

92, May 26

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The Minnesota State Register

Department of Administration—Print Communications Division

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

Tuesday 26 May 1992
Volume 16, Number 48
Pages 2501-2588

State Register

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

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

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

Printing Schedule and Submission Deadlines

Vol. 16 Issue Number	*Submission deadline for Adopted and Proposed Rules, Commissioners' Orders**	*Submission deadline for Executive Orders, Contracts, and Official Notices**	Issue Date
48	Monday 11 May	Monday 18 May	Tuesday 26 May
49	Monday 18 May	Friday 22 May	Monday 1 June
50	Friday 22 May	Monday 1 June	Monday 8 June
51	Monday 1 June	Monday 8 June	Monday 15 June

*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) 296-0929.

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

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

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

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

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Department of Administration

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Debbie George, Circulation Manager
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FOR LEGISLATIVE NEWS

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

SENATE

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

Perspectives—Publication about the Senate.

Session Review—Summarizes actions of the Minnesota Senate.

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

HOUSE

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

This Week—weekly interim bulletin of the House.

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

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

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

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

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

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

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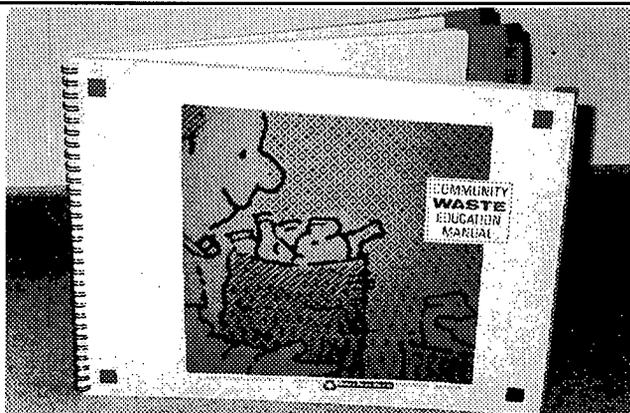
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Publication editors: As a public service, please reprint this ad in your publication as is, reduced, enlarged, or redesigned to suit your format. Thank you.

Proposed Rules

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

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

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

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

Housing Finance Agency

Proposed Permanent Rules Relating to Training and Housing Program for Homeless Adults Demonstration Program

Notice of Intent to Adopt a Rule Without a Public Hearing

NOTICE IS HEREBY GIVEN that the Minnesota Housing Finance Agency intends to adopt the above rule without a public hearing following the procedures set forth in the Administrative Procedure Act for adopting rules without a public hearing in *Minnesota Statutes* sections 14.22 to 14.28. The statutory authority to adopt the rule is *Minnesota Statutes* 462A.06 subd. 4 and 11.

All persons have 30 days in which to submit comment in support of or in opposition to the proposed rule or any part or subpart of the rule. Comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

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

Renee J. Dickinson, Legal Division
Minnesota Housing Finance Agency
400 Sibley St., Suite 300
St. Paul, MN 55101-1998
Telephone: 612/296-9793

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

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

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

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

Date: 22 May 1992

James J. Solem
Commissioner

Rules as Proposed (all new material)

4900.3420 SCOPE.

Parts 4900.3420 to 4900.3424 allow the commissioner of the Housing Finance Agency to make planning and demonstration grants

to eligible organizations to develop programs to provide homeownership opportunities, education and training, or services to homeless adults. The purpose of these programs is to promote individual stability and responsibility of homeless adults. The program must include a work experience and training component, job skills component, and life skills component.

4900.3421 DEFINITIONS.

Subpart 1. **Scope.** The terms used in parts 4900.3420 to 4900.3424 have the meanings given them in this part.

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

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

Subp. 4. **Application.** "Application" means a submittal requesting a demonstration grant to provide programs that develop homeownership opportunities, education and training, or services to homeless adults.

Subp. 5. **Demonstration grant.** "Demonstration grant" means a homeless adults demonstration grant.

Subp. 6. **Homeless individual.** "Homeless individual" has the meaning given in United States Code, title 42, section 11302.

Subp. 7. **Eligible organization.** "Eligible organization" means a nonprofit organization run by or for homeless persons.

Subp. 8. **Rehabilitation.** "Rehabilitation" means the repair, construction, or improvement of existing residential housing with the objective of making the housing decent, safe, sanitary, and more desirable to live in, of greater market value, or to conform with state, county, or city health, housing, building, fire prevention, and housing maintenance codes and other public standards applicable to housing.

4900.3422 ELIGIBILITY.

To be eligible for selection as a recipient of a demonstration grant under the program, the application must satisfy the requirements in items A to C.

A. The proposed residential housing must be exclusively for the use of homeless individuals.

B. The program must promote individual stability and responsibility of homeless adults through training for jobs that pay a living wage, job placement, life skills development, and access to community support services including health services, counseling, and drug rehabilitation.

C. The program must include all of the components in subitems (1) to (3).

(1) A work experience and training component which provides vocational skill training in an industry where there are potential opportunities for jobs that pay a living wage. A monetary compensation may be provided to program participants. The compensation must be provided to participants who are recipients of public assistance in a manner or amount which will not reduce public assistance benefits. The work experience component must be designed so that work projects result in the expansion of residential units for homeless persons and very low-income individuals and families. The work experience component must include work projects that provide residential units through construction or rehabilitation for the homeless and families with income that does not exceed 50 percent of the median income for the metropolitan area. The program design must include an examination of how program participants may achieve certification as a part of the work experience and training component by entering licensing, apprenticeship, or other educational programs.

(2) A job skills component which provides program participants with job search skills, placement assistance, and other job readiness skills to ensure that participants will be able to compete in the employment market.

(3) A life skills component which includes mentoring to develop homeownership skills, and offer or coordinate participation in parenting and citizenship classes and leadership development to encourage community involvement and responsibility.

4900.3423 ELIGIBLE APPLICANT.

To be eligible for selection as a recipient of a planning and demonstration grant under the program the applicant must be a nonprofit organization that is run by or for homeless persons.

4900.3424 SELECTION CRITERIA.

The agency shall take the following criteria into consideration when determining whether an application and applicant will be selected for a grant under the program:

<p>KEY: PROPOSED RULES SECTION — <u>Underlining</u> 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 — <u>Underlining</u> indicates additions to proposed rule language. Strike outs indicate deletions from proposed rule language.</p>
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Proposed Rules

- A. the organization's prior experience in operating or developing programs successfully;
- B. the geographic area to be serviced to the end that a reasonable distribution of funds is received;
- C. the extent to which grant funds are matched with nonstate money; and
- D. the extent to which the program promotes individual stability.

Housing Finance Agency

Proposed Permanent Rules Relating to Special Needs Housing for Adults with Chronic Chemical Dependency

Notice of Intent to Adopt a Rule Without a Public Hearing

NOTICE IS HEREBY GIVEN that the Minnesota Housing Finance Agency intends to adopt the above rule without a public hearing following the procedures set forth in the Administrative Procedure Act for adopting rules without a public hearing in *Minnesota Statutes* sections 14.22 to 14.28. The statutory authority to adopt the rule is *Minnesota Statutes* 462A.06 subd. 4 and 11.

All persons have 30 days in which to submit comment in support of or in opposition to the proposed rule or any part or subpart of the rule. Comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

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

Renee J. Dickinson, Legal Division
Minnesota Housing Finance Agency
400 Sibley St., Suite 300
St. Paul, MN 55101-1998
Telephone: 612/296-9793

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

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

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

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

Date: 22 May 1992

James J. Solem
Commissioner

Rules as Proposed (all new material)

4900.3400 SCOPE.

Parts 4900.3400 to 4900.3404 govern the implementation of the special needs housing for adults with chronic chemical dependency program.

4900.3401 DEFINITIONS.

Subpart 1. **Scope.** The terms used in parts 4900.3400 to 4900.3404 have the meanings given them in this part.

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

Subp. 3. **Applicant.** "Applicant" means one or more entities that submit an application for a special needs housing for adults with chronic chemical dependency loan or grant.

Subp. 4. **Application.** "Application" means a submittal requesting a loan or grant for special needs housing for adults with chronic chemical dependency.

Subp. 5. **Low-income and homeless individuals and families.** "Low-income and homeless individuals and families" means, with respect to persons living in housing for adults with chronic chemical dependency, those individuals whose income does not exceed 50 percent of the greater of the statewide or area median income.

4900.3402 ELIGIBILITY.

To be eligible for selection as a recipient of a loan or grant under the program, the application must satisfy the requirements in items A to D.

- A. The proposed residential housing must be exclusively for the use of low-income persons.
- B. Grant funds may not be used for residential care facilities, for facilities that provide housing available for occupancy on less than a 24-hour continuous basis.
- C. The housing for chronic chemically dependent adults must satisfy the following conditions:
 - (1) be certified by the Department of Health or the city as a board and lodging facility or single residence occupancy housing;
 - (2) meet all applicable health, building, fire safety, and zoning requirements;
 - (3) be located in an area significantly distant from the present location of county detoxification service sites;
 - (4) make available the services of trained personnel to appraise each client before or upon admission and to provide information about medical, job training, and chronic chemical dependency services as necessary;
 - (5) provide on-site security designed to assure the health and safety of clients, staff, and neighborhood residents; and
 - (6) operate with the guidance of a neighborhood-based board.
- D. To the extent possible, an applicant shall combine the loan or grant with other funds obtained from public and private sources.

4900.3403 ELIGIBLE MORTGAGOR.

To be eligible for selection as a recipient of a loan or grant under the program, an applicant may be a for-profit, limited-dividend, or nonprofit entity.

4900.3404 SELECTION CRITERIA.

The agency shall take the following criteria into consideration when determining whether an application and applicant will be selected for a loan or grant under the program. Priority will be given to proposals that address the needs of the Native American population and veterans of military service:

- A. the prior experience of the applicant in development and managing similar residential housing;
- B. the extent to which loan or grant funds are combined with other funds from private or public sources to make the development economically feasible;
- C. the documented need for this type of residential housing in the proposed geographic area;
- D. the geographic area to be serviced, to the end that a reasonable distribution of low-income housing can be achieved;
- E. the extent to which the structure must provide a physical environment that is responsible to the needs to the population to be served; and
- F. the ability of the applicant to proceed expeditiously with the development.

Housing Finance Agency

Proposed Permanent Rules Relating to Special Needs for Homeless Persons Program

Notice of Intent to Adopt a Rule Without a Public Hearing

NOTICE IS HEREBY GIVEN that the Minnesota Housing Finance Agency intends to adopt the above rule without a public

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

hearing following the procedures set forth in the Administrative Procedure Act for adopting rules without a public hearing in *Minnesota Statutes* sections 14.22 to 14.28. The statutory authority to adopt the rule is *Minnesota Statutes* 462A.06 subd. 4 and 11.

All persons have 30 days in which to submit comment in support of or in opposition to the proposed rule or any part or subpart of the rule. Comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

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

Renee J. Dickinson, Legal Division
Minnesota Housing Finance Agency
400 Sibley St., Suite 300
St. Paul, MN 55101-1998
Telephone: 612/296-9793

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

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

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

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

Date: 22 May 1992

James J. Solem
Commissioner

Rules as Proposed (all new material)

4900.3410 SCOPE.

Parts 4900.3410 to 4900.3414 govern special needs housing for homeless persons loans or grants for the construction, acquisition, or rehabilitation of residential housing for occupancy by the following persons: low-income individuals and families having an immediate need for temporary or transitional housing; including low-income individuals living in single room occupancy housing; residential housing for migrant farmworkers; and homeless individuals and families.

4900.3411 DEFINITIONS.

Subpart 1. **Scope.** The terms used in parts 4900.3410 to 4900.3414 have the meanings given them in this part.

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

Subp. 3. **Applicant.** "Applicant" means one or more entities that submit an application for a special needs housing for homeless persons loan or grant.

Subp. 4. **Application.** "Application" means a submittal requesting a special needs housing for homeless persons loan or grant to pay the cost of the construction, acquisition, or rehabilitation of residential housing for occupancy by the following persons: low-income individuals and families having an immediate need for temporary or transitional housing; low-income individuals living in single room occupancy housing; residential housing for migrant farmworkers; and homeless individuals and families.

Subp. 5. **Low-income and homeless individuals and families.** "Low-income and homeless individuals and families" means, with respect to homeless persons and persons living in single room occupancy housing, those individuals and families whose income does not exceed 30 percent of the metropolitan area median income for a family of four adjusted for families of five or more. With respect to those persons living in temporary or transitional housing, low-income individuals and families means those individuals and families whose incomes do not exceed 50 percent of the greater of the statewide or area median income adjusted for families of five or more.

Subp. 6. **Residential housing for migrant farmworkers.** "Residential housing for migrant farmworkers" means housing which contains cooking, sleeping, bathroom facilities, and hot and cold running water in the same structure.

Subp. 7. **Temporary or transitional housing.** "Temporary or transitional housing" means housing provided for a limited duration not exceeding 24 months and available for occupancy on a continuous 24-hour basis.

4900.3412 ELIGIBILITY.

To be eligible for selection as a recipient of a loan or grant under the program, the application must satisfy the requirements in items A to E.

A. The proposed residential housing must be exclusively for the use of low-income families and individuals.

B. All occupants of permanent housing financed under this part must be offered a written lease that:

- (1) complies with *Minnesota Statutes*, section 325G.31;
- (2) offers the occupants the option to renew; and
- (3) prohibits eviction of an occupant without good cause.

C. The amount of the loan or grant requested must not exceed 50 percent of the total development cost of the proposed residential housing.

D. The application must include a comprehensive plan for the development and management of housing for low-income persons and document the ability of the applicant to develop and maintain that housing for a period of time specified by the agency. At a minimum, this plan must include:

- (1) documentation of a need for the type of housing in the proposed geographic area;
- (2) a description of the applicants' goals and objectives in meeting the area's need for the type of housing;
- (3) a detailed description of how the housing will be developed and managed, including:
 - (a) a description of the proposed site for the housing;
 - (b) preliminary architectural plans for the development;
 - (c) qualifications of the development and management staff; and
 - (d) a proposed tenant selection plan;

(4) a detailed budget for the development of the proposed housing showing all development costs and the sources of funds to pay them;

(5) a detailed budget for the operation of the housing showing all anticipated operating costs and the proposed rents and other income;

(6) documentation of the experience and fiscal responsibility and capability of the applicant or fiscal agent of the applicant in developing similar housing; and

(7) where the applicant is providing transitional housing, documentation of an ability to provide support services to assist persons in moving into independent or appropriate supportive living situations.

E. Loan or grant funds may not be used for residential care facilities, for facilities that provide housing available for occupancy on less than a 24-hour continuous basis, or for any residential housing that requires occupants to accept board as well as lodging.

4900.3413 ELIGIBLE MORTGAGOR.

To be eligible for selection as a recipient of a loan or grant under the program, an applicant must be an eligible mortgagor as defined in *Minnesota Statutes*, section 462A.03, subdivision 13.

4900.3414 SELECTION CRITERIA.

In addition to priority being given to viable proposals with the total lowest cost per person served, the agency shall take the following criteria into consideration when determining whether an application and applicant will be selected for a loan or grant under the program:

A. the prior experience of the applicant in development and managing similar residential agency;

B. the extent to which grant funds are combined with other funds from private or public sources to make the development economically feasible;

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Proposed Rules

- C. the ability of the applicant to proceed expeditiously with the development;
- D. the documented need for this type of residential housing in the proposed geographic area;
- E. the cost and quality of the proposed housing;
- F. the extent to which the amount of rent to be charged is less than 30 percent of the income of the low-income person leasing the housing unit;
- G. the geographic area to be serviced, to the end that a reasonable distribution of low-income housing can be achieved;
- H. the extent of community support for this type of development;
- I. the extent to which proposals use donated, leased, abandoned, or empty dwellings owned by a public entity or property being sold by the Resolution Trust Corporation or the Department of Housing and Urban Development;
- J. the extent to which the applicant has consulted with advocates for the homeless, representatives from neighborhood groups, and representatives from labor organizations in preparing the proposal;
- K. if support services are to be provided in conjunction with housing, the availability of funds to pay the ongoing costs of those support services; and
- L. the extent to which the structure provides a physical environment that is responsive to the needs of the population to be served.

Department of Revenue

Proposed Permanent Rules Relating to Motor Fuels Taxation

Notice of Intent to Adopt a Rule Without a Public Hearing

NOTICE IS HEREBY GIVEN that the Minnesota Department of Revenue intends to adopt the above entitled rules without a public hearing following the procedures set forth in the Administrative Procedure Act for adopting rules without a public hearing in *Minnesota Statutes* section 14.22 to 14.28. The statutory authority to adopt the rules is *Minnesota Statutes* section 270.06, subdivision 13.

All persons have 30 days, through June 25, 1992, in which to submit comments in support of or in opposition to any of the proposed rules or any part or subpart of any of the proposed rules. Comments are encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

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

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

Mark D. Pederson, Attorney
Appeals, Legal Services and Criminal Investigation Division
10 River Park Plaza
Mail Station 2220
St. Paul, MN 55146-2220
(612) 296-1902 Extension 126

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

A copy of the proposed rule is attached to this notice. A free copy of the rule is also available upon request from:

Mark D. Pederson, Attorney
Appeals, Legal Services and Criminal Investigation Division
10 River Park Plaza
Mail Station 2220
St. Paul, MN 55146-2220
(612) 296-1902 Extension 126

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 Mark D. Pederson upon request.

Promulgation of the proposed rules will not result in the expenditure of public moneys by local public bodies, fix or adjust any fees, or have an impact on agricultural land. The affect, if any, that the proposed rule may have on small businesses is further discussed in the **STATEMENT OF NEED AND REASONABLENESS**.

The proposed amended rules will have a positive qualitative impact on small businesses by repealing several reporting requirements. One rule streamlines and clarifies procedures for the annual filing of road tax returns, which is an optional method of filing available only to taxpayers with annual road tax liability under \$500. This method allows qualified taxpayers to file only one yearly return and make only one yearly payment rather than the four returns and four payments required of taxpayers with larger liability. The quantitative impact will be minimal, since the proposed rules and proposed amended rules will not result in an economic impact on small businesses.

