing veterans homes admissions, discharges, cost of care calculations and maintenance charges. The adoption of the rule is authorized by *Minnesota Statutes*, section 198.003, which permits the Veterans Homes Board to adopt, amend and repeal rules for the governance of the homes.

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

Robert Klukas  
Minnesota Veterans Homes  
Building 6, Room 105  
5101 Minnehaha Avenue South  
Minneapolis, Minnesota 55417

Oral statements will be received during regular business hours over the telephone at (612) 721-0602 and in person at the above address.

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

## Official Notices

All statements of information and opinions will be accepted until further notice is given or the Notice of Hearing or Notice of Intent to Adopt Without a Hearing are published in the *State Register*. Any written material received by the Minnesota Veterans Homes Board will become part of the rulemaking record to be submitted to the attorney general or administrative law judge in the event that the rule is adopted.

Dated: 21 December 1990

Robert Klukas  
Rules Writer

## State Contracts and Advertised Bids

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

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

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

## Materials Management Division—Department of Administration:

### Contracts and Requisitions Open for Bid

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

**Commodity:** Punch  
**Contact:** John Bauer 296-2621  
**Bid due date at 2pm:** December 31  
**Agency:** Print Comm.—Administration Department  
**Deliver to:** St. Paul  
**Requisition #:** 02520-10907

**Commodity:** Varityper upgrade  
**Contact:** John Bauer 296-2621  
**Bid due date at 2pm:** December 31  
**Agency:** Print Comm.—Administrative Department  
**Deliver to:** St. Paul  
**Requisition #:** 92520-10906

**Commodity:** Spectrofluorophotometers  
**Contact:** Pamela Anderson 296-1053  
**Bid due date at 2pm:** January 3  
**Agency:** State University  
**Deliver to:** St. Cloud  
**Requisition #:** 26073-22466

**Commodity:** Dyna Myte lathe  
**Contact:** Mary Jo Bruski 296-3772  
**Bid due date at 4:30pm:** January 3  
**Agency:** State University  
**Deliver to:** St. Cloud  
**Requisition #:** 26073-22341

**Commodity:** Re Key college  
**Contact:** Pamela Anderson 296-1053  
**Bid due date at 4:30pm:** January 3  
**Agency:** Community College  
**Deliver to:** Austin  
**Requisition #:** 27000-91038

**Commodity:** Gas chromatograph  
**Contact:** Pamela Anderson 296-1053  
**Bid due date at 4:30pm:** January 3  
**Agency:** State University  
**Deliver to:** St. Cloud  
**Requisition #:** 26073-22467

**Commodity:** Rubbish disposal  
**Contact:** Joyce Dehn 297-3830  
**Bid due date at 2pm:** January 7  
**Agency:** Military Affairs  
**Deliver to:** Duluth  
**Requisition #:** Price contract

**Commodity:** Roadbadger VACM  
**Contact:** Mary Jo Bruski 296-3772  
**Bid due date at 4:30pm:** January 7  
**Agency:** Transportation Department  
**Deliver to:** St. Paul  
**Requisition #:** 79382-02156-01

**Commodity:** EMG system  
**Contact:** Teresa Ryan 296-7556  
**Bid due date at 4:30pm:** January 7  
**Agency:** State University  
**Deliver to:** St. Cloud  
**Requisition #:** 26073-22354

**Commodity:** Rental/lease trail groomer  
**Contact:** Mary Jo Bruski 296-3772  
**Bid due date at 2pm:** January 8  
**Agency:** Natural Resources Department  
**Deliver to:** Various  
**Requisition #:** 29002-20515

**Commodity:** Copier/duplicator lease  
**Contact:** Joan Breisler 296-9071  
**Bid due date at 2pm:** January 8  
**Agency:** Print Communications–  
Administration Department  
**Deliver to:** St. Paul  
**Requisition #:** 02520-10905

**Commodity:** Lifecare pumps  
**Contact:** Teresa Ryan 296-7556  
**Bid due date at 4:30pm:** January 4  
**Agency:** North Hennepin Community  
College  
**Deliver to:** Brooklyn Park  
**Requisition #:** 27153-21315-01

**Commodity:** Glucose analyzer  
**Contact:** Bernadette Vogel 296-3778  
**Bid due date at 4:30pm:** January 4  
**Agency:** State University  
**Deliver to:** St. Cloud  
**Requisition #:** 26073-22355-01

**Commodity:** Zeos 486-33 computer  
**Contact:** Bernadette Vogel 296-3778  
**Bid due date at 4:30pm:** January 4  
**Agency:** State University  
**Deliver to:** St. Cloud  
**Requisition #:** 26073-22384-01

**Commodity:** Stereomicroscope  
**Contact:** Bernadette Vogel 296-3778  
**Bid due date at 4:30pm:** January 8  
**Agency:** Community College  
**Deliver to:** Hibbing  
**Requisition #:** 27143-43210-01

**Commodity:** Microwave antenna  
systems  
**Contact:** Pamela Anderson 296-1053  
**Bid due date at 2pm:** January 9  
**Agency:** Transportation Department  
**Deliver to:** Various  
**Requisition #:** 79000-12741

**Commodity:** Furniture: Freestanding  
office type and seating  
**Contact:** Patricia Anderson 296-3770  
**Bid due date at 2pm:** January 16  
**Agency:** Various  
**Deliver to:** Various  
**Requisition #:** Price Contract

## Department of Administration: Print Communications Division

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

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

**Commodity:** State Patrol/MnDOT  
Regulations, 400 3-part sets,  
8½"x11¼" overall, preprinted  
numbering, carbon interleave, 1-sided  
**Contact:** Printing Buyer's Office  
**Bids are due:** January 7  
**Agency:** Minnesota State Patrol  
**Deliver to:** St. Paul  
**Requisition #:** 13669

**Commodity:** "It's Never too Early, It's  
Never too Late" 48-page  
books + cover, 7M, 11"x8" 6-color  
ink, negs available, 2-sided, wire  
spiral binding  
**Contact:** Printing Buyer's Office  
**Bids are due:** January 7  
**Agency:** State Planning Agency–  
Developmental Disabilities Council  
**Deliver to:** Minneapolis  
**Requisition #:** 13608

**Commodity:** Minnesota Uniform Fire  
Code, 10M 6-part sets, 9½"x11" with  
perf. sides, negs available, 1-sided,  
carbon interleave  
**Contact:** Printing Buyer's Office  
**Bids are due:** January 4  
**Agency:** Public Safety Department–  
Fire Marshall  
**Deliver to:** St. Paul  
**Requisition #:** 13504

# Professional, Technical & Consulting Contracts

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

## Department of Administration

### InterTechnologies Group

#### STARS Project

### Request for Proposals for the Provision of Leased Network Services for the STARS Network

**Estimated Amount of Contract:** \$ value unknown.

**Issuing Date of the RFP:** December 14, 1990 2:00 p.m.

**Due Date for Proposals:** April 22, 1991 by 3:00 p.m. Central Standard Time.

**Primary Contact:** Patricia Anderson, Materials Management, (612) 296-3770, FAX number is (612) 297-3996.

**Obtaining a Copy of the RFP:** Copies are available for pickup at: State of Minnesota, Materials Management Division, Contracts & Technical Services, 112 Administration Building, 50 Sherburne Ave., St. Paul, MN 55155.

Given the large size of the RFP, copies of the RFP will not be mailed out unless a written request has been received by US Mail or Fax to Patricia Anderson at the above address. Please include the vendor name, complete address, contact person's name and valid Federal Express or other carrier account number against which the shipping cost may be charged.

**Purpose of the RFP:** The Department of Administration in conjunction with the Higher Education Advisory Council is planning the STARS integrated statewide telecommunications network. The State seeks to contract with a single entity who shall design, acquire and manage an intercity private line telephone network capable of carrying voice, data, and video signals for the State and its agencies, political subdivisions and educational institutions. The RFP defines the State's needs and fundamental network requirements.

**Background:** The Minnesota State Telecommunications Access and Routing System (STARS) is planned as an integrated communications network for use by State government agencies, educational institutions, local government, the courts and others. The objectives of STARS are to:

- integrate existing communications networks, reduce cost and improve service.
- expand educational opportunities by providing video connectivity between existing video clusters.
- enhance the management and control of network resources.
- provide a network platform that can incorporate new technologies and support delivery of new or enhanced services as the users dictate.
- encourage the deployment of network infrastructure within the state for serving the citizens of Minnesota by providing easier access to existing and future information services.

## Department of Gaming

### Minnesota State Lottery

### Request for Proposals for Security Officer Services

The Minnesota State Lottery is requesting proposals for providing 24 hour security officer services at the headquarters of the Minnesota State Lottery located in Roseville, Minnesota. This proposal does not obligate the state to complete this project, and the state reserves the right to cancel the solicitations if it is considered to be in its best interest.

Security services at the Minnesota State Lottery cover a wide range of tasks. Organizations interested in receiving a copy of the Request for Proposals should contact:

Tom Barrett                      2645 Long Lake Road  
Administrative Services        Roseville, MN 55113  
Minnesota State Lottery        (612) 635-8108

Proposals are due by 4:30 p.m., January 15, 1991.

**Department of Human Services****Children's Services Division****Notice of Re-issuance of Request for Proposals for the Development of New Crisis Nursery Programs Serving Greater Minnesota**

The Children's Services Division of the Department of Human Services is soliciting proposals from qualified applicants outside of the 7 county metropolitan area to develop new crisis nursery programs. At least 2 new crisis nursery programs will be developed in greater Minnesota. Multi-county and/or multi-agency proposals are encouraged.

Eligible applicants are private and public agencies with the capacity to carry out the project activities.