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

Mark D. Pederson, Attorney
Appeals, Legal Services and Criminal Investigation Division
10 River Park Plaza
Mail Station 2220
St. Paul, MN 55146-2220
(612) 296-1902 Extension 126

Dated: 26 May 1992

Dorothy A. McClung
Commissioner of Revenue
State of Minnesota

Rules as Proposed

8125.0200 TERMINAL RECORDS AND REPORTS.

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

Subp. 3. **Manifests to be furnished.** A manifest or a bill of lading shall be issued for each withdrawal from a terminal in this state at the time of such withdrawal. Manifests or bills of lading shall show the following information: state tax number, date shipped, name of carrier, ~~transport permit (MDR) number,~~ origin (point of loading), name of supplier, name and address of distributor who will report and pay the tax ~~and/or fee~~ (consignee), destination, kind of product, and number of gallons. The state tax number may be the manifest or bill of lading number if designated as the state tax number. The required information contained in the manifest or bill of lading shall be filed with the commissioner either as a legible duplicate copy of each such manifest or bill of lading shall be filed with, or in any other format approved by the commissioner. The commissioner will approve alternative formats provided they contain the required information and are presented in an organized and readable manner.

No petroleum product shall be loaded into a tank car, the cargo tank of a tank truck, or a truck transport at any terminal located outside the state for shipment to a Minnesota destination unless the distributor who will report and pay the tax ~~and/or fee~~ (consignee) shall require that a manifest or bill of lading be issued showing the following information: state tax number, date shipped, name of carrier, ~~transport permit (MDR) number,~~ origin (point of loading), name of supplier, name and address of consignee, destination, kind of product, and number of gallons. The state tax number may be the manifest or bill of lading number if designated as the state tax number. The required information contained in the manifest or bill of lading shall be filed with the commissioner either as a legible duplicate copy of such each manifest or bill of lading shall be sent to, or in any other format approved by the commissioner. The commissioner will approve alternative formats provided they contain the required information and are presented in an organized and readable manner.

8125.0300 TRANSPORT REQUIREMENTS.

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

Subp. 2. [See repealer.]

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.

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Subp. 3. [See repealer.]

Subp. 4. [See repealer.]

Subp. 5. **Diversions to be reported.** Any supplier or transporter of petroleum products who diverts a shipment ~~destined to a state other than Minnesota to a Minnesota destination, or who diverts a shipment from one Minnesota destination or consignee to another Minnesota destination or consignee,~~ to any other destination than that which is listed on the manifest shall notify the commissioner within 48 hours a reasonable time, setting forth the manifest number (state tax number), date, kind of product, number of gallons, the consignee to whom the shipment has been diverted, and the final destination.

Subp. 6. [See repealer.]

Subp. 7. **Manifest to be carried.** Operators of tank trucks or truck transports transporting petroleum products in this state on which the gasoline tax ~~and/or the inspection fees have~~ has not been assumed shall carry proof of ownership of such material (bill of lading, manifest, invoice, or other identification).

8125.0400 DISTRIBUTOR RECORDS.

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

Subp. 2. **Sales invoices.** A sales invoice shall be made for each bulk sale of petroleum products at the time of the sale, regardless of gallonage. All sales invoices issued for bulk sales shall be machine-numbered serially with numbers of at least three digits, and shall show the following: name and address of distributor printed or rubber-stamped upon the invoice, date of sale, name and address of the purchaser, kind of product, price per gallon, number of gallons, and rate and amount of tax if any. The words "bulk sale," as used in this part, shall mean any sale of a petroleum product dispensed ~~from a truck transport or tankwagon into a fixed or portable storage facility tank.~~ When issued for the purpose of securing refunds or credits of the Minnesota gasoline tax, the invoices shall, in addition to the aforementioned requirements, be prepared at least in duplicate, ~~the original to be marked "Original Invoice" and one copy shall be given to the purchaser. The words "original invoice," as used in this part, shall mean the first or top sheet of an invoice, bearing the original inked or penciled imprint, whether it be typewritten, handwritten, or printed, issued by a seller to a purchaser covering the product or products sold. Whenever the original invoice is unavailable, the commissioner may approve the use of a copy thereof. In such cases, a lost or destroyed invoice affidavit executed by the claimant, together with a supporting statement by the supplier, must be filed.~~

When issued for other than bulk sales and for the purpose of securing refunds or credits of the Minnesota gasoline tax, the invoices or receipts shall show the ~~name names and location locations~~ of the seller and purchaser, date of purchase, number of gallons, ~~and total price,~~ and type of equipment in which the fuel is to be consumed.

When issued for deliveries made into another state, invoices shall be issued in the same manner with a separate set of numbers.

~~Sales invoices used for the sale of a rejected petroleum product not meeting specifications which the commissioner has approved for sale shall bear the following notation:~~

~~"FUEL OIL — REJECTED PRODUCT — UNSAFE FOR HEATING OR LIGHTING PURPOSES"~~

~~"GASOLINE — REJECTED PRODUCT — CONTAINS OTHER PETROLEUM PRODUCTS ON WHICH THE GASOLINE TAX HAS BEEN PAID"~~

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

Subp. 4. **Records to be retained.** ~~With the exception of sales invoices or receipts issued for other than bulk sales and for the purpose of securing refunds or credits of the Minnesota gasoline tax,~~ Copies of all manifests, bills of lading, invoices, ~~and delivery tickets, and tax returns required to be filed pursuant to Minnesota Statutes, chapter 296,~~ as well as all other records relating to the purchase, transfer, sales, and use of petroleum products and special fuel, shall be retained for a period of four years.

8125.0410 DISTRIBUTOR'S LICENSES.

Subpart 1. Exemption from depositing securities or filing a bond. The commissioner will determine which distributor license applicants are financially responsible and, as a result, qualify for the statutory exemption from depositing securities or filing a bond, by taking into consideration all relevant factors. Those factors include the following:

A. whether the applicant's financial statement reflects that the applicant's current assets are at least equal to its current liabilities and that the applicant's net worth is at least three times its average quarterly motor fuel tax liability;

B. whether the applicant has failed to file or has been delinquent in filing any motor fuel tax returns;

C. whether the applicant has ever failed to pay its motor fuel tax liability, paid it late, or paid with a check that was later returned by the bank unpaid; and

D. any other evidence of the financial responsibility of the applicant.

Subp. 2. Seizure. The seizure authorized by Minnesota Statutes, section 296.165, will be performed by the commissioner of revenue or authorized designee in cases where there is an intent to evade the tax imposed by Minnesota Statutes, chapter 296. Intent to evade the tax will be presumed if the manifest either does not list a shipper or lists a shipper not a licensed distributor under Minnesota Statutes, chapter 296, and the consignee is not listed or is not a licensed distributor under Minnesota Statutes, chapter 296.

8125.0500 DISTRIBUTOR AND DEALER CREDITS AND REFUNDS.

Subpart 1. **Distributor credits, how allowed.** The credits under *Minnesota Statutes*, section 296.14, subdivision 2, shall be allowed as follows:

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

D. ~~under clause~~ clauses (4) and (5), credit shall be taken only when supported by a credit memorandum issued by the commissioner. Such credit memorandum will reflect the adjustment for the allowance for evaporation and loss;

E. under clause (6), credit shall be taken after computing the allowance for evaporation and loss.

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

8125.0600 DEALER RECORDS.

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

Subp. 2. **Sales invoices.** When issued for the purpose of securing refunds or credits of the Minnesota gasoline tax, sales invoices representing bulk sales shall be machine-numbered serially with numbers of at least three digits, and shall show the following: name and address of the dealer printed or rubber-stamped upon the invoice, date of sale, name and address of the purchaser, kind of product, price per gallon, number of gallons, and rate and amount of tax. They shall be prepared at least in duplicate, ~~the original to be marked "Original Invoice" and one copy shall be given to the purchaser.~~ The words "bulk sale," as used in this part, shall mean any sale of a petroleum product dispensed from a truck transport or tankwagon into a fixed or portable storage facility tank. ~~The words "original invoice," as used in this part, shall mean the first or top sheet of an invoice, bearing the original inked or penciled imprint, whether it be typewritten, handwritten, or printed, issued by a seller to a purchaser covering the product or products sold. Whenever the original invoice is unavailable, the commissioner may approve the use of a copy thereof. In such cases, a lost or destroyed invoice affidavit executed by the claimant, together with a supporting statement by the supplier, must be filed.~~

When issued for other than bulk sales and for the purpose of securing refunds or credits of the Minnesota gasoline tax, the invoices or receipts shall show the ~~name~~ names and ~~location~~ locations of the seller and purchaser, date of purchase, number of gallons, and total price, and type of equipment in which the fuel is to be consumed.

When issued for the purpose of securing a refund or credit of the Minnesota gasoline tax, a separate invoice shall be issued for each sale, at time of sale, regardless of gallonage.

Invoices issued to operators of portable feed mills, corn shellers, and other portable units for gasoline serviced to the unit tank, shall show separately the number of gallons, if any, serviced to the vehicle supply tank.

~~Sales invoices used for the sale of a rejected petroleum product not meeting specifications which the commissioner has approved for sale shall bear the following notation:~~

~~"FUEL OIL — REJECTED PRODUCT — UNSAFE FOR HEATING OR LIGHTING PURPOSES"~~

~~"GASOLINE — REJECTED PRODUCT — CONTAINS OTHER PETROLEUM PRODUCTS ON WHICH THE GASOLINE TAX HAS BEEN PAID"~~

Subp. 3. [See repealer.]

8125.0700 SPECIAL FUEL REQUIREMENTS.

Subpart 1. [See repealer.]

Subp. 2. **Sales invoices.** Sales invoices issued for sales of special fuel made by a distributor or a special fuel dealer shall bear the name and address of the purchaser, date of sale, type of product, number of gallons, price per gallon, and total amount of sale. ~~The words "Special Fuel" shall be written or printed on each sales invoice at the time of sale or delivery.~~ Sales invoices shall have the name and address of the distributor or special fuel dealer making the sale printed or rubber-stamped thereon and shall be machine-numbered serially with numbers of at least three digits and issued in sequence. A separate sales invoice book shall be maintained for special fuel sales, and one copy of each such sales invoice shall be retained in the special fuel sales invoice book, unless otherwise

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authorized by the commissioner. Sales invoices issued for fuel other than for use as special fuel shall show the kind of fuel, type of equipment in which the fuel is to be consumed, and the name and address of the purchaser.

Subp. 3. **Meter readings and inventories.** Distributors, special fuel dealers, and bulk purchasers shall at the end of each month take and record:

A. through ~~an~~ a mechanical accumulating meter in working order, meter readings ~~for~~ on each pump through which special fuel is dispensed; and

B. physical inventories of special fuel showing quantity in each tank, tank capacity, and kind of product.

Subp. 4. **Users' records and reports.** All users of special fuel shall keep a true and accurate record of all purchases, sales, transfers, and use of special fuel and shall retain all such records for a period of four years. ~~Users of special fuel (except licensed distributors, special fuel dealers, and bulk purchasers required to file monthly reports) shall file an annual information report showing the number of gallons used, miles traveled, and such other information as the commissioner may prescribe, for each licensed motor vehicle. This report shall be filed on or before March 1 of each year for the preceding calendar year.~~

Subp. 5. [See repealer.]

Subp. 6. [See repealer.]

Subp. 7. **Records to be retained.** Copies of all manifests, bills of lading, invoices, sales and delivery tickets, tax returns required to be filed pursuant to Minnesota Statutes, chapter 296, as well as all other records relating to the purchase, transfer, sales, and use of special fuel, shall be retained for a period of four years.

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

Subp. 9. [See repealer.]

8125.1300 REFUNDS AND CREDITS ON AVIATION GASOLINE AND SPECIAL FUEL TAX.

Claims for refund of the tax paid on aviation gasoline or on special fuel for aircraft must be filed on or before April 15 of the year following the year in which the fuel was purchased. Any such claim filed during the 15-day period from April 16 to April 30 may be honored less a penalty of 25 percent of the amount of the approved refund claim. The postmark on the envelope in which the claim is mailed determines the date of filing.

Each claim must be accompanied by the original invoice receipted for payment by the supplier. The words "original invoice," as used in this part, shall mean the first or top sheet of an invoice, bearing the original inked or penciled imprint, whether it be typewritten, handwritten, or printed, issued by a seller to a purchaser covering the product or products sold. Whenever the original invoice is unavailable, the commissioner may approve the use of a copy thereof. In such cases, a lost or destroyed invoice affidavit executed by the claimant, together with a supporting statement by the supplier, must be filed.

Subpart 1. Ethanol development fund. When the total claims made by producers of ethanol or wet alcohol under Minnesota Statutes, section 41A.09, subdivision 3, in any quarter exceed the remaining money allowed to be paid from the fund for that fiscal year or biennium, the commissioner shall reduce all claims proportionately. Each claimant shall receive a portion of the available money based on the percentage that the claimant's allowable claims in the quarter bears to all allowable claims in the quarter. Allowable claims do not include any portion of a claim which, if paid, would allow the claimant total payments in excess of the maximum annual payments allowable to a claimant in a fiscal year.

Claims for payment may be made only for ethanol or wet alcohol produced during the three calendar months preceding the month the claim is required to be filed. No payments will be made for claims filed after the due date.

Once the total amount of money appropriated to the fund for a fiscal year or biennium has been paid, no further payments will be made in that fiscal year or biennium. Unpaid claims may not be carried forward to a future year.

Subp. 2. Public transit systems. The exemption from the gasoline excise tax for gasoline purchased by a transit system in Minnesota Statutes, section 296.02, subdivision 1a, applies only to gasoline purchased by a transit system which is actually used by the transit system for purposes necessary in carrying out its responsibility to provide public transportation as defined in Minnesota Statutes, sections 174.24 and 473.384. Gasoline that is used for purposes that are not necessary in carrying out the transit system's responsibility to provide public transportation is not exempt from taxation.

Subp. 3. Gasoline used in aircraft. Refunds for gasoline, other than aviation gasoline, purchased and used to produce or generate power for propelling aircraft shall be issued only to those claimants who have received approval to use such gasoline from the Federal Aviation Administration as evidenced by a supplemental type certificate.

8125.1400 ROAD TAX.

Subpart 1. [See repealer.]

Subp. 2. **Vehicles exempted from road tax.** The following vehicles are exempted from the road tax law:

A. all straight trucks having ~~only two axles~~ a gross weight of 26,000 pounds or less;

B. all motor vehicles having three or more axles on which is permanently mounted a corn sheller, feed grinder, back hoe, crane, well-drilling machine, or other similar equipment and the use of which on the public highways of this state is only for transporting the special equipment to and from the site of operation;

~~C. all commercial motor vehicles operated by this state, any subdivision thereof, the United States, or any agency of two or more states or of states and the United States in which this state participates, or to any school bus as defined by the laws of this state operated by, for, or on behalf of a state or any subdivision thereof;~~

~~D. all motor vehicles which bear base license plates issued by the state of Minnesota or by states with which Minnesota has reciprocal agreements relating to motor fuel taxes. The commissioner of public safety will be furnished a list of such states and notified of any new agreements entered into or any cancellation of agreements now in existence.~~

Subp. 3. [See repealer.]

Subp. 4. **Reports of motor carriers and payment of tax.** All motor carriers are required to file a road tax report each calendar quarter. The motor carrier's report shall be for a ~~complete three-month period and is due to be filed by the last day of April, July, October, and January.~~ The report shall be on a form prescribed and furnished by the commissioner of revenue. All reports must be accompanied by a remittance for the full amount of the tax shown to be due on the report. If no travel takes place in Minnesota during any quarter, a report must still be filed, with the word "None" written in the appropriate column on line 4 of the return. The person who is responsible for the payment of the motor fuel used in the vehicle is liable for the filing of the report whether the vehicle is owned or leased by him.

Subp. 5. **Annual affidavit instead of quarterly report return.** The commissioner may exempt from the quarterly reporting requirements those motor carriers all or substantially all of whose mileage is within the state of Minnesota and require in such instances an annual affidavit attesting to the intrastate or substantially intrastate character of their operations provided that the enforcement of this law is not adversely affected thereby and that the commissioner is satisfied that an equitable amount of motor fuel is purchased in Minnesota by such carriers. The affidavit shall be on a form prescribed and furnished by the commissioner. If a motor carrier has a road tax liability of less than \$1,000 in a base year, the motor carrier, for the qualifying year, may elect to file an annual return and make an annual payment of the tax due, and is thereafter relieved from filing quarterly returns and making quarterly payments under Minnesota Statutes, section 296.17, subdivision 11. The annual return and payment are due on or before the last day of January of the calendar year following the calendar year the road tax liability accrued. The Department of Revenue, applying the criteria of this subpart, will annually determine which motor carriers are eligible to file an annual return and notify those motor carriers who qualify. Motor carriers who have not filed all road tax returns and paid all road tax due for the base year are not eligible to file an annual return. Only those motor carriers so notified by the Department of Revenue are eligible to elect to file an annual return. At the time of notification, eligible motor carriers may still elect to file returns and make payments quarterly. Motor carriers who make an election are required to make all returns and payments required by Minnesota Statutes, section 296.17, in the calendar year for which the election was made, and are subject to all applicable penalties. Motor carriers who elect to file annually may file refund claims annually, but not quarterly.

"Base year" means the most recent period of four consecutive quarters for which the Department of Revenue has compiled data on all motor carriers road tax for that period. The first base year is the four-consecutive quarter period beginning October 1990 and ending September 1991.

"Qualifying year" means the calendar year for which the Department of Revenue notifies the motor carrier that it is eligible to file an annual return. The first qualifying year is the 1992 calendar year.

Subp. 6. **Records and invoices.** An accurate record must be kept by all motor carriers of the following:

- A. the miles traveled within and without Minnesota;
- B. the miles traveled in Minnesota;
- C. the number of gallons of fuel used in the entire operation within and without Minnesota; and
- D. the number of gallons of retail and bulk fuel purchased in Minnesota.

[For text of subp 7, see M.R.]

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Proposed Rules

Subp. 8. [See repealer.]

[For text of subps 9 and 10, see M.R.]

REPEALER. *Minnesota Rules*, parts 8125.0300, subparts 2, 3, 4, and 6; 8125.0600, subpart 3; 8125.0700, subparts 1, 5, 6, and 9; 8125.0800; and 8125.1400, subparts 1, 3, and 8, are repealed.

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 Human Services

Adopted Permanent Rules Relating to Health Care Programs

The rules proposed and published at *State Register*, Volume 16, Number 22, pages 1258-1265, November 25, 1991 (16 SR 1258), are adopted with the following modifications:

Rules as Adopted

9505.1718 SCREENING STANDARDS FOR AN EPSDT CLINIC.

Subp. 13. **Laboratory tests.** Laboratory tests must be done according to items A to F.

B. A child aged one to five years must initially be screened for lead through the use of either an erythrocyte protoporphyrin (EP) test or a direct blood lead screening test until December 31, 1992. Beginning January 1, 1993, a child age one to five must initially be screened using a direct blood lead screening test. Either capillary or venous blood may be used as the specimen for the direct blood lead test. Blood tests must be performed at a minimum of once at 12 months of age and once at 24 months of age or whenever the history indicates that there are risk factors for lead poisoning. When the result of the EP or capillary blood test is greater than the maximum allowable level set by the Centers for Disease Control of the United States Public Health Service, the child must be referred for a venous blood lead test. A child with a venous blood lead level greater than the maximum allowable level set by the Centers for Disease Control must be referred for diagnosis and treatment.

Subp. 15. **Schedule of age related screening standards.** An early and periodic screening, diagnosis, and treatment screening for a child at a specific age must include, at a minimum, the screening requirements of subparts 2 to 14 as provided by the following schedule:

Schedule of age related screening standards

B. Early Childhood:

Standards	Age				
	15 months	18 months	24 months	3 years	4 years
Health History	X	X	X	X	X
Assessment of Physical Growth:					
Height	X	X	X	X	X
Weight	X	X	X	X	X
Head Circumference	X	X	X	X	X
Physical Examination	X	X	X	X	X
Vision	X	X	X	X	X
Hearing	X	X	X	X	X
Blood Pressure				X	X

Adopted Rules

Standards	Age				
	15 months	18 months	24 months	3 years	4 years
Development	X	X	X	X	X
Health Education/Counseling	X	X	X	X	X
Sexual Development	X	X	X	X	X
Nutrition	X	X	X	X	X
Immunizations/Review	X	X	X	X	X
Laboratory Tests:					
Tuberculin			if history indicates		
Lead Absorption	X	X	X	X	X
	<u>if history indicates</u>			<u>if history indicates</u>	
Urinalysis	←	←	X	←	←
Bacteriuria (females)					X
Hematocrit or Hemoglobin	←	←	←	←	←
Sickle Cell			at parent's or child's request as indicated		
Other Laboratory Tests					
Oral Examination	X	X	X	X	X

X = Procedure to be completed.
 ← = Procedure to be completed if not done at the previous visit, or on the first visit.

C. Late childhood:

Standards	Ages				
	5 years	6 years	8 years	10 years	12 years
Health History	X	X	X	X	X
Assessment of Physical Growth:					
Height	X	X	X	X	X
Weight	X	X	X	X	X
Physical Examination	X	X	X	X	X
Vision	X	X	X	X	X
Hearing	X	X	X	X	X
Blood Pressure	X	X	X	X	X
Development	X	X	X	X	X
Health Education/Counseling	X	X	X	X	X
Sexual Development	X	X	X	X	X
Nutrition	X	X	X	X	X
Immunizations/Review	X	X	X	X	X
Laboratory Tests:					
Tuberculin			if history indicates		
Lead Absorption	X		if history indicates		
Urinalysis	←	←	X	←	←
Bacteriuria (females)	←	←	X	←	←
Hemoglobin or Hematocrit	←	←	X	←	

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Adopted Rules

Standards

	Ages				
	5 years	6 years	8 years	10 years	12 years
Sickle Cell Other Laboratory Tests			at parent's or child's request as indicated		
Oral Examination	X	X	X	X	X

X = Procedure to be completed.

← = Procedure to be completed if not done at the previous visit, or on the first visit.

Department of Labor and Industry

Adopted Permanent Rules Relating to the Rehabilitation of Persons with Work-Related Injuries

The rules proposed and published at *State Register*, Volume 16, Number 15, pages 805-830, October 7, 1991 (15 SR 805), are adopted with the following modifications:

Rules as Adopted

5220.0110 REHABILITATION CONSULTATION; CLAIM SCREENING CONSULTATION.

~~Subp. 5. **Penalties.** The commissioner or compensation judge may assess a penalty of \$300 against an insurer who fails to provide a rehabilitation consultation to an employee who meets any of the criteria in subpart 2. The insurer may object to the penalty as provided in *Minnesota Statutes*, section 176.84 and part 5220.2870.~~

5220.0120 WAIVER OF ELIGIBILITY CONSULTATION AND REHABILITATION SERVICES.

Subp. 5. **Renewal of waiver.** If the employee does not return to work during the waiver period, the insurer shall, at the expiration of the waiver period, make a new determination and file another claim screening consultation report referring the employee for an eligibility consultation or requesting renewal of the waiver. The approval of a renewal of waiver requires a showing of the existence of one of the criteria in subpart 2. The commissioner may permit a waiver for periods longer than 60 days if good cause is shown the criteria in subpart 2 will exist for a period longer than 60 days.

5220.0130 REHABILITATION CONSULTATION; ELIGIBILITY CONSULTATION.

~~Subp. 4. **Penalty.** The commissioner or compensation judge may assess a penalty of \$300 against an insurer who fails to provide a rehabilitation eligibility consultation to an employee who meets the criteria in part 5220.0130, subpart 2, unless the commissioner or a compensation judge determines the eligibility consultation is not required. The insurer may object to the penalty as provided in *Minnesota Statutes*, section 176.84, and part 5220.2870.~~

5220.0410 REHABILITATION PLAN.

Subp. 6. **Plan approval.** A rehabilitation plan that all parties have signed is deemed approved by the commissioner upon filing.

If a party fails to sign the plan or fails to file a rehabilitation request for assistance objecting to the proposed plan within the 21 days specified in subpart 4, item B, it shall be presumed that the party is in substantial agreement with the plan's vocational objective and the services that are proposed. In this event the plan, with evidence of the date it was sent to each party, shall be filed with the department by the assigned qualified rehabilitation consultant and, upon receipt, the plan will be deemed approved. A party's failure to sign a plan shall not constitute a waiver of any right to subsequently dispute the plan or to dispute payment of rehabilitation fees relative to the plan.

~~The commissioner may at any time request additional information, confer with the parties, recommend modifications, and otherwise seek agreement about the plan. The commissioner may approve or modify the plan, schedule an administrative conference, or refer the matter to a compensation judge to approve or modify the plan. In reviewing rehabilitation plans pursuant to *Minnesota Statutes*, section 176.102, subdivision 6, the commissioner shall notify all interested parties of the nature of any additional information necessary for the review, any recommended modifications to the plan, and any decision approving, modifying, or rejecting a plan.~~

If the commissioner refers issues relating to a plan to a compensation judge or an administrative conference pursuant to *Minnesota Statutes*, section 176.106, all parties shall be notified of that action and of all applicable related procedures.

Commencement of a plan without objection from the commissioner shall not constitute a waiver or an estoppel of the commissioner's or compensation judge's authority over the plan.

5220.0510 PLAN AMENDMENT AND CLOSURE.

Subp. 4. **Amendment by commissioner.** At the discretion of the commissioner, the commissioner may amend the rehabilitation

plan pursuant to *Minnesota Statutes*, sections 176.102 and 176.106, and the rules that implement those sections. If a plan is modified for good cause pursuant to *Minnesota Statutes*, section 176.102, subdivision 8, or as a result of an administrative conference pursuant to *Minnesota Statutes*, section 176.106, the commissioner shall notify all interested parties of the modification and the reasons for the modification.

Subp. 6. **Commissioner's authority to initiate closure.** The commissioner may initiate and order closure of rehabilitation services for good cause after notice to the parties of the proposed closure and after an opportunity for interested parties to submit information. The submission may be written or at an in-person meeting at the discretion of the commissioner. If the commissioner initiates the termination of rehabilitation services pursuant to *Minnesota Statutes*, section 176.102, subdivision 6, or through an administrative conference pursuant to *Minnesota Statutes*, section 176.106, all interested parties shall be provided written notice of the proposed decision and an opportunity to be heard either in person or through the submission of written information.

5220.0710 EMPLOYEE CHOICE OF QUALIFIED REHABILITATION CONSULTANT; CHANGE OF QUALIFIED REHABILITATION CONSULTANT.

Subp. 4. **Penalty.** A frivolous objection to or interference with the employee's choice of assigned qualified rehabilitation consultant under subpart 1 and *Minnesota Statutes*, section 176.102, subdivision 4, may subject the insurer to penalties under part 5220.2780, or a qualified rehabilitation consultant to disciplinary action pursuant to *Minnesota Statutes*, section 176.102, subdivisions 3 and 3a.

~~Subp. 5. **Employee residing or moving out of Minnesota.** Qualified employees who reside outside of or who move out of Minnesota may receive services from a rehabilitation professional qualified under that jurisdiction's workers' compensation law to provide rehabilitation services. This subpart does not require the assignment of another rehabilitation professional if the services can be reasonably furnished by a rehabilitation provider registered in Minnesota. When services are provided outside of Minnesota by a rehabilitation professional qualified in that jurisdiction, an assigned qualified rehabilitation consultant in Minnesota shall monitor the provision of services, taking reasonable care to ensure that services are rendered according to Minnesota workers' compensation law and rules.~~

Subp. 6- 5. **Change of consultant not an exercise of choice by employee.** A change of assigned qualified rehabilitation consultant necessitated by circumstances outside the control of the employee is not a choice by the employee and does not exhaust the employee's right to choice. Such circumstances include, but are not limited to, the assigned qualified rehabilitation consultant leaving practice or the extended illness of the assigned qualified rehabilitation consultant. Disputes about changes shall be resolved according to subpart 3.

5220.0850 ON-THE-JOB TRAINING.

Subp. 2. **Plan submission.** A proposed on-the-job training plan shall be filed on a form prescribed by the commissioner and must contain ~~substantially~~ the following:

Subp. 4. **On-the-job training plan approval.** When an on-the-job training plan is submitted to the commissioner, the commissioner shall review the proposed plan within 30 days of its submission and notify the parties of plan approval or rejection. ~~The commissioner may also request additional information from any of the parties, confer with the parties, recommend modifications, and otherwise seek agreement about the plan approval process shall be subject to the procedures under part 5220.0410, subpart 6.~~ The commissioner may make a determination or pursue resolution of questions regarding the plan consistent with part 5220.0950, subpart 3.

5220.0950 DISPUTES.

Subpart 1. **Request for assistance.** Where issues exist about an employee's entitlement to rehabilitation services, the appropriateness of a proposed plan, or any other dispute about rehabilitation, a party may request assistance to resolve the disputed issues by filing a form prescribed by the commissioner. The form with all its attachments must be served on all parties and be filed with the commissioner. The form must contain ~~substantially~~ the following:

Subp. 2. **Action by commissioner.** ~~If the commissioner may refer the~~ refers a dispute to a compensation judge, or, based on the written ~~submissions~~ submission of the parties, ~~determine~~ determines the issue dispute or ~~schedule~~ schedules an administrative conference ~~prior to a determination.~~ The commissioner may request that the determine the dispute, all parties shall be served with written notice of that action.

The commissioner may require the parties to meet and confer informally before prior to a scheduled administrative conference if the facts and issues involved show that a meeting would facilitate resolution of the dispute.

~~The commissioner may order reasonable medical examinations and rehabilitation evaluations at the expense of the insurer before a determination.~~

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Adopted Rules

When the commissioner or compensation judge makes a determination on the issues in dispute, copies shall be served on the parties. No determination will be made by the commissioner under *Minnesota Statutes*, section 176.106, with respect to rehabilitation entitlement if primary liability has been denied.

Subp. 3. ~~Commissioner discretion to initiate~~ **Commissioner's initiation of dispute resolution.** ~~If the commissioner may independently determine~~ determines that issues exist ~~about~~ regarding an employee's entitlement to rehabilitation, ~~or the appropriateness of a proposed plan, or any other disputes involving rehabilitation.~~ ~~The commissioner may initiate the dispute resolution process under subpart 2 by serving notice on the parties of the rehabilitation issues to be resolved~~ otherwise initiates proceedings before a compensation judge or through an administrative conference, written notice of the issues in dispute shall be served upon the parties.

Subp. 4. **Formal hearing.** A party that disagrees with a decision of the commissioner under *Minnesota Statutes*, section 176.106, may request a formal hearing pursuant to part 5220.1010. The request for hearing will be referred to the Office of Administrative Hearings pursuant to *Minnesota Statutes*, section 176.106, subdivision 7.

5220.1200 REHABILITATION SERVICES, SETTLEMENT AGREEMENTS.

~~An employee's right to rehabilitation services shall not be subject to compromise and shall not be convertible into cash or other benefits by settlement and release agreement or otherwise. When Rehabilitation services pursuant to an approved rehabilitation plan are mandatory for qualified employees. However, if a good faith dispute exists, however, the possible right regarding entitlement to rehabilitation services, that dispute may be converted into cash by settlement agreement between the parties pursuant to *Minnesota Statutes*, section 176.521. Any settlement agreement purporting to compromise all rehabilitation services must be approved by the commissioner, a compensation judge, or the workers' compensation court of appeals.~~

5220.1400 QUALIFYING CRITERIA FOR REHABILITATION CONSULTANT.

Subp. 3. **Qualified rehabilitation consultant intern.** The purpose of internship is to provide a supportive, structured period of professional supervision and case review following registration. An individual who meets the requirements of subpart 2, item A or B may be registered as a qualified rehabilitation consultant intern. An individual who meets the requirements of subpart 2, item A or B, except that two years or less of internship or experience remains as a requirement for certification, may be registered as a qualified rehabilitation consultant intern. A qualified rehabilitation consultant intern must complete an introductory training session sponsored by the department within six months of approval of registration. A qualified rehabilitation consultant intern shall not be a solo practitioner. When the intern is registered, the intern's employer shall provide the commissioner with the name of the qualified rehabilitation consultant under whose direct supervision the intern will work, and shall submit a plan of supervision on forms prescribed by the commissioner. Direct supervision means that the supervisor is directly responsible for the rehabilitation work on any case, and for monitoring progress toward the certification required by this subpart. The intern supervisor need not maintain an office at the same location as the intern. The supervisor shall cosign all written work being done by the intern. There shall be no billing by the supervisor for these supervisory duties. The supervisor shall attend all administrative conferences with the intern and shall arrange for training as required by the commissioner. The intern shall be designated as an "intern" on all documents bearing the name of the intern.

~~Substantiated complaints about professional activities or services, or The failure to comply with laws, rules, or orders under the standards of performance and professional conduct contained in parts 5220.1800 and 5220.1801 or the violation of any of the provisions of *Minnesota Statutes*, chapter 176, ~~are~~ *Minnesota Rules*, parts 5220.0100 to 5220.1910, or orders issued under the statutes or rules constitute grounds for denial of registration as a qualified rehabilitation consultant under *Minnesota Statutes*, section 176.102, subdivision 3, discipline under *Minnesota Statutes*, section 176.102, subdivisions 3 and subdivision 3a, or delay of completion of internship. The intern may appeal the decision of the commissioner denying registration as provided in part 5220.1500, subpart 2.~~

In cases where an intern has been supervised by a qualified rehabilitation consultant who leaves the organization with which the intern has been employed and no other qualified rehabilitation consultant is available to supervise the intern, the intern may, with the prior written approval of the commissioner, sign all required documents in the capacity of a qualified rehabilitation consultant for a period of time deemed appropriate by the commissioner. Past performance and overall experience shall be taken into consideration for this approval.

5220.1500 PROCEDURE FOR REGISTRATION AS QUALIFIED REHABILITATION CONSULTANT.

Subp. 2. **Appeal process.** The appeal process provides a mechanism for applicants to request reconsideration of a decision and order denying registration or renewal of registration.

A written notice of appeal shall be filed with the commissioner within 30 days of filing and service of the order. If the appeal is for denial of renewal of registration, the filing will stay the effect of the denial until final disposition.

The appeal shall be referred to the rehabilitation review panel according to *Minnesota Statutes*, section 176.102, subdivision 3.

Subp. 3. **Registration number and renewal.** The commissioner shall assign a registration number to each registered rehabilitation provider.

Registration must be renewed annually. A rehabilitation provider shall request renewal on a form prescribed by the commissioner. Application for renewal is due 60 days before expiration of registration, accompanied by the appropriate registration fee. Registration renewal applications that are not complete, are not accompanied by the registration renewal fee, or are not accompanied by documentation of certification or satisfactory documentation of continuing education will be returned to the applicant for completion. Completed registration renewal applications received later than the due date shall be assessed a \$25 late fee. Registration renewal applications received more than 30 days after the due date shall be assessed an additional \$10 per day late fee for each day after the request is 30 days late. No late fee in excess of \$125 may be assessed.

Substantiated complaints about activities or services, or failure to comply with laws, rules, or orders under *Minnesota Statutes*, chapter 176, are grounds for denial of renewal of registration as a qualified rehabilitation consultant under *Minnesota Statutes*, section 176.102, subdivision 3, discipline under *Minnesota Statutes*, section 176.102, ~~subdivisions 3 and subdivision 3a~~, or delay of completion of internship. The decision of the commissioner may be appealed as provided in subpart 2. “Substantiated complaints about activities or services” for purposes of denial of renewal of registration means there has been a stipulation or order of discipline.

Service and fee schedules shall be filed with the commissioner whenever there is a change and no less than once each calendar year at the time of renewal of registration. This filing shall not constitute an approval or disapproval of the services and fees.

Subp. 6. **Revocation.** The revocation process shall be conducted as provided in *Minnesota Statutes*, section 176.102, ~~subdivisions 3 and subdivision 3a~~.

5220.1600 PROCEDURE FOR APPROVAL AS QUALIFIED REHABILITATION CONSULTANT FIRM.

Subp. 5. **Revocation.** The revocation process shall be conducted as provided in *Minnesota Statutes*, section 176.102, ~~subdivisions 3 and subdivision 3a~~.

5220.1700 PROCEDURE FOR APPROVAL AS REGISTERED REHABILITATION VENDOR.

Subp. 4. **Revocation.** The revocation process herein shall be conducted as provided in *Minnesota Statutes*, section 176.102, ~~subdivisions 3 and subdivision 3a~~.

5220.1801 PROFESSIONAL CONDUCT.

Subpart 1. **Prompt provision of service and assessment of progress.** The assigned qualified rehabilitation consultant and any registered rehabilitation vendor providing services under a plan shall provide prompt and necessary rehabilitation services to assist a qualified employee to return to suitable gainful employment. The qualified rehabilitation consultant shall periodically assess progress toward plan objectives ~~on a basis agreed upon among the parties and as required by the commissioner.~~

Subp. 5. **Evaluation of employee by other than assigned qualified rehabilitation consultant.** Except as provided in subpart 7 ~~and in *Minnesota Statutes*, section 176.102, subdivision 13 as ordered~~, a rehabilitation provider is prohibited from performing an independent evaluation of an employee at any time unless ~~a hearing has been scheduled before a compensation judge litigation pursuant to part 1415.0100, is pending. If a hearing has been scheduled before a compensation judge at the office of administrative hearings that litigation is pending~~, a qualified rehabilitation consultant who is not the assigned qualified rehabilitation consultant may perform an evaluation of the employee at the request of one of the parties solely for the purpose of the proceeding.

5220.1802 COMMUNICATIONS.

Subp. 5. **Data privacy.** A rehabilitation provider must comply with *Minnesota Statutes*, chapters 175 and 176, ~~the rules adopted under those chapters, *Code of Federal Regulations*, title 42, part 2, *Minnesota Statutes*, sections 129A.05; 144.335; 144.651; 147.091; 181.954; 181.960; 268A.05; 363.03, subdivision 1a; and 595.02, as applicable~~, and all other applicable data privacy laws.

5220.1803 RESPONSIBILITIES.

Subp. 5. **Reporting requirements.** The assigned qualified rehabilitation consultant shall file with the commissioner, by attaching to all rehabilitation plans, an initial evaluation narrative report about the employee that includes the following information in summary fashion: medical status, vocational history, educational history, social history, relevant economic factors, transferable skills, employment barriers, and recommendations. The qualified rehabilitation consultant shall file additional progress summaries, if requested by the commissioner.

The assigned qualified rehabilitation consultant shall periodically report progress and case activity in writing to the parties at reasonable intervals or as requested by the parties.

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Adopted Rules

The rehabilitation provider registration number assigned by the commissioner shall be on all reports submitted by the rehabilitation provider.

The assigned qualified rehabilitation consultant shall maintain individual employee files containing required rehabilitation reports and required progress records about an employee's case and shall provide copies to the commissioner, a compensation judge, or the parties at their request or as required by rule. ~~Files must be maintained by the qualified rehabilitation consultant firm for five years from the date of file closure.~~ For the purpose of Minnesota Statutes, chapter 176, and parts 5220.0100 to 5220.1910, individual employee files containing all required rehabilitation reports and required progress records must be maintained by the qualified rehabilitation consultant firm for five years from the date of file closure. This requirement is in addition to and does not otherwise change or alter any other data retention time period required by law.

The assigned qualified rehabilitation consultant must provide the commissioner with any other requested pertinent information about a qualified employee's rehabilitation for purposes of rehabilitation monitoring by the department.

5220.1806 DISCIPLINARY ACTION.

Subpart 1. **Discipline.** A rehabilitation provider is subject to disciplinary action, including a fine as provided by statute, suspension, and revocation of registration. ~~Discipline shall be based on substantiated complaints about activities or or that violate laws, rules, or orders under Minnesota Statutes, chapter 176. Failure to comply with the standards of performance and professional conduct contained in parts 5220.1800 and 5220.1801 or the violation of any of the provisions of Minnesota Statutes, chapter 176, Minnesota Rules, parts 5220.0100 to 5220.1910, or orders issued under the statutes or rules constitute grounds for discipline.~~

Subp. 2. **Complaints.** ~~For the purpose of determining compliance with laws, rules, or orders,~~ The commissioner ~~may~~ shall review the activities of rehabilitation providers. Complaints about activities or services of rehabilitation providers relating to noncompliance with laws, rules, or orders shall be made in writing to the commissioner. A complaint may be submitted by any party who becomes aware of a violation, including designees of the commissioner, administrative law judges, and presiding officials at judicial proceedings.

If a rehabilitation provider violates *Minnesota Statutes*, chapter 176, or the rules adopted thereunder, a rehabilitation provider having knowledge of the violation must so advise the commissioner.

Subp. 3. **Review and investigation.** The commissioner shall ~~review~~ investigate all complaints to determine ~~if the complaint alleges whether there has been a violation of the workers' compensation laws act, rules, or orders as alleged.~~ If the commissioner may dismiss complaints or refer a matter is outside the department's jurisdiction of the commissioner, the commissioner may refer the matter to a forum or agency that has jurisdiction. The complaining party shall be notified of a dismissal or referral. The commissioner may elect to resolve a complaint through the informal instruction of a provider.

If an investigation indicates ~~a violation of the workers' compensation act, rules, or orders that discipline is warranted,~~ the commissioner ~~may~~ shall begin a contested case for disciplinary action under *Minnesota Statutes*, section 176.102, subdivision 3a, and the Minnesota Administrative Procedure Act. The report of the administrative law judge shall be made to the rehabilitation review panel which shall make the determination on disciplinary action.

If the commissioner determines that discipline is not warranted, but if the facts and issues involved warrant instruction of the provider, the commissioner shall issue the instruction in writing. The commissioner shall notify the complaining party of the disposition of the case.

5220.1900 REHABILITATION SERVICE FEES AND COSTS.

Subpart 1. **Monitoring.** The insurer has the primary responsibility for monitoring and paying the cost of necessary rehabilitation services provided.

The commissioner shall monitor rehabilitation services and costs and shall also conduct periodic audits of costs, services, case outcomes, and compliance with reporting and record keeping requirements. The insurer and the rehabilitation provider shall furnish the commissioner with itemized listings of case services and costs upon request. ~~The commissioner may require uniform billing on a prescribed form and may contact parties to discuss services and costs. Invoices and itemized billings for rehabilitation services shall be provided to the commissioner upon request.~~

Subp. 1a. Billing. All rehabilitation provider billings shall be on the uniform billing form prescribed by the commissioner.

EFFECTIVE DATE. *Minnesota Rules*, parts 5220.0105, 5220.0110, 5220.0120, 5220.0130, 5220.0410, 5220.0510, 5220.0710, 5220.0750, 5220.0850, 5220.0950, 5220.1010, 5220.1250, 5220.1806, and the amendments to parts 5220.0100, 5220.1100, 5220.1200, 5220.1400, 5220.1500, 5220.1600, 5220.1700, 5220.1800, 5220.1801, 5220.1802, 5220.1803, 5220.1805, 5220.1900, 5220.1910, 5220.2650, and 5220.2780 are effective ~~January 2~~ July 1, 1992.

Minnesota Rules, part 5220.1900, subpart 1a, is effective January 4, 1993.

REPEALER. *Minnesota Rules*, parts 5220.0100, subparts 6, 7, 8, 10a, 11, 14, and 15; 5220.0210; 5220.0300; 5220.0400; 5220.0500; 5220.0600; 5220.0700; 5220.0800; 5220.0900; 5220.1000; 5220.1300; 5220.1801, subparts 3 and 4; 5220.1802, subparts 6, 7, 8, and 9; 5220.1803, subparts 3 and 4; and 5220.1900, subparts 3, 4, 5, and 6, are repealed July 1, 1992.

Commissioners' Orders

Department of Natural Resources

Commissioner's Order No. 2438: Regulations for the Taking and Possession of Certain Species of Fish in Inland Waters; Superseding Commissioner's Orders Nos. 2410 and 2433

PURSUANT TO AUTHORITY VESTED in me by *Minnesota Statutes* §§ 97A.045, 97C.395, 97C.401 and other applicable law, I, Rodney W. Sando, 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 unless otherwise noted. Whenever the closing date of a season prescribed herein falls on a Saturday, the season shall extend through the following day.

Species and Open Season

(a) Largemouth and smallmouth 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 up to but not including the third Monday in February. In all other waters, Saturday nearest May 29 up to but not including the third Monday in February.

(b) Trout, including brook, brown and rainbow trout, and splake but not including lake trout.

(1) All streams and rivers from Lake Superior upstream to the posted boundaries including the St. Louis River upstream to the Minnesota-Wisconsin boundary cable, and Lake Superior tributaries with no posted boundaries are open continuously. Except in the Pigeon River in Cook County and the St. Louis River in St. Louis and Carlton Counties, a single hook only shall be used for angling.

(2) In all streams of Lake Superior watershed in St. Louis, Lake, Carlton, and Cook Counties above the posted boundaries and their tributaries, except the St. Louis River upstream of the Minnesota-Wisconsin boundary cable (noted in 1 above), Saturday nearest April 15 through September 30.

(3) Fishing will only be allowed from June 1 through August 31 in the following posted sanctuaries: entire length of Gauthier Creek which is a tributary to the Brule (Arrowhead) River; in the Devil Track River from 1.1 to 1.6 miles above the mouth; in Kadunce Creek from 0.2 to 0.4 miles above the mouth; in the Little Knife River from the weir upstream to the source, and in between the two cabled areas on the Knife River in Lake County. Fishing will only be allowed from May 15 through September 30 in that portion of the Knife River and tributaries lying upstream from County Road 9, Sections 4 and 5, Township 52, Range 11. In the St. Louis River from the Fond du Lac Dam downstream for one-half mile to the Minnesota-Wisconsin boundary cable no fishing is allowed at any time. All areas will be posted no fishing.

Daily & Possession Limits

6

(In aggregate.)

5

(In aggregate. Not more than 3 may be over 16 inches in length except the bag limit for rainbow trout (including steelhead) is 3, only 1 of which can be unclipped. Minimum size limit for unclipped rainbow trout is 28 inches and minimum size limit for clipped rainbow trout is 16 inches. Clipped rainbow trout have their adipose fin removed and must show a healed scar. Minimum 10 inch length limit for all species other than rainbow trout.)

10

(In aggregate. Not more than 1 may be over 16 inches. Not more than 5 in aggregate may be brown trout. The minimum size for rainbow trout is 16 inches.)

5

(In aggregate. Not more than 3 may be over 16 inches in length except the bag limit for rainbow trout (including steelhead) is 3, only 1 of which can be unclipped. Minimum size limit for unclipped rainbow trout is 28 inches and minimum size limit for clipped rainbow trout is 16 inches. Clipped rainbow trout have their adipose fin removed and must show a healed scar. Minimum 10 inch length limit for all species other than rainbow trout.)

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.

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Species and Open Season

Daily & Possession Limits

(4) In all other streams of the state (not listed in 1 or 2 above) including the St. Louis River above the Fond du Lac Dam: South of U.S. Highway 12, 10 a.m. on Saturday nearest April 15 through September 30; North of U.S. Highway 12, Saturday nearest April 15 through September 30.

5

(In aggregate. Not more than 1 may be 16 inches in length or over. No minimum length.)

(5) In lakes only: statewide from Saturday two weeks prior to Saturday of Memorial Day weekend through October 31. In addition: on all lakes entirely within the Boundary Waters Canoe Area Wilderness except Ram Lake, from Saturday nearest January 1 through March 31; and on all lakes entirely or partly outside the Boundary Waters Canoe Area Wilderness and exceptions from Saturday nearest January 15 through March 15 (stream trout lakes lying partly outside the Boundary Waters Canoe Area Wilderness and exceptions 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 through March 15.

5

(In aggregate. Except not more than 3 may be 16 inches in length or over.)

(c) Lake trout. Statewide from Saturday two weeks prior to Saturday of Memorial Day weekend through 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 through March 31; on all waters lying entirely or partly outside the Boundary Waters Canoe Area Wilderness and exceptions from Saturday nearest January 15 through 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 through September 30.

3

(d) Salmon, including chinook, coho, pink, and Atlantic salmon. Continuous in all waters, except season for Atlantic salmon in inland lakes is the Saturday two weeks prior to Saturday of Memorial Day weekend through October 31 and Saturday nearest January 15 through March 15.

10

(In aggregate, not more than 1 may be Atlantic salmon, minimum size is 10 inches in length.)

(e) Walleye and sauger. In all waters from Saturday two weeks prior to Saturday of Memorial Day weekend up to but not including the third Monday in February.

6

(In aggregate.)

(f) Northern pike. In all waters from Saturday two weeks prior to Saturday of Memorial Day weekend up to but not including the third Monday in February.

3

(g) Muskellunge (including hybrid). In all waters from the first Saturday in June up to but not including the third Monday in February. Minimum size limit: 36 inches in length, except on Shoepac Lake, St. Louis County, where 30 inch minimum size limit applies. Beginning March 1, 1993, the minimum size limit will be 40 inches in length, except on Shoepac Lake, St. Louis County, where 30 inch minimum size limit will apply.

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

Commissioners' Orders

Species and Open Season

(l) Catfish. Continuous in all waters.

(m) Perch. Continuous in all waters.

(n) Bullheads. Continuous in all waters.

(o) Sturgeon. May be taken in tributaries of the St. Croix River only. First Saturday in September through October 15.

(p) Carp, bowfin, redbreast, sheepshead, suckers, burbot, gar, whitefish, goldeyes, tullibees, buffalo, smelt. Continuous in all waters.

Daily & Possession Limits

5

(With only 1 over 24 inches on tributaries to the Red River of the North.)

100

100

1 per season.
(Minimum length 50 inches.)

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 any time 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 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 consistent with the experimental or special regulations pertaining thereto.

Sec. 8. Commissioner's Orders Nos. 2410 and 2433 are hereby superseded.

Dated at St. Paul, Minnesota, this 12th day of May, 1992.

Rodney W. Sando, Commissioner
Department of Natural Resources

Department of Natural Resources

Commissioner's Order No. 2440: Regulations for the Importation, Transportation, and Stocking of Fish and Maintenance and Operation of Private Fish Hatcheries; Superseding Commissioner's Orders Nos. 2328 and 2329

PURSUANT TO AUTHORITY vested in me by *Minnesota Statute* § 97C.211 and other applicable law, I, Rodney W. Sando, Commissioner of Natural Resources, hereby prescribe the following regulations for the importation, transportation, and stocking of fish and maintenance and operation of private fish hatcheries.

Section 1. DEFINITIONS.

For purposes of this order, the following terms shall have the meanings given them in this section.

(a) Approved laboratory methods. "Approved laboratory methods" means methods described in the latest edition of the Procedures for the Detection and Identification of Certain Fish Pathogens published by the American Fisheries Society Fish Health Section known as the Fish Health Blue Book.

(b) Aquatic life. "Aquatic life" has the meaning given to "private aquatic life" in *Minnesota Statute* § 17.47, subd. 7, and for purposes of commercial transactions, aquatic life is livestock.

Commissioners' Orders

(c) Certifiable diseases. "Certifiable diseases" include channel catfish virus, bacterial kidney disease, bacterial furunculosis, enteric redmouth disease, enteric septicemia of catfish, infectious hematopoietic necrosis virus, infectious pancreatic necrosis virus, whirling disease, proliferative kidney disease, viral hemorrhagic septicemia virus, ceratomyxosis, epizootic epitheliotropic virus, and any emergency disease.

(d) Commissioner. "Commissioner" means the commissioner of natural resources.

(e) Containment facility. "Containment facility" means a licensed facility for salmonids or catfish that complies with clauses (1), (3), and (4), or clauses (2), (3), and (4):

- (1) disinfects its effluent to the standards in Sec. 9 before the effluent is discharged to public waters;
- (2) does not discharge to public waters or to waters of the state directly connected to public waters;
- (3) raises aquatic life for food consumption only;
- (4) contains aquatic life requiring a fish health inspection prior to transportation.

(f) Emergency fish disease. "Emergency fish disease" means designated fish diseases not already present in Minnesota that could impact populations of aquatic life if inadvertently released by infected aquatic life, including viral hemorrhagic septicemia virus, infectious hematopoietic necrosis virus, infectious pancreatic necrosis virus, whirling disease, ceratomyxosis, proliferative kidney disease, channel catfish virus, epizootic epitheliotropic virus disease, or any other disease listed in a rule or published by the commissioner in the *State Register* on an emergency basis to be effective for not more than 240 days.

(g) Enzootic. "Enzootic" means a disease that is known to occur within well-defined geographic boundaries.

(h) Fish Health Blue Book. "Fish Health Blue Book" means the current standardized set of procedures and guidelines established and published by the American Fisheries Society Fish Health Section for the detection and isolation of fish pathogens.

(i) Fish health inspection. "Fish health inspection" means an on-site statistically based sampling in accordance with procedures set forth in the Fish Health Blue Book for all lots of fish in a facility.

(j) Fish health inspector. "Fish health inspector" means an individual certified as a fish health inspector by the American Fisheries Society or a state, federal, or provincial resource management agency, except that a certification may not be made by an inspector who has a conflict of interest in connection with the outcome of the certification.

(k) Game fish. "Game fish" is defined under *Minnesota Statute* § 97A.015, subd. 25, except that green or orange spotted sunfish are not considered game fish for purposes of determining fish of significant public value.

(l) Intensive culture. "Intensive culture" means the rearing of fish at densities greater than can be supported in the natural environment.

(m) Licensed facility. "Licensed facility" means a licensed private fish hatchery including all licensed waters.

(n) Lot. "Lot" means a group of fish of the same species and age that originated from the same discrete spawning population and that always have shared a common water supply. Various age groups of adult brood stock of the same species may comprise the same lot if they have shared the same containers for one brood cycle.

(o) Minnows. "Minnows" is defined under *Minnesota Statute* § 97A.015, subd. 29, except the 12-inch restriction on sucker minnows does not apply.

(p) Public waters. "Public waters" is defined under *Minnesota Statute* § 103G.005, subd. 15.

(q) Quarantine facility. "Quarantine facility" means a culture system that is enclosed in a building and is separated from other fish culture facilities where fish can be isolated and maintained while preventing their introduction and pathogen introduction into the environment.

(r) Standard facility. "Standard facility" means a licensed facility with a continual or intermittent discharge of effluent to public waters.

(s) Waters of the state. "Waters of the state" is defined under *Minnesota Statute* § 103G.005, subd. 17.

Sec. 2. FISH HATCHERY OPERATIONS.

(a) Acquisition and sale of private aquatic life. Aquatic life legally possessed may be bought, acquired, and sold by licensed facilities as provided in Secs. 1 to 12.

(b) Acquisition from state. The commissioner may sell aquatic life to licensed facilities at fair market value. Fair market value must be determined by the average market price charged in this state and contiguous states and provinces for similar quantities.

(c) Methods to harvest aquatic life. Licensed facilities may use all reasonable methods to operate and harvest aquatic life from licensed facilities, including nets.

(d) Discharge may require permit. The discharge from a private fish hatchery must comply with discharge permits required by the Minnesota pollution control agency.

(e) Ownership of aquatic life.

(1) Notwithstanding other provisions of law, aquatic life lawfully acquired and possessed by a licensed facility is private aquatic life and property of the owner of the licensed facility.

(2) Private aquatic life in public waters may become property of the state if the waters are not part of a licensed facility. The commissioner shall notify the licensee that the aquatic life in a facility that is no longer licensed will become property of the state if the aquatic life is not removed. If the licensee does not respond in writing within 30 days after receiving the notice and make alternative arrangements, or does not remove the aquatic life by 60 ice-free days after receiving the notice, the private aquatic life becomes property of the state.

(3) Private aquatic life that is transferred to the state or released into public waters that are not part of a licensed facility is owned by the state and may be considered wildlife.

(f) Control of licensed waters.

(1) If the public cannot legally access waters of the state that are part of a licensed private fish hatchery except by permission of the licensee, the use of the waters by the public is subject to restriction by the licensee.

(2) Waters of the state may not be licensed for aquaculture use to more than one licensee.

(g) Angling in licensed waters. A person may not take fish by angling from waters subject to clause (f) unless the person has written permission from the licensee, and:

(1) has an invoice when in possession of fish; or

(2) takes fish under an angling license, subject to the limits and conditions in the game and fish laws.

Sec. 3. FISH HATCHERY LICENSE.

(a) License required.

(1) A person or entity may not operate a private fish hatchery without first obtaining a private fish hatchery license from the commissioner.

(2) Applications for a private fish hatchery license must be made on forms provided by the commissioner.

(3) A license issued by the commissioner is not a determination of private property rights, but is only based on a determination that the private fish hatchery does not have a significant detrimental impact on the public resource.

(b) Listed waters.

(1) A private fish hatchery license must list:

(i) the specific waters of the state that may be used in connection with the licensed private fish hatchery and whether the hatchery is a standard, containment, or quarantine facility as defined by Section 1;

(ii) whether aeration requiring a permit is approved;

(iii) whether piscicide use is approved; and

(iv) those waters where non-indigenous species will be kept.

(2) The right to use waters licensed for private fish hatchery or aquatic farm purposes may be transferred between licensees with prior approval by the commissioner if requirements for species to be raised are met. Waters that are continually connected by a permanent watercourse to other waters must not be approved for private fish hatchery use, except that connected waters that are isolated from other waters may be licensed as a single water body. Waters that are intermittently connected or may become connected with other waters may be denied, or screening or other measures may be required to prevent passage of aquatic life. Listed waters may be changed on approval by the area fisheries supervisor or the commissioner.

(3) The commissioner shall conduct an inspection of waters to be licensed prior to approving or denying initial licensing of the waters.

(4) Waters containing game fish of significant public value may be denied licensing unless the applicant can demonstrate exclusive riparian control.

(5) Waters containing game fish of significant public value may be denied licensing unless the game fish of significant public value are sold to the licensee, removed for other state use by the department of natural resources, or disposed of as provided in writing by the commissioner.

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(6) Waters licensed under a private fish hatchery license may be aerated during open water periods without a separate aeration permit.

(c) Listed species.

(1) A private fish hatchery license must list the species of aquatic life approved for each licensed water. Listed species of aquatic life may be changed on written request to and approval by the commissioner. Species of aquatic life regulated under *Minnesota Statutes* chs. 97A, 97B, or 97C may not be cultured unless listed on the license.

(2) All waters licensed before July 1, 1992, under a private fish hatchery license must be approved for species listed under current licenses if other conditions for licensing are met.

(3) If licensed waters are located within a 25-year floodplain and are not enclosed within a building, species of aquatic life may be licensed at the discretion of the commissioner.

(4) Licensed waters located outside of a 25-year floodplain or enclosed within a building may be licensed for any species, except that the commissioner may deny licensing for species not present in the state.

(d) Inspections and enforcement. The premises, property, vehicles, private aquatic life, and equipment where private fish hatchery operations are being conducted are subject to inspection as provided by *Minnesota Statute* § 97A.215.

(e) Records.

(1) Licensees must keep complete, up-to-date records of the operation of the private fish hatchery. The records must be kept for at least three years.

(2) The records must be in English and include the following information:

(i) for each species acquired, the number and pounds of fish or eggs acquired, names and addresses of the sources from which acquired, and the dates of receipt;

(ii) for each species sold or disposed of, the number and pounds of fish sold or disposed of, the names and addresses of the purchasers or persons to whom the conveyances are made, and the dates of sale; and

(iii) for fish sperm or viable eggs, the amount acquired or sold, the names and addresses of the sources from which acquired, the purchasers to whom conveyed, and the dates of purchase or sale.

(3) On or before March 1 of each year, the licensee shall submit a complete annual report on a form furnished by the commissioner, covering the quantity of all species sold or purchased in the preceding license year.

(4) Records shall be subject to inspection by the commissioner during reasonable hours.

Sec. 4. TRANSPORTATION OF AQUATIC LIFE.

(a) Requirements for importation, transportation within the state, or stocking of fish. Except as provided in Sec. 4(c), a person may not import aquatic life into the state, transport aquatic life within the state, or stock waters of the state with aquatic life without first obtaining a bill of lading or transportation permit from the commissioner, with disease certification, if applicable.

(b) Bill of lading.

(1) A person may transport aquatic life except salmonids or catfish with a completed bill of lading for:

(i) intrastate transportation of aquatic life between licensed private fish hatcheries, aquatic farms, or aquarium facilities licensed for the same species and of the proper classification for the aquatic life; and

(ii) stocking of waters other than public waters.

(2) When aquatic life is transported between licensed private fish hatcheries, aquatic farms, or aquarium facilities, a copy of the bill of lading must be submitted to the regional fisheries manager:

(i) at least 72 hours before the transportation if species transported into a watershed are not found in it, or have their original source outside Minnesota and contiguous states; or

(ii) within 30 days in cases not covered by clause (1).

(3) A bill of lading is also required at least 72 hours before any transportation between licensed waters of the same licensee if species transported into a watershed are not found in it, or have their original source outside Minnesota and contiguous states.

(4) For transportation and stocking of waters that are not public waters:

(i) a bill of lading must be submitted to the regional fisheries manager 72 hours before transporting fish for stocking;

(ii) a bill of lading must be submitted to the regional fisheries manager by five days after stocking if the waters to be stocked are confirmed by telecopy or telephone prior to stocking by the regional fisheries office not to be public waters; or

(iii) a completed bill of lading may be submitted to the regional fisheries office by telecopy prior to transporting fish for stocking. Confirmation that the waters to be stocked are not public waters may be made by returning the bill of lading by telecopy or in writing, in which cases additional copies need not be submitted to the department of natural resources.

(5) Bill of lading forms may only be issued by the department of natural resources in St. Paul, and new bill of lading forms may not be issued until all previously issued forms have been returned.

(c) Exemptions for transportation permits and bills of lading.

(1) A bill of lading or transportation permit is not required by a private fish hatchery licensee for importation, transportation, or export for the following:

- (i) minnows taken under a private fish hatchery license in this state and transported intrastate;
- (ii) aquarium or ornamental fish including tropical, subtropical, and saltwater species that cannot survive in the waters of the state, which may be imported or transported if accompanied by shipping documents;
- (iii) fish or fish eggs that have been processed for use as food, bait, or other purposes unrelated to fish propagation;
- (iv) live fish, except salmonids and catfish, from a licensed private fish hatchery, which are transported directly to an outlet for processing or for other food purposes if accompanied by shipping documents;
- (v) fish being exported if accompanied by shipping documents;
- (vi) sucker eggs, sucker fry, or fathead minnows transported intrastate for bait propagation or feeding of cultured aquatic life;
- (vii) species of fish that are found within the state used in connection with public shows, exhibits, demonstrations, or fishing pools for periods not exceeding 14 days; or
- (viii) transfer of aquatic life between licensed waters of the same licensee, except where required in Sec. 4(b)(3).

(2) Shipping documents required under Sec. 4(c) must show the place of origin, owner or consignee, destination, number, and species.

(d) Transportation permit requirements. A transportation permit is required for all importation, transportation, or stocking of private aquatic life not covered by Sec. 4(b) or exempted in Sec. 4(c). A transportation permit may be used for multiple shipments within the 30-day term for the permit if the source and the destination remains the same. Transportation permits, which may authorize importation or stocking of public waters, may be issued through department of natural resources regional offices or the St. Paul office, and must be obtained prior to shipment.

(e) Permit application. An application for a transportation permit must be made on forms provided by the commissioner. An incomplete application will be rejected. An application for a transportation permit for salmonids and catfish, their eggs, or sperm must be accompanied by certification that the source of the eggs or sperm are free of certifiable diseases, except that eggs with enteric redmouth, whirling disease, or furunculosis may be imported, transported, or stocked following treatment approved by the commissioner, and fish with bacterial kidney disease may be imported, transported, or stocked into areas where the disease has been previously introduced. A copy of the transportation permit showing the date of certification inspection must accompany the shipment of fish while in transit and must be available for inspection by the commissioner. By 14 days after a completed application is received, the commissioner shall approve or deny the importation permits as provided in this section.

(f) Vehicle identification.

(1) A vehicle used by a licensee for transporting aquatic life must be identified with the licensee's name and town of residence as it appears on the license and the license number.

(2) A vehicle used by a licensee must have identification displayed so that it is readily visible from either side of the vehicle in letters and numbers not less than 2½ inches high and with a ⅜ inch wide stroke. Identification may be permanently affixed to vehicles or displayed on removable plates or placards placed on opposite doors of the vehicle or on the tanks carried on the vehicle.

Sec. 5. IMPORTATION OF AQUATIC LIFE.

(a) Licensed facilities.

(1) The commissioner may issue transportation permits to import:

- (i) indigenous and naturalized species except trout, salmon, and catfish from any source to a standard facility;
- (ii) trout, salmon, and catfish from a non-emergency disease area to a containment facility if the fish are certified within the previous year to be free of certifiable diseases, except that eggs with enteric redmouth, whirling disease, or furunculosis may be imported following treatment approved by the commissioner, and fish with bacterial kidney disease may be imported into areas where the disease has been previously introduced; and

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(iii) trout, salmon, and catfish from a facility in a non-emergency disease area with a disease free history of three years or more to a standard facility, except that eggs with enteric redmouth, whirling disease, or furunculosis may be imported following treatment approved by the commissioner, and fish with bacterial kidney disease may be imported into areas where the disease has been previously introduced.

(2) If a source facility in an emergency disease area cannot demonstrate a history free from disease, aquatic life from that source may only be imported into a quarantine facility.

(b) Enzootic disease area.

(1) Except as otherwise provided and except that eggs with enteric redmouth, whirling disease, or furunculosis may be imported following treatment approved by the commissioner, and fish with bacterial kidney disease may be imported into areas where the disease has been previously introduced, fish may be imported from emergency disease enzootic areas only as fertilized eggs under the following conditions:

(i) to be imported into a standard facility, fertilized eggs must have a disease free history for at least five years;

(ii) to be imported into a containment facility, fertilized eggs must have a disease free history for at least three years;

or

(iii) to be imported into a quarantine facility, fertilized eggs may have a disease free history of less than three years.

(2) A hatchery inspection must occur at least once a year and fish must have been tested for all certifiable diseases. The inspection must include at least viral testing of ovarian fluids at the 95 percent confidence level of detecting two percent incidence of disease (ovarian fluids must be sampled for certification of viral hemorrhagic septicemia and infectious hematopoietic necrosis). Bacterial diseases must be sampled at the 95 percent confidence level with a five percent incidence of disease. The inspection must be performed by a fish health inspector in cooperation with the producer with subsequent examination of the collected tissues and fluids for the detection of certifiable diseases.

Sec. 6. STOCKING PRIVATE AQUATIC LIFE.

A person may not release private aquatic life into public waters that are not licensed as part of a private fish hatchery without first obtaining a transportation permit from the commissioner. The commissioner may deny issuance of a permit if releasing the private aquatic life is not consistent with the management plan for the public waters.

Sec. 7. LICENSE AND INSPECTION FEES.

(a) Private fish hatchery license.

(1) The annual fees for private fish hatchery licenses are provided by *Minnesota Statute* § 97A.475, subd. 29.

(2) The private fish hatchery license must contain endorsements for the rights and privileges of the following licenses under the game and fish laws. The endorsement must be made upon payment of the license fee prescribed in *Minnesota Statute* § 97A.475 for the following licenses:

(i) minnow dealer license;

(ii) minnow retailer license for sale of minnows as bait;

(iii) minnow exporting license;

(iv) minnow dealer helper license;

(v) private fish hatchery vehicle endorsement, which includes a minnow dealer vehicle license, a minnow retailer vehicle license, an exporting minnow hauler vehicle license, and a fish vendor vehicle license;

(vi) sucker egg taking license; and

(vii) game fish packers license.

(b) Inspection Fees. The fees for the following inspections are:

(1) initial inspection of each water to be licensed, \$50;

(2) fish health inspection and certification, \$20 plus \$80 per lot thereafter; and

(3) initial inspection for containment and quarantine facility inspections, \$50.

Sec. 8. DISEASE TRANSMISSION.

(a) Facility designation.

(1) The licensee may apply to the commissioner for designation of all or a portion of a facility as a standard, containment, or quarantine facility on forms prescribed by the commissioner as part of the license application or separately.

(2) By 15 business days after an application is received, the commissioner must notify the applicant if there are any deficiencies in the application. By 30 business days after a complete application is received, the commissioner shall approve or deny the designation requested.

(b) Disinfection.

(1) Containment facilities must disinfect effluent prior to discharge to public waters. The effluent required to be disinfected includes water used by a containment facility in the production of the aquatic life of concern, waste or mortalities from the aquatic life of concern, and live forage or commercial feed discarded from the containment facility. Runoff from precipitation and excess water from natural springs, wells, or other sources that is not used in the production of aquatic life is not effluent to be disinfected.

(2) Disinfection treatment may include chlorination or other processes. If chlorine disinfection is utilized, a measurable residual level of 1.0 parts per million of active chlorine in the effluent must be maintained for one hour of retention time. The effluent must comply with *Minnesota Rules* ch. 7050.

(3) A disinfection treatment process must ensure uninterrupted effluent treatment in the event of electrical power failure, a primary system failure, or other similar events that would cause treatment interruptions.

(4) The effluent disinfection process must be sited, designed, and operated in a manner that allows inspection by the commissioner at all times to determine whether adequate effluent disinfection is maintained.

(5) The commissioner may prescribe reasonable documentation of daily monitoring of treatment system performance to be included in the licensee's annual report. The records must be available for daily inspection by the commissioner during normal business hours and maintained for three years.

(c) Fish health inspection.

(1) A private fish hatchery propagating trout, salmon, or catfish and having an effluent discharge from the private fish hatchery into public waters must have an annual fish health inspection conducted by a certified fish health inspector. Testing must be conducted according to approved laboratory methods.

(2) A health inspection fee must be charged based on each lot of fish sampled. The fee by check or money order payable to the department of natural resources must be prepaid or paid at the time a bill or notice is received from the commissioner that the inspection and processing of samples is completed.

(3) Upon receipt of payment and completion of inspection, the commissioner shall notify the operator and issue a fish health certificate. The certification must be made according to the Fish Health Blue Book by a person certified as a fish health inspector.

(4) All aquatic life in transit or held at transfer stations within the state may be inspected by the commissioner. This inspection may include the collection of stock for purposes of pathological analysis. Sample size necessary for analysis will follow guidelines listed in the Fish Health Blue Book.

(d) Emergency disease determination. If emergency diseases exist, the commissioner may order the fish in the facility to be impounded, confiscated, sold, or destroyed and the facility disinfected. The commissioner shall make every effort to allow disposed fish to be sold for market if there is no imminent danger of a significant adverse impact on natural fish populations or human health or of escape of the pathogen to public waters.

Sec. 9. GAME FISH.

(a) Acquisition and purchase. Game fish sperm, viable game fish eggs, or live game fish may not be taken from public waters for aquaculture purposes but may be purchased from the state or acquired from licensed aquatic farms or private fish hatcheries.

(b) Restriction on the sale of game fish. Species of the family salmonidae or ictaluridae, except bullheads, must be free of certifiable diseases if sold for stocking or transfer to another private fish hatchery or aquatic farm, except that eggs with enteric redmouth, whirling disease, or furunculosis may be transferred or stocked following treatment approved by the commissioner, and fish with bacterial kidney disease may be transferred or stocked to areas where the disease has been previously introduced.

(c) Acquisition of fish for brood stock. Game fish brood stock may be sold to private fish hatcheries by the state at fair market value. As a one-time purchase for brood stock development, up to 20 pairs of adults may be provided, if available, by the state through normal operations.

(d) Sale of eggs by the state. The commissioner may offer for sale as eggs or fry up to two percent of the department's annual game fish egg harvest. Additional eggs or fry may be sold if they are surplus to this state's program needs.

(e) Purchase of eggs dependent upon facility. Licensees may purchase game fish eggs or fry from the state at a rate based on the capacity of their facility to hatch and rear fish. Licensees may purchase walleye at a rate of no more than ½ quart of eggs or 5,000 fry for each acre of licensed surface water. This limitation may be waived if a private fish hatchery is an intensive culture facility. The allowable purchase of trout or salmon eggs must be based on the capacity of rearing tanks and flow of water through the private fish hatchery.

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(f) Stocking walleyes north of marked State Highway 210. Walleyes from outside of the area of the state north of marked State Highway 210 may not be stocked in waters of the state north of marked State Highway 210 without approval by the commissioner.

Sec. 10. MINNOWS.

(a) Taking from public waters. A licensee may take minnow sperm, minnow eggs, and live minnows from public waters for private fish hatchery purposes under a private fish hatchery license.

(b) Importation of live minnows. Minnows from outside the state may not be imported live except as provided by *Minnesota Statute* § 97C.515.

Sec. 11. SUCKER EGGS.

Sucker eggs may be taken from public waters with a sucker egg license endorsement, which authorizes sucker eggs to be taken at a rate of one quart of eggs for each 1½ acres of licensed surface waters, except that for intensive culture systems, sucker eggs may be taken at a rate of two quarts per 1,000 muskellunge fry being reared.

Sec. 12. WHITE EARTH INDIAN RESERVATION.

Until the commissioner reaches an agreement with the White Earth Indian Reservation regarding the acquisition and sale of aquatic life from public waters, a private fish hatchery licensee may acquire and transport rough fish, as defined in *Minnesota Statute* § 97A.015, subd. 43, and yellow perch lawfully acquired and possessed by a tribal member for sale under tribal laws and regulations on the White Earth Reservation. Transportation of rough fish and yellow perch off the reservation must be accompanied by documentation showing the source and number of the yellow perch.

Sec. 13. Commissioner's Orders Nos. 2328 and 2329 are hereby superseded.

Dated at St. Paul, Minnesota, this 12th day of May, 1992.

Rodney W. Sando, Commissioner
Department of Natural Resources

Department of Natural Resources

Commissioner's Order No. 2441: Regulations for the Taking, Possession, Transportation, and Sale of Minnows and Leeches; Superseding Commissioner's Orders Nos. 2047, 2063, and 2263

PURSUANT TO AUTHORITY vested in me by *Minnesota Statutes* §§ 97C.501-97C.525, and other applicable law, I, Rodney W. Sando, Commissioner of Natural Resources, hereby prescribe the following regulations for the taking, possession, transportation, and sale of minnows and leeches.

Section 1. DEFINITIONS.

(a) For purposes of these regulations, the term "minnow" shall have the meaning ascribed to it by *Minnesota Statute* § 97A.015, subd. 29.

(b) For purposes of these regulations, a leech shall be considered a minnow.

(c) Yellow perch, regardless of size, are not minnows.

Sec. 2. GENERAL PROHIBITIONS.

(a) No minnows shall be taken, possessed, transported, or sold except for bait or aquaculture purposes or for ornamental use in home aquaria.

(b) No live minnows shall be imported into this state from other states or countries for bait purposes, propagation purposes, or any other purpose which shall permit their being placed in any waters of the state, artificial ponds, or stationary or mobile tanks, nor shall such minnows be possessed or transported for sale or storage within the state; provided, however, that live minnows may be transported through the state subject to the provisions of Sec. 3(d) of this order, and that live minnows may be imported for ornamental use in home aquaria.

(c) Minnows shall be taken only by persons licensed to take fish by angling or who are otherwise permitted by law to take fish by angling or who have an aquatic farm or private fish hatchery license with the proper endorsement.

(d) Live carp minnows shall not be transported in this state for any purpose, except that they may be transported by licensed minnow dealers from the place of taking to the place of business, where they shall be destroyed and properly disposed of as soon as possible.

Sec. 3. PERMITTED ACTIVITIES.

(a) Taking, possession, and transportation intrastate for non-commercial purposes. Minnows may be taken, possessed, and transported within the state for non-commercial purposes in amounts not to exceed 24 dozen by persons who possess a valid angling license or who are otherwise permitted by law to take fish by angling.

(b) Taking, possession, and transportation intrastate for commercial purposes.

(1) Retail operations. Any person who possesses a valid minnow retailer's license may buy and possess any amount of minnows, for the purpose of reselling them at retail, and may transport such minnows from place of wholesale purchase to an established, stationary place of business located in the state and owned or operated by him/her, where such minnows are sold at retail; or to a licensed private fish hatchery or aquatic farm. A minnow retailer must personally transport such minnows, in a properly licensed and identified vehicle, by the most convenient and direct route from the place of purchase to his/her place of business.

Any person who possesses a valid minnow dealer's license and a valid angling license or is otherwise permitted by law to take fish by angling may take, possess, and transport minnows for sale at retail. A licensed minnow dealer's helper, under the direction and control of a licensed minnow dealer, may engage in all those activities which the dealer is authorized to perform, provided, that he/she must have a valid angling license or be otherwise permitted by law to take fish by angling in order to take minnows.

No license shall be required of any resident individual under the age of 18 years engaging in the business of taking, transporting, or selling leeches at retail, except that to take leeches he/she must possess a valid angling license or be otherwise permitted by law to take fish by angling.

(2) Wholesale operations. Minnows may be taken for sale, bought for the purpose of reselling at wholesale, sold at wholesale, or transported for wholesale, all within the state, in any amount by any person who possesses (1) a valid minnow dealer's license, or (2) a valid minnow dealer's helper's license in the case of agents or employees of a licensed minnow dealer who is engaged in such activities under the direction and control of said dealer, provided that any minnow dealer or minnow dealer's helper who takes minnows must also possess a valid angling license or be otherwise permitted by law to take fish by angling.

(c) Exporting. Fatheads, leeches, and sucker minnows may be transported beyond the boundaries of the state in any amount (1) by any resident minnow dealer who possesses, in addition to a valid minnow dealer's license, a valid minnow exporter's license, or (2) by an agent or employee of a properly licensed exporting minnow dealer who is engaged in such activities under the direction and control of the dealer and who possesses a valid minnow dealer's helper's license, or (3) by any licensed nonresident exporting minnow hauler, in personal attendance, bearing a bill of lading issued by a licensed exporting minnow dealer. The bill of lading shall be on a form furnished by the department and shall contain the exporter's name and address, the hauler's name and address, the route of exit to be used leaving the state, and the amount, species, size of minnows, and the time of issuance. Minnows must exit the state within 24 hours of this time of issuance.

(d) Transporting minnows through Minnesota. No minnows except those intended for ornamental use in home aquaria may be transported from other states or countries into or through Minnesota, unless the possessor shall have first obtained a permit from the commissioner or his authorized agent. Such permits shall be valid for not more than 12 hours from the time of issuance and shall contain the following information:

- (1) The name and address of the owner of the minnows;
- (2) The number and kind of minnows to be transported;
- (3) The point of entry into Minnesota;
- (4) The destination;
- (5) The route to be followed through Minnesota; and
- (6) Other information as the commissioner may deem appropriate to serve the purposes of this order.

(e) Vehicle licenses.

(1) No vehicle may be used to contain or transport more than 24 dozen minnows in this state unless it is licensed for that purpose by the commissioner or his authorized agent, except that each licensed angler in a vehicle may possess and transport up to 24 dozen minnows for personal use as bait. Each minnow dealer's vehicle license shall cover only one vehicle. Minnow retailers, minnow dealers, and exporting minnow dealers may obtain licenses for any number of vehicles, but a nonresident exporting minnow hauler may obtain a license for one vehicle only. All licenses shall indicate the serial number, state of registration, license number, make, and model of the licensed vehicle and shall be conspicuously displayed and firmly affixed inside the vehicle. Minnow dealers and retailers may obtain vehicle licenses only for vehicles registered in this state. Aircraft will not be licensed for the transportation of minnows.

(2) Each vehicle licensed for the transport of minnows shall be identified with the licensee's name and town of residence as it appears on the retailer's, dealer's, exporter's, or hauler's license. Identification must be displayed so that it is readily visible from

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either side of the vehicle in letters and numbers not less than 2½ inches high and with a ⅜ inch wide stroke. Identification may be permanently affixed to vehicles or displayed on removable plates or placards placed on opposite doors of the vehicles or on the tanks carried on the vehicle. In addition, vehicle identification for vehicles used to transport minnows out of the state shall bear the exporting dealer's or hauler's license number.

(f) A properly endorsed aquatic farm or private fish hatchery license allows the licensee to conduct activities specified in Secs. 3(b), 3(c), and 3(e) and exempts the licensee from angling license requirements when conducting activities specified under this section.

Sec. 4. TAKING.

(a) When permitted. Minnows may be taken daily throughout the year from one hour before sunrise until one hour after sunset.

(b) Where permitted. Minnows may be taken from all waters of the state, except that minnows may not be taken from the following described waters except under permit issued by the commissioner or his authorized agent:

- (1) designated trout waters;
- (2) waters within the boundaries of wildlife management areas;
- (3) waters within the boundaries of state parks;
- (4) within 50 yards of any site where loons are nesting; and
- (5) all other waters where taking is specifically prohibited by order of the commissioner.

(c) How permitted.

(1) Minnow traps. Minnows may be taken in traps subject to the following conditions:

(i) Minnow traps must be identified in a permanent and legible manner. The traps of persons licensed to take minnows must display the name, town of residence, and minnow dealer's aquatic farm or private fish hatchery license number of the licensee to whom they belong. The traps of persons other than dealers and aquatic farm or private fish hatchery operators must display the name, full street address, and town of residence of the person to whom they belong. The required information may be displayed on a waterproof tag securely attached to the trap or may be branded or stamped into a permanent portion of the trap. On leech traps the required information may also be painted on the trap with oil base paint or indelible ink. Identification on non-submerged traps must be unobscured and located above the water surface.

(ii) No single string (attached by any means, one trap to another) of minnow traps shall extend across more than one-half the width of any stream, nor shall such a string of minnow traps be placed within 50 feet in any direction of any portion of another such string. In open water, no individually placed minnow trap shall be placed within 20 feet in any direction of any portion of another such trap, except that submerged traps may be set 4 traps at one site, set side by side within 12 inches of one another, at intervals of not less than 20 feet in any direction of any portion of other such minnow trap sets. Submerged minnow traps set under and through an uncovered hole in the ice shall be properly marked in accordance with the waters and watercraft safety laws. No minnow dealer shall set a trap within 50 feet in any direction of any portion of another minnow dealer's trap.

(iii) Each minnow trap shall be lifted and emptied of minnows and other fish as frequently as necessary to prevent the loss of minnows or other fish, provided that under no circumstances shall such traps be emptied less frequently than once every 72 hours between April 1 and October 31, and once every 7 days between November 1 and March 31. All traps shall be removed from the water and shoreline immediately upon ceasing trapping operations.

(2) Seines.

(i) Licensed minnow dealers. Licensed minnow dealers may take minnows with a seine of not more than 50 feet in length or more than 222 meshes in depth if the mesh is ¼ inch bar measure, or more than 296 meshes in depth if the mesh is ⅜ inch bar measure, or more than 6 feet in depth if the mesh is smaller than ⅜ inch bar measure.

(ii) Other persons authorized to take minnows. All other persons authorized to take minnows may do so with a seine of not more than 25 feet in length or more than 148 meshes in depth if the mesh is ¼ inch bar measure or more than 197 meshes in depth if the mesh is ⅜ inch bar measure or more than 4 feet in depth if the mesh is smaller than ⅜ inch bar measure.

Sec. 5. WATER VOLUME, TEMPERATURE, OXYGEN, AND OTHER REQUIREMENTS FOR TRANSPORTING AND POSSESSING IN EXCESS OF 24 DOZEN MINNOWS.

(a) Scope. The provisions of this section apply only to quantities of minnows in excess of 24 dozen.

(b) Water volume (handling and transporting). After being taken, minnows shall not be moved in less water than that volume which will sustain them in good condition. This paragraph does not apply to persons licensed as aquatic farm or private fish hatchery operators.

(c) Oxygen content; temperature. All containers used to hold minnows other than for transport shall be provided with aerating equipment or with a continuous flow of water which at all times maintains sufficient dissolved oxygen to sustain the minnows in good

condition except that containers so equipped are not required for holding leeches. Leeches shall not be held in any container in which the dissolved oxygen in the water and/or the temperature is not maintained at a level that will sustain the leeches in good condition. Minnows, including leeches, may be transported only in containers in which the dissolved oxygen in the water is maintained at a level that will sustain the minnows in good condition. This paragraph does not apply to persons licensed as aquatic farm or private fish hatchery operators.

(d) Inspection. Minnows shall be transported only in containers that permit inspection of the minnows at any time.

(e) Reporting. Each minnow dealer and exporting minnow dealer shall report, on forms supplied by the department, a record of his/her operations for the previous calendar year. Such reports shall be submitted prior to February 1 of each year to the location identified on the form. No minnow dealer's license or exporting minnow dealer's license shall be renewed until his/her yearly report has been received.

(f) Exceptions. The provisions of Sec. 5(b) and 5(c) do not apply to persons licensed as aquatic farm or private fish hatchery operators.

Sec. 6. EXEMPTIONS FROM AQUATIC FARM OR PRIVATE FISH HATCHERY LICENSE.

Minnow dealers are not required to obtain an aquatic farm or private fish hatchery license when holding minnows in ponds for bait purposes, provided that no more than three (3) ponds are utilized and no pond exceeds more than one (1) acre.

Sec. 7. LEECH LAKE INDIAN RESERVATION.

No person may take minnows for commercial purposes within the boundaries of the Leech Lake Indian Reservation without having obtained the prior permission of the Leech Lake Band of Chippewa Indians in such manner and form as the band may require.

Sec. 8. LICENSE REVOCATION.

A minnow dealer's license shall be revoked upon the third conviction in any 12-month period of violating any of the laws, regulations, or commissioner's orders governing minnow dealer's licenses or the activities permitted under them.

Sec. 9. Commissioner's Orders Nos. 2047, 2063, and 2263 are hereby superseded.

Dated at St. Paul, Minnesota, this 12th day of May, 1992.

Rodney W. Sando, Commissioner
Department of Natural Resources

Department of Natural Resources

Commissioner's Order No. 2442: Regulations for the Taking by Residents of Whitefish and Cisco by the Use of Gill Nets for Non-Commercial Use; Superseding Commissioner's Orders Nos. 2426 and 2432

PURSUANT TO AUTHORITY vested in me by *Minnesota Statutes* §§ 97A.045, 97C.401, 97C.805 and other applicable law, I, Rodney W. Sando, Commissioner of Natural Resources, hereby prescribe the following regulations for the taking by residents of whitefish and cisco with gill nets for non-commercial use.

Section 1. GENERAL RESTRICTIONS.

Whitefish and cisco may be taken by gill netting for non-commercial use by persons possessing a resident angling license or who are exempt from such licensing and a whitefish netting license. Only waters designated in this order are open to the taking of whitefish and cisco by gill netting. Whitefish or cisco taken pursuant to this order may not be bought or sold.

Sec. 2. OPERATIONS RESTRICTIONS.

(a) Time. Gill nets may not be set after sunset or raised before sunrise. All gill nets must be operated by the licensee and must be tended by the licensee at least once every 24 hours.

(b) Gear. A person may use only one gill net. No gill net shall exceed 100 feet in length or three feet in depth. Gill nets may not be set within 50 feet of another gill net.

(c) Tagging. Each gill net must have a legible tag bearing the name and address of the licensee attached on one end of the float line near the first float. Tags must be of a minimum size of 2½ inches by ⅜ inch and must be provided by the gill net owner or operator. One end of the gill net must have a pole, stake, or buoy projecting at least two feet above the surface of the water or ice.

Sec. 3. RETURN OF OTHER SPECIES.

All species of fish other than whitefish, cisco, and rough fish must be returned to the water immediately, dead or alive.

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Sec. 4. CLOSURE OF WATERS.

If the commissioner determines that the taking of fish pursuant to this order results or may result in injury to game fish populations in any of the designated waters, those waters may be declared closed to taking of fish by the posting of a notice. The notice will be posted at not less than three places on the shore of those waters or at access points. Once posted, those waters are closed for the remainder of the listed season to the taking of whitefish and cisco.

Sec. 5. POSSESSION OF OTHER FISHING EQUIPMENT.

A person may not have in possession any fishing equipment except gill nets while conducting operations authorized by this order.

Sec. 6. OPEN SEASONS FOR CERTAIN WATERS.

The waters listed in each of the following schedules will be open during the designated seasons to the taking of whitefish and cisco by gill nets of the mesh sizes, stretch measure, specified. The names of bodies of water refer to lakes unless otherwise indicated. The abbreviations "T," "R," and "S" refer to townships, ranges, and sections, respectively.

(a) Schedule I. All bodies of water listed in this schedule, known as Schedule I, will be open and closed on a 48-hour notice posted at lake accesses and other public places. A gill net or any part of a gill net may not be set in any water deeper than six feet, measured from the lake bottom to the top surface of the water or ice.

	<u>County</u>	<u>Min. mesh size</u> <u>3½ inches allowed</u>	<u>Min. mesh size</u> <u>1¾ inches allowed</u>
Balsam, Big, T.58, R.24, S.4-9; T.59, R.24, S.31,32	Itasca		X
Basswood, T.64,65, R.9,10,11, S.Var.	Lake		X
Bear Island, T.61, R.13, S.Var.	St. Louis		X
Deer, T.56, R.26,27; T.57, R.26,27, S.Var.	Itasca	X	
Ely, T.57,58, R.17, S.Var.	St. Louis		X
Fall, T.63, R.11,12, S.Var.; T.64, R.11, S.Var.	Lake St. Louis		X
Flour, T.64, R.1E,1W	Cook		X
Green, T.120, R.33,34; T.121, R.33,34	Kandiyohi	X	
Ida, T.129,130, R.38	Douglas	X	
Mille Lacs	Aitkin Crow Wing Mille Lacs	X	
Nashwauk, T.57, R.23,24, S.7,12,13,18	Itasca		X
Newton, T.63,64, R.11, S.Var.	Lake	X	
Ojibway, T.63, R.9,10, S.Var.	Lake		X
Poplar, T.64, R.1W,2W	Cook	X	
Rachel, T.127, R.39	Douglas		X
Reilly (O'Reilly), T.56, R.24, S.5,6	Itasca		X
Shagawa, T.63, R.12, S.Var.	St. Louis	X	
Straight, T.140, R.36, S.6,7,17,18,20	Becker	X	
Vermilion, T.61, R.16; T.62, R.14,15,16,17; T.63, R.15,16,17,18 - All except Pike Bay, south and west of a north-south line at narrowest portion between Echo Point and Punchers Point, T.62, R.15, S.19,30	St. Louis	X	

(b) Schedule II. All bodies of water listed in this schedule, known as Schedule II, will be open during the dates indicated:

A: Second Friday of October through the first Sunday of December;

B: First Friday of November through the second Sunday of December;

C: Second Friday of November through the second Sunday of December.

A gill net or any part of a gill net may not be set in any water deeper than six feet, measured from the lake bottom to the top surface of the water or ice.

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	<u>County</u>	<u>Min. mesh size</u> <u>3½ inches</u> <u>allowed</u>	<u>Min. mesh size</u> <u>1¾ inches</u> <u>allowed</u>	<u>Open Dates</u>
Ball Club, T.144, R.25,26; T.145, R.26	Itasca	X		B
Bass, T.137, R.28	Crow Wing	X		B
Bass, north basin and Snyder Bay to the narrows, T.56, R.26	Itasca	X		B
Bass, Big, T.140, R.26, S.27,28,34	Cass		X	B
Beltrami, T.148, R.32,33	Beltrami	X		B
Bemidji, Little, T.142, R.39, S.23,24,25,26	Becker	X		B
Benedict, T.142, R.32	Hubbard	X		B
Black Bear, T.46, R.29,30; T.47, R.29,30	Crow Wing		X	B
Blackduck, T.149, R.31	Beltrami	X		B
Blackwater, T.140, R.29, S.25,26,34,35,36	Cass	X		B
Bowstring, T.146, R.25,26; T.147, R.25,26	Itasca	X		B
Bowstring, Little, T.58, R.27, S.23,24	Itasca	X		B
Boy, T.142, R.27,28	Cass	X		B
Buffalo, T.140, R.40,41; T.141, R.40	Becker	X		C
Burgen, T.127,128, R.37	Douglas	X		B
Buzzle, Big, T.148, R.35	Beltrami		X	B
Caribou, T.65, R.1E	Cook	X		A
Carr, T.146, R.33	Beltrami	X		B
Cass, T.145,146, R.30,31	Beltrami Cass	X		B
Clear, T.137, R.28	Crow Wing		X	B
Clearwater, T.149, R.35,36	Beltrami Clearwater	X		B
Cotton, T.139,140, R.40	Becker	X		B
Crane, T.67, R.16,17	St. Louis		X	A
Crooked, T.144, R.31	Cass	X		B
Crooked, T.45, R.28, S.16,17,19-21,29,30	Crow Wing	X		B
Crow Wing, Fifth and Sixth Lakes (channel between), T.140, R.33, S.20	Hubbard	X		B
Crow Wing, Seventh and Eighth Lakes (channel between), T.140, R.33, S.12,13,14	Hubbard	X		B
Crow Wing, Ninth, T.140,141, R.32	Hubbard	X		B
Crystal, T.136, R.42	Otter Tail	X		C
Curfman, T.138, R.41	Becker	X		B
Cut Foot Sioux, T.146,147, R.27	Itasca	X		B
Deer, T.148, R.34	Beltrami	X		B
Deer, T.64, R.1E, S.4,5; T.65, R.1E, S.32,33	Cook		X	A
Deer, T.62, R.24, S.Var.	Itasca	X		B
Detroit, T.138,139, R.41	Becker	X		B
Eagle, T.45, R.29	Crow Wing		X	B

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	<u>County</u>	<u>Min. mesh size</u> <u>3½ inches</u> <u>allowed</u>	<u>Min. mesh size</u> <u>1¾ inches</u> <u>allowed</u>	<u>Open Dates</u>
Elbow, Big, T.142, R.38,39	Becker	X		C
Eunice, T.138, R.42, S.26,27	Becker	X		B
Fish, T.137, R.42	Otter Tail	X		C
Fish Hook, T.140, R.34,35	Hubbard	X		B
Floyd, Big, T.139, R.41	Becker	X		B
Fox, East, T.138, R.27	Crow Wing	X		B
Fox, West, T.138, R.27	Crow Wing	X		B
Franklin, T.136,137, R.42	Otter Tail	X		C
Gilstad, T.148, 149, R.30	Beltrami	X		B
Graham, T.137,138, R.40	Becker Otter Tail	X		B
Grant, T.146,147, R.34	Beltrami		X	B
Graves, T.58, R.26	Itasca	X		B
Gull, T.134, R.29,30; T.135, R.29	Cass Crow Wing	X		B
Gull, Upper, T.135, R.29	Cass	X		B
Hanging Horn, Big, T.46, R.19	Carlton	X		B
Howard, T.141, R.31	Cass		X	B
Ice Cracking, T.141, R.38,39	Becker	X		C
Isabella, T.61, R.8; T.62, R.7,8	Lake	X		A
Island, T.141, R.35	Hubbard	X		B
Island, T.150, R.28	Itasca	X		B
Jack, T.141,142, R.30	Cass		X	B
Jessie, T.147,148, R.25	Itasca	X		B
Jessie, Little, T.147, R.25	Itasca		X	B
Jewett, T.134, R.43	Otter Tail	X		C
Kabekona, T.142, R.32; T.143, R.32,33	Hubbard	X		B
Kabetogama, T.69,70, R.19-22	Koochiching St. Louis		X	A
Kimble, T.137, R.28	Crow Wing		X	B
Kitchie, T.146,147, R.30	Beltrami	X		B
Lake of the Woods	Lake of the Woods Roseau	X		A
Latoka, T.128, R.38	Douglas	X		B
Leaf, East, T.134, R.37,38	Otter Tail	X		C
Leaf, Middle, T.134, R.38	Otter Tail	X		C
Leaf, West, T.134, R.38	Otter Tail	X		C
Leavitt, T.139, R.25,26	Cass	X		B
Leech, including Kabekona Bay and all other bays, T.141, R.29,31; T.142, R.28,29,30,31,32; T.143, R.28,29,30,31; T.144, R.28,29,30	Cass Hubbard	X		A

Commissioners' Orders

	County	Min. mesh size	Min. mesh size	Open Dates
		$\frac{3}{4}$ inches allowed	$1\frac{3}{4}$ inches allowed	
Lida, T.135,136, R.42	Otter Tail	X		C
Lizzie, T.136,137, R.42	Otter Tail	X		C
Long, T.138,139, R.41	Becker	X		B
Long, T.139,140, R.34	Hubbard	X		B
Long, T.134, R.42,43	Otter Tail	X		C
Long, Lower South, T.44, R.29,30	Crow Wing	X		B
McCraney, T.143, R.40, S.25,26	Mahnomen	X		B
Many Point, T.141, R.38; T.142, R.38,39	Becker	X		B
Maple, T.60, R.27	Itasca	X		B
Margaret (Kilpatrick), T.135, R.29	Cass	X		B
Marquette, T.146, R.33	Beltrami	X		B
Maud, T.138, R.42	Becker	X		B
Melissa, T.138, R.41	Becker	X		B
Mitchell, T.138, R.27	Crow Wing	X		B
Moore, T.142, R.38, S.5; T.143, R.38, S.32	Becker Clearwater	X X		B B
Movil, T.147,148, R.33	Beltrami	X		B
Murphy, T.137, R.39, S.6; T.138, R.39, S.31	Becker Otter Tail	 X		 B
Namakan, T.68, R.17,18; T.69, R.17,18,19, except the narrows between Namakan and Sand Point Lakes	St. Louis		X	A
Net (Burnett), T.142, R.40, S.17,18,19,20	Becker	X		B
Nisswa, T.135, R.29	Crow Wing	X		B
Oak (Mud), T.143, R.32, S.27	Hubbard	X		B
Osakis, T.128, R.35,36; T.129, R.35	Douglas Todd	 X		 B
Ossawinamakee (Long), T.136,137, R.28	Crow Wing	X		B
Pelican, T.135, R.27,28; T.136, R.27,28	Crow Wing	X		B
Pelican, Big, T.137, R.42,43	Otter Tail	X		C
Pike, T.142, R.38	Becker	X		B
Pike, East, T.65, R.2E,3E	Cook		X	A
Pike Bay, T.145, R.30,31	Cass	X		B
Pillager, T.133,134, R.30	Cass		X	B
Pimushe, T.147,148, R.30,31	Beltrami	X		B
Pine, Big, T.136,137, R.38	Otter Tail	X		C
Pine, Little, T.136, R.39; T.137, R.38,39	Otter Tail	X		C
Pine Mountain, T.138, R.30; T.139, R.30,31	Cass		X	B
Plantaganette, T.145, R.33,34; T.146, R.33	Beltrami Hubbard	 X		 B
Pokegama, T.54, R.25,26; T.55, R.25,26	Itasca		X	B

Commissioners' Orders

	<u>County</u>	<u>Min. mesh size</u> <u>3½ inches</u> <u>allowed</u>	<u>Min. mesh size</u> <u>1¾ inches</u> <u>allowed</u>	<u>Open Dates</u>
Portage, T.141, R.31	Cass		X	B
Portage, T.45, R.28, S.29,30	Crow Wing	X		B
Potato and Eagle Lakes (channel between), T.141, R.35, S.22	Hubbard	X		B
Prairie, T.50, R.20	St. Louis	X		B
Pug Hole Lake, T.140, R.26, S.2,3,10	Cass		X	B
Rainy, T.69-71, R.17-24	Koochiching St. Louis		X	A
Round, T.141, R.38,39	Becker	X		B
Round, T.134, R.28,29; T.135, R.28,29	Crow Wing	X		B
Round, T.148, R.27,28	Itasca		X	B
Roy, T.135, R.29	Cass Crow Wing			
Rush Island, T.148, R.26, S.15,21,22	Itasca	X		B
Sand, Big, T.147,148, R.26	Itasca	X		B
Sand Point, T.67, R.16,17; T.68, R.16,17, except the narrows between Sand Point and Namakan Lakes and Sand Point and Little Vermilion Lakes	St. Louis		X	A
Sandy, T.149, R.35	Beltrami		X	B
Sandy, Big, T.49, R.23,24; T.50, R.23,24	Aitkin	X		B
Sauk, Big, T.126,127, R.34	Stearns Todd			
Serpent, T.46, R.28,29	Crow Wing		X	B
Silver Island, T.60, R.6; T.61, R.6,7	Lake	X		A
Snyder (Snider), T.143, R.39,40	Mahnomen	X		B
Stalker, T.132, R.41	Otter Tail	X		C
Star, T.137, R.28	Crow Wing	X		B
Star, T.135, R.40,41; T.136, R.41	Otter Tail	X		C
Steamboat, T.144, R.31,32	Cass Hubbard			
Strawberry, T.141,142, R.40	Becker		X	B
Sucker, Lower (Big Sucker), T.144, R.30; T.145, R.29,30	Cass	X		B
Swan, T.55,56, R.22,23, S.Var.	Itasca		X	B
Ten Mile, T.140, R.30,31; T.141, R.30,31	Cass		X	C
Thunder, Big, T.140, R.26	Cass	X		B
Tulaby, T.142,143, R.39	Becker Mahnomen			
Turtle, Big, T.148, R.33	Beltrami	X		B
Turtle, Big, T.59, R.26,27; T.60, R.26,27	Itasca		X	B
Turtle, Little, T.148, R.33	Beltrami	X		B

Commissioners' Orders

	<u>County</u>	<u>Min. mesh size</u> <u>3½ inches</u> <u>allowed</u>	<u>Min. mesh size</u> <u>1¾ inches</u> <u>allowed</u>	<u>Open Dates</u>
Turtle River Lake, T.147,148, R.32	Beltrami	X		B
Twin Lakes, T.56, R.23,24	Itasca	X		B
Victoria, T.128, R.37	Douglas	X		B
Wabedo, T.140, R.28	Cass	X		B
Washburn, T.139,140, R.26	Cass	X		B
White Earth, T.142,143, R.40	Becker Mahnommen	X		B
Wilson Bay, T.134, R.29,30	Cass	X		B
Wimer, T.137, R.40	Otter Tail	X		C
Winnibigoshish, T.145, R.27,28,29; T.146, R.27,28,29; T.147, R.27,28	Cass Itasca	X		B
Winnibigoshish, Little, T.145, R.26,27; T.146, R.26,27, except those portions within one- fourth mile of river channels	Cass Itasca		X	B
Wolf, Big, T.145,146, R.32, S.Var.	Beltrami Hubbard	X		B
Woman, T.140, R.28,29; T.141, R.28,29	Cass	X		B

(c) Schedule III. Upper Red in Beltrami County (only that portion outside the Red Lake Indian Reservation, T.153, R.31,32,33,34; T.154, R.30,31,32,33,34; T.155, R.30,31,32) will be open from the second Friday of October through the third Sunday of November. It is permissible to set portions of gill nets in water deeper than six feet, provided that one end of the gill net is set in water no deeper than six feet, measured from the lake bed to the top surface of the water or ice. Minimum mesh size allowed is 3½ inches.

Sec. 7. Commissioner's Orders Nos. 2426 and 2432 are hereby superseded.

Dated at St. Paul, Minnesota, this 12th day of May, 1992.

Rodney W. Sando, Commissioner
Department of Natural Resources

Department of Natural Resources

Commissioner's Order No. 2443: Regulations Designating Trout Lakes; Superseding Commissioner's Order No. 2230

PURSUANT TO AUTHORITY vested in me by *Minnesota Statutes* §§ 97A.045, 97C.005, 97C.415, and other applicable law, I, Rodney W. Sando, Commissioner of Natural Resources, hereby prescribe the following regulations designating certain lakes as trout lakes.

Section 1. The following described lakes are hereby designated as trout lakes. The abbreviations "S," "T," and "R" as used herein mean Section, Township, and Range, respectively, within each specified county.

AITKIN COUNTY

Taylor Lake, S.16, T.52, R.25.

Loon (Townline) Lake, S.7, T.50, R.22; S.12,13, T.50, R.23.

ANOKA COUNTY

Cenaiko Lake (Unnamed), S.26, T.31, R.24.

BECKER COUNTY

Hanson Lake, S.6, T.139, R.39.

BELTRAMI COUNTY

Benjamin Lake, S.7,18, T.148, R.30; S.13, T.148, R.31.

Commissioners' Orders

CARLTON COUNTY

Corona Lake, S. 11, 12, T. 48, R. 19.

CARVER COUNTY

Courthouse Lake, S. 9, T. 115, R. 23.

CASS COUNTY

Diamond Lake, S. 26, 27, 34, T. 141, R. 30.

Hazel Lake, S. 25, T. 141, R. 29.

Margaret Lake, S. 16, T. 139, R. 26.

Marion Lake, S. 16, 17, T. 139, R. 26.

Perch Lake, S. 33, T. 139, R. 31.

Snowshoe (Little Andrus) Lake, S. 29, 30, T. 139, R. 26.

Teepee Lake, S. 30, T. 141, R. 29; S. 25, T. 141, R. 30.

Willard Lake, S. 15, T. 139, R. 30.

CLEARWATER COUNTY

Wapatus (Island), S. 21, 28, T. 144, R. 38.

COOK COUNTY

Bath Lake, S. 5, 6, T. 62, R. 1W; S. 31, 32, T. 63, R. 1W.

Bench Lake, S. 6, T. 64, R. 2E.

Bingshick Lake, S. 25, 30, T. 65, R. 4, 5W.

Bogus Lake, S. 12, T. 62, R. 2E.

Boys Lake, S. 5, 8, T. 62, R. 2E.

Carrot Lake, S. 17, T. 64, R. 2E.

Chester Lake, S. 32, 33, T. 64, R. 3E.

Dislocation Lake, S. 3, T. 63, R. 1W.

Duke Lake, S. 30, T. 63, R. 1E.

Dyers Lake, S. 4, 5, 8, 9, T. 58, R. 5W.

Esther Lake, S. 6, T. 63, R. 3E; S. 31, T. 64, R. 3E.

Gadwall Lake, S. 3, T. 64, R. 2E.

Gogebic Lake, S. 30, 31, T. 65, R. 2E.

Jake (Jackel) Lake, S. 28, T. 64, R. 1W.

Jap Lake, S. 19, T. 65, R. 4W; S. 24, T. 65, R. 5W.

Junco Lake, S. 11, 12, 13, T. 62, R. 1W.

Kimball Lake, S. 7, 8, 17, T. 62, R. 2E.

Leo Lake, S. 4, 5, T. 64, R. 1W.

Lima Lake, S. 35, T. 64, R. 1W.

Lizz Lake, S. 7, 18, T. 64, R. 1W.

Loft Lake, S. 21, T. 64, R. 3E.

Lost Lake, S. 32, T. 63, R. 3E.

Margaret Lake, S. 27, 28, 33, 34, T. 64, R. 3E.

Mavis Lake, S. 4, T. 64, R. 4W.

Meditation Lake, S. 7, 8, T. 65, R. 4W.

Mink Lake, S. 8, T. 62, R. 2E.

Missing Link Lake, S. 4, T. 64, R. 4W.

Moosehorn Lake, S. 36, T. 63, R. 3E; S. 31, T. 63, R. 4E.

Morgan Lake, S. 27, 28, T. 64, R. 1W.

Muckwa Lake, S. 21, 28, T. 63, R. 1E.

Mulligan Lake, S. 1, 12, T. 63, R. 3W.

Musquash Lake, S. 20, 28, 29, T. 63, R. 1E.

Olson Lake, S. 9, 16, T. 62, R. 1W.

Pancore (Lost) Lake, S. 22, 27, T. 61, R. 4W.

Pemmican Lake, S. 22, T. 65, R. 2E.

Pine Lake, S. 35, 36, T. 63, R. 1W.

Pine Mountain Lake, S. 26, 27, 34, 35, T. 63, R. 1E.

Portage Lake, S. 3, 4, 5, T. 64, R. 2W; S. 33, T. 65, R. 2W.

Portage Lake, Little, S. 3, T. 64, R. 2W.

Ram Lake, S. 9, 10, T. 63, R. 1W.

Rog Lake, S.16,17, T.65, R.5W.
Shady, North, Lake, S.21,22, T.64, R.2E.
Shoe Lake, S.30, T.64, R.2E.
Sled Lake, S.3, T.63, R.1W.
Sock Lake, S.26, T.65, R.2W.
Squaw Lake, S.6, T.63, R.3E; S.31, T.64, R.3E.
Surber Lake, S.34, T.65, R.2W.
Talus Lake, S.26,27, T.63, R.1W.
Thompson Lake, S.19,20,29,30, T.62, R.1W.
Thrasher Lake, S.31, T.63, R.1W.
Thrush Lake, S.31, T.63, R.1W.
Topper Lake, S.27, T.65, R.2W.
Turnip Lake, S.24, T.64, R.1E.
Unnamed Lake, S.20,21,28,29, T.63, R.3E.
Unnamed Lake, S.31, T.63, R.1W.
Vale Lake, S.3, T.64, R.2E.
Wee Lake, S.13, T.62, R.4W.
Wench Lake, S.7,18, T.63, R.3W.

CROW WING COUNTY

Allen Lake, S.5, T.138, R.26.
Mallen Mine Pit, S.17, T.46, R.29.
Manuel (South Yawkey) Mine Pit, S.1, T.46, R.29.
Martin (Huntington, Feigh) Mine Pit, S.9,10,16, T.46, R.29.
Pennington (Mahnomon, Alstead, Arco) Mine Pit, S.3,9,10,11, T.46, R.29.
Pleasant Lake, S.19, T.137, R.27.
Portsmouth Mine Pit, S.1,2,11, T.46, R.29.
Sagamore Mine Pit, S.19, T.46, R.29; S.24, T.46, R.30.
Section 6 Mine Pit, S.6, T.46, R.29.
Snoshoe Mine Pit, S.17,18, T.46, R.29.
Strawberry Lake, S.27,34, T.137, R.28.
Yawkey (North Yawkey) Mine Pit, S.1, T.46, R.29.

HUBBARD COUNTY

Blacksmith Lake, S.13, T.142, R.35.
Crappie Lake, S.31, T.143, R.33.
Newman (Putman) Lake, S.10,11, T.145, R.34.

ITASCA COUNTY

Bee Cee Lake, S.28,33, T.58, R.25.
Erskine Lake, S.2,3, T.61, R.24.
Kremer Lake, S.33,34, T.58, R.26.
Larson Lake, S.16,21, T.61, R.24.
Lucky Lake, S.14, T.57, R.26.
Moonshine Lake, Little (Moonshine), S.28,33, T.58, R.25.
Nickel (Nichols) Lake, S.12, T.59, R.25.
Tioga Mine Pit, S.26, T.55, R.26.

LAKE COUNTY

Ahsub Lake, S.27,28, T.64, R.8.
Bean (Lower Twin) Lake, S.25,26, T.56, R.8.
Bear Lake (Upper Twin), S.25, T.56, R.8.
Beetle Lake, S.7, T.60, R.9.
Benson Lake, S.29, T.58, R.6.
Bone Lake, S.13,14, T.61, R.6.
Conchu Lake, S.21,22, T.63, R.10.
Divide (Towhey) Lake, S.7,8, T.59, R.7.
Dan Lake, S.17, T.63, R.10.
Echo Lake, S.14,15,22,23, T.59, R.6.
Eikela Lake, S.22, T.60, R.10.

Commissioners' Orders

Ennis Lake, S.33, T.64, R.9.
Found Lake, S.10,15, T.64, R.9.
Glacier Pond No. 1, S.11, T.63, R.10.
Glacier Pond No. 2, S.11, T.63, R.10.
Goldeneye (Duck) Lake, S.15, T.59, R.6.
Gypsy Lake, S.6,7, T.60, R.10.
Hogback (Twin) Lake, S.31, T.60, R.6.
Jouppi Lake, S.14,22,23, T.59, R.8.
Judd Lake, S.4,5,32,33, T.63,64, R.9.
Neglige Lake, S.1,2,11,12, T.64, R.8.
Norway Lake, S.3, T.61, R.10.
Peanut Lake, S.5, T.60, R.10.
Scarp (Cliff) Lake, S.31,32, T.60, R.6.
Section 8 Lake, S.8, T.59, R.7.
Shoo-fly Lake, S.1,36, T.59,60, R.8.
Skull Lake, S.14, T.64, R.9.
Steamhaul Lake, S.23, T.60, R.9.
Steer Lake, S.32, T.60, R.6.
Tofte Lake, S.2,3,10,11, T.63, R.10; S.35, T.64, R.10.
Trappers Lake, S.27,34, T.60, R.8.

LAKE & ST. LOUIS COUNTIES

Alruss Lake, S.12, T.64, R.11,12.

MEEKER COUNTY

Mud Lake, Little, S.22,23, T.121, R.30.

OTTER TAIL COUNTY

Bass Lake, S.10,11, T.135, R.42.

ST. LOUIS COUNTY

Briar Lake, S.14,15,23, T.53, R.13.
Camp Four (Wessman) Lake, S.4, T.59, R.19.
Cedar Lake, S.20, T.58, R.15.
Chant Lake, S.10, T.63, R.13.
Clear Lake, S.23, T.52, R.15.
Cub Lake, S.2, T.61, R.14.
Deepwater Lake, S.2, T.59, R.20.
Dry Lake, S.9, T.63, R.12.
Dry Lake, Little, S.9, T.63, R.12.
Elbow Lake, Little, S.9,10,16, T.57, R.18.
Embarrass Mine Pit (Lake Mine), S.5,6, T.58, R.15.
Forsyth Mine Pit, S.11, T.58, R.19.
Hanson Lake, S.36, T.64, R.13.
High Lake, S.3,4,5, T.63, R.12; S.33,34, T.64, R.12.
Jacob (Louis) Lake, S.11,12, T.64, R.12.
James (Jammer) Lake, S.27, T.60, R.18.
Judson Mine Pit, S.20,29, T.58, R.19.
Loaine (Sand) Lake, S.16,17, T.54, R.12.
Miner's Mine Pit, S.26,27,28, T.63, R.12.
Norberg Lake, S.1, T.61, R.14.
Normanna Lake, S.7,8, T.52, R.13.
Pickerel Lake, S.17, T.60, R.21.
Regenbogan Lake, S.18, T.64, R.12.
St. James Mine Pit, S.3,4, T.58, R.15.
Spring Hole Lake, S.14, T.55, R.14.
Trygg (Twig) Lake, S.31, T.68, R.14; S.36, T.68, R.15.
Twin Lake, S.28,33, T.50, R.14.

Sec. 2. The lakes described in Section 1 of this order are inhabited by trout other than lake trout. In order to protect and foster the

propagation of trout in these lakes, the following restrictions on fishing in these lakes are hereby established:

- (a) The taking of fish is prohibited, except during the open season for the taking of trout other than lake trout.
- (b) The taking of trout during the open season for the taking of trout other than lake trout is prohibited between 11 p.m. and one hour before sunrise.
- (c) Not more than one line may be used for angling at any time, including when angling through the ice.
- (d) The taking of minnows is prohibited, except under special permit issued by the commissioner.
- (e) The possession and use of minnows as bait, except in a dried or pickled condition, is prohibited.

Sec. 3. No person over the age of 16 and under the age of 65 years who is otherwise required to possess a Minnesota fishing license shall angle in any stream designated by the commissioner as a trout stream, in any lake designated by the commissioner as a trout lake, or in Lake Superior, without first purchasing a trout stamp and having the stamp in his/her possession while angling in any designated trout stream, designated trout lake, or Lake Superior. Each stamp shall be validated by the signature of the licensee written across its face.

Sec. 4. Commissioner's Order No. 2230 is hereby superseded.

Dated at St. Paul, Minnesota, this 12th day of May, 1992.

Rodney W. Sando, Commissioner
Department of Natural Resources

Department of Natural Resources

Commissioner's Order No. 2444: Regulations Relating to Fishing Contests; Superseding Commissioner's Order No. 1939

PURSUANT TO AUTHORITY vested in me by *Minnesota Statutes* §§ 97A.045, 97C.081, and other applicable law, I, Rodney W. Sando, Commissioner of Natural Resources, hereby prescribe the following regulations relating to fishing contests.

Section 1. CONTESTS NOT REQUIRING A PERMIT.

A permit is not required for fishing contests where entry fees are \$10.00 per person or less and total prizes are valued at \$2,000.00 or less. This order does not apply to contests not requiring a permit. Persons participating in such contests are subject to all laws and regulations pertaining to angling on the contest waters.

Sec. 2. CONTESTS REQUIRING A PERMIT.

A written permit from the commissioner is required for fishing contests where entry fees are over \$10.00 per person or total prizes are valued at over \$2,000.00.

Sec. 3. PERMIT APPLICATIONS.

Applications to obtain a permit must be made a minimum of 14 days prior to the contest on forms provided by the commissioner. Application information includes name of contest, name and address of permittee, name of sponsor, name and location of contest waters, public accesses to be used, fish species included in the contest, weigh-in stations, estimated number of participants, contest dates and hours, entry fee, and prize values. Contest rules must be attached to the application. Application forms can be obtained from DNR fisheries offices. Completed applications shall be submitted to the DNR regional office responsible for management of the contest waters or the DNR central office if the contest includes waters in more than one region.

Sec. 4. PERMIT CONDITIONS.

- (a) The contest permittee must be an individual and a Minnesota resident. The permittee shall be responsible for conducting the contest and may not delegate responsibility to another party.
- (b) Permits will be denied for contests involving tagged or marked fish for identification for special rewards.
- (c) Permits may be denied when the proposed contest water is managed for stream trout or lake trout.
- (d) Contest participation will be limited to not more than one boat for each ten (10) acres of contest water.
- (e) Permits may be denied for opening day, holidays, or other high use periods.
- (f) Permits may be denied if more than one contest of seven (7) days or less would be in progress on any one water body on the same day.
- (g) Permits may be denied if contests coincide with game fish spawning periods.

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(h) Permits for live release tournaments may be denied when anticipated environmental conditions may cause increased mortality of released fish.

(i) The maximum number of contests that may be held annually on any one water body may be limited.

(j) Permits may be denied for contests exceeding eight (8) hours in length during any contest day.

(k) Permits may be denied for live release contests where use of live bait may cause increased mortality.

(l) Permits may be denied for contests on waters where research projects are being conducted.

(m) Permits may be denied for contests that the commissioner determines will have excessive negative impact on natural resources or that pose unacceptable safety risks for participants.

Sec. 5. POSSESSION OF FISH.

(a) Possession limits for contest waters shall apply to all contest participants at all times except that the total number of fish killed by a contest participant may not exceed one possession limit per event.

(b) Once a limit of fish has been reduced to possession, no culling or live well sorting of that species is allowed.

(c) In contests where fish may be returned to the contest water, the permittee may be authorized to hold healthy fish and release them immediately following weigh-in. Suitable release sites may be specified in the permit.

Sec. 6. CONTEST OPERATION.

(a) No contest may pre-empt use of boat ramp or parking spaces at a public access to contest waters.

(b) The permittee will be responsible for removal of all debris, rubbish, trash, and dead fish resulting from the contest.

(c) The permittee is responsible for the inspection and removal of exotic organisms such as zebra mussels or Eurasian water milfoil (as required by *Minnesota Statute* § 18.317) from boats and trailers entering and leaving water accesses.

(d) No contest or any drawing or raffle conducted in conjunction with the contest may constitute an illegal lottery under *Minnesota Statute* § 609.75 or violate the provisions of the lawful gambling statute, *Minnesota Statutes* §§ 349.11 to 349.23.

Sec. 7. REPORTING.

The permittee must submit a report of contest activities on forms provided by the commissioner within 30 days after completion of the contest. All information requested on the report must be provided. Failure to submit a report as required may render the permittee ineligible for future permits.

Sec. 8. Commissioner's Order No. 1939 is hereby superseded.

Dated at St. Paul, Minnesota, this 12th day of May, 1992.

Rodney W. Sando, Commissioner
Department of Natural Resources

Department of Natural Resources

Commissioner's Order No. 2445: Regulations Designating Trout Streams and Regulating the Taking of Fish Therein; Superseding Commissioner's Orders Nos. 2294 and 2373

PURSUANT TO AUTHORITY vested in me by *Minnesota Statutes* §§ 97A.015, subd. 15, 97C.001, and other applicable law, I, Rodney W. Sando, Commissioner of Natural Resources, hereby prescribe the following regulations designating trout streams and regulating the taking of fish therein.

Section 1. The following described streams and portions of streams and their tributaries within the section specified are hereby designated as trout streams. The abbreviations "T," "R," and "S" as used herein mean Township, Range, and Section, respectively, within the specified counties. An asterisk "*" following a stream and county name indicates the stream or portion thereof is also located in that second listed county.

AITKIN COUNTY

Libby Brook, T.50, R.23, S.5,6; T.50, R.24, S.1,2

Long Lake Creek, T.46, R.25, S.10,15

Morrison Brook (Itasca*), T.52, R.26, S.4,9,10,14,15

Two Rivers Springs, T.51, R.23, S.19; T.51, R.24, S.24,25,26

BECKER COUNTY

Dead Horse Creek, T.138, R.38, S.3,4,7,8,9,16

Elbow Lake Creek (Clearwater*), T.142, R.38, S.6
Straight Creek, Upper, T.141, R.36, S.30,31; T.141, R.37, S.24,25
Straight Lake Creek, T.140, R.36, S.6; T.140, R.37, S.1,2
Straight River (Hubbard*), T.139, R.36, S.1; T.140, R.36, S.28,29,33,34,35,36
Sucker Creek, T.138, R.40, S.18; T.138, R.41, S.13
Toad River, T.138, R.38, S.6,7,18,19,30; T.139, R.38, S.30,31; T.139, R.39, S.25,36; T.138, R.39, S.25,26

BELTRAMI COUNTY

Battle River, S. Branch, T.151, R.30, S.2,3,4,11
Clearwater River, T.148, R.35, S.5,6,8,17,20,29,31,32; T.149, R.35, S.20,29,31,32
Meadow Creek, T.151, R.30, S.6; T.151, R.31, S.1,2
Mud River, T.150, R.33, S.21,28
O'Brien Creek, T.149, R.32, S.2; T.150, R.32, S.23,24,26,35
Spring Creek, T.149, R.30, S.4,5,9,10
Spring Lake Creek, T.148, R.35, S.34,35

BENTON COUNTY

Bunker Hill Brook, T.38, R.30, S.6; T.38, R.31, S.1,2,10,11
Rock Creek, Little (Morrison*), T.38, R.31, S.3,4,10,15,21,22,28

BLUE EARTH COUNTY

Unnamed Creek, T.108, R.28, S.1,2
Unnamed Creek, T.108, R.28, S.5; T.109, R.28, S.32
Unnamed Creek, T.108, R.28, S.6; T.109, R.29, S.25,36

BROWN COUNTY

Hindeman Creek, T.111, R.32, S.19,20; T.111, R.33, S.24
John's Creek, T.110, R.32, S.1; T.111, R.31, S.31; T.111, R.32, S.36

CARLTON COUNTY

Anderson Creek, T.46, R.17, S.14,15,22,26,27
Anderson Creek (St. Louis*), T.49, R.16, S.12,13
Blackhoof River, T.47, R.16, S.29,30; T.47, R.17, S.6,7,9,10,14,15,16,17,18,19,20,22,25,26,27,28; T.48, R.17, S.30,31
Clear Creek, T.46, R.17, S.9,10,11,12,16,17,20,29
Clear Creek, T.47, R.15, S.7; T.47, R.16, S.1,2,3,4,12; T.48, R.16, S.33
Crystal Creek, T.48, R.16, S.6; T.48, R.17, S.1
Deer Creek, T.47, R.16, S.19,20,28,29,30; T.47, R.17, S.11,12,13,24
Elm Creek (St. Louis*), T.49, R.16, S.1,2
Gill Creek, T.48, R.16, S.2
Hasty Brook (St. Louis*), T.49, R.19, S.18; T.49, R.20, S.4,5,9,10,13,14,15,23
Hay Creek (St. Louis*), T.49, R.16, S.3,4,9,10,15
Hunter Creek, T.46, R.18, S.2,11,12,13; T.47, R.18, S.34,35
King Creek, T.47, R.18, S.18,19; T.47, R.19, S.1,12,13
Midway River (St. Louis*), T.49, R.16, S.1,12,13,14,15,21,22
Mission Creek (St. Louis*), T.49, R.16, S.25,26,36
Moosehorn River, T.48, R.18, S.3,9,10,14,15,16,23,26,34,35
Mud Creek, T.47, R.15, S.18; T.47, R.16, S.5,6,8,9,10,11,13,14,15,16
Nemadji Creek, T.46, R.17, S.7,8,9,18; T.46, R.18, S.13,14,15,16,22
Nemadji River, N. Fork, T.46, R.17, S.1,2,3,8,9,10,17,18,19,31,32,33; T.46, R.18, S.24,25,36; T.47, R.15, S.19,30; T.47, R.16, S.23,24,25,26,27,28,29,31,32; T.47, R.17, S.35,36
Nemadji River, S. Fork, T.46, R.16, S.4,5,6,7; T.46, R.17, S.1,11,12; T.47, R.15, S.30; T.47, R.16, S.25,33,34,35,36
Net River (Pine*), T.46, R.16, S.3,4,8,9,17,20,21,29,31,32,33; T.47, R.16, S.34
Net River, Little, T.46, R.16, S.3,10,15,22,26,27,34
Otter Creek, Big, T.48, R.16, S.7; T.48, R.17, S.3,4,10,11,12; T.49, R.17, S.19,20,26,27,28,29,30,32,33,34,35; T.49, R.18, S.25,26
Otter Creek, Little, T.48, R.17, S.7,10,15,16,17,18; T.48, R.18, S.11,12,13,14
Red River, T.48, R.15, S.30; T.48, R.16, S.25,26
Rock Creek, T.47, R.16, S.7,17,18,20,21,22,23,24; T.47, R.17, S.12
Scanlon Creek, T.49, R.16, S.30; T.49, R.17, S.25
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Silver Creek, T.48, R.16, S.15,16,17,21,28,29
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Spring Creek, T.46, R.17, S.3,4,5,6
Squaw Creek, T.49, R.17, S.9,16,17,18,19,20,21
State Line Creek, T.46, R.15, S.6,7,18,19,30,31; T.46, R.16, S.12,13,24,25,36; T.47, R.15, S.30,31
Stony Brook, T.46, R.17, S.10,11,15,16,21
Unnamed Creek, T.46, R.16, S.19,29,30; T.47, R.17, S.13,14,21
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Unnamed Creek, T.47, R.17, S.31,32,33,34

CARVER COUNTY

Assumption Creek, T.115, R.23, S.2; T.116, R.23, S.34,35

CASS COUNTY

Bungo Creek, T.137, R.30, S.6; T.137, R.31, S.1,11,12,14,21,22,23; T.138, R.30, S.31
Cedar Lake Creek, T.138, R.31, S.14,23,26,27,28
Corey