A total of \$60,000 is available for the development of the 2 new crisis nursery programs serving greater Minnesota. A minimum of \$10,000 and a maximum of \$30,000 per project will be funded. A 27% match (in-kind, cash, or a combination) is required.

The crisis nursery program projects will begin April 15, 1991, and end January 31, 1992. The project design must include an evaluation component, and the project must be able to be replicated in other Minnesota counties or regions.

Requests for copies of the complete RFP for the Development of New Crisis Nursery Programs Serving Greater Minnesota should be directed to Becky Montgomery at 612/297-3634. Ten copies of the proposal in response to the RFP must be submitted to the Children's Services Division, Department of Human Services, 444 Lafayette Road, St. Paul, MN 55155-3830, no later than **4:00 p.m. on February 18, 1991.**

The Children's Services Division and the State of Minnesota reserve the right to reject any and all proposals submitted.

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**Announcements**

**Environmental Quality Board (EQB):** Comments are due January 23 on the EAWs (environmental assessment worksheets) for the following projects at their listed regional governing units: **Plainview Sewer Extension Project**, MN Pollution Control Agency (MPCA) (612) 296-7432; **Echo Wastewater Stabilization Pond Construction**, MPCA (612) 297-1766; **Hinckley Grand Casino and Bingo Hall Project**, MPCA (612) 296-7796; **East Central Sanitary Landfill Expansion**, MPCA (612) 296-7795; **Polk County Road 201 Improvements**, Polk County, (218) 281-3952. • MN Dept. of Transportation Alternative Reviews are scheduled for the following projects: **T.H. 169 Improvements—Blue Earth County**, contact Curt Fakler, MnDOT, 501 South Victory Drive, Mankato, MN 56001; and **T.H. 3 Improvements—Rice County**, contact Daniel J. Schiefers, MnDOT, P.O. Box 6177, Rochester, MN 55903. • A draft scoping document and EAW is available for review on the **Burnsville Sanitary Landfill Expansion**. Copies can be viewed at the Burnsville Branch of the Dakota County Library System, the Eagan Library, Inver Hills Community College Library, and the Metropolitan Council Library. Contact Paul Smith for information at the Metro Council (612) 291-6408. A meeting will be held Thurs. 24 Jan. at 7:00 p.m. at the Burnsville City Hall, 100 Civic Center Parkway, Burnsville.

**Ski the Minnesota Zoo:** The cross-country ski trails at the Minnesota Zoo are now open, thanks to Mother Nature's handiwork this past weekend. The 12 km of groomed trails at the 485-acre zoo include beginner, intermediate and advanced trails. Skiing is free with zoo admission. Skiers, age 16 and over, need a state ski pass that can be purchased at Guest Services at the zoo. Complete ski rentals also are available for the entire family at the zoo from North Country, Inc./White Wolf, \$3 per hour, two hour minimum. Ski trails are open 10 a.m. to 3 p.m. daily. For up-to-date trail information, call the Zoo-to-Do Hotline, 432-9000. The Minnesota Zoo is open seven days a week, every day of the year except Christmas, Dec. 25, 10 a.m. to 4 p.m.

**Minnesota Deer Harvest:** Deer hunters harvested a record 165,000 deer during the 1990 firearms season, according to preliminary figures released by the Minnesota Department of Natural Resources (DNR). That represents a 28 percent increase over last year's harvest, and is more than 25,000 higher than the previous record of 138,946 set in 1988. Record or near-record harvests occurred in almost all areas of the state.

**Tentative Opening Dates for Many 1991 Hunting Seasons:** Opening dates for many of the 1991 Minnesota hunting seasons were announced by Department of Natural Resources (DNR) Commissioner Joseph Alexander. The dates are being announced now for the benefit of those who must establish their vacation plans well in advance. Although these dates are tentative, Alexander said it is unlikely they will change. • **The firearms deer opener** is scheduled

## Announcements

for No. 9, approximately one week later than the 1990 opener. **Bow and arrow deer hunting** will begin Sept. 14. **Muzzleloader deer hunting** will begin Nov. 30. • The **general small game seasons** for grouse, rabbits, squirrels and Hungarian partridge are scheduled to open on Saturday, Sept. 14. • The **pheasant season opener** is scheduled for Oct. 12. • The **mink, muskrat, beaver and otter season openers** will be split into north and south zones again in 1991. The north zone opener will be Nov. 2, and the south zone opener Oct. 26. Fox, raccoon, badger and opossum seasons will open statewide Oct. 25. • The **every-other-year moose season** is scheduled for 1991, with an Oct. 12 opener in both the northeast and northwest zones. The late moose hunt in the Agassiz zone will begin Nov. 30. • The **bear season** will be announced by the DNR in early 1991. • **Waterfowl season** opening dates will not be announced by the DNR until the federal regulations are established next summer. • Additional season details will be announced next summer. Wildlife public input meetings to gather opinions about seasons and proposed new regulations are planned for March at sites around the state. Locations and times will be announced in late January.



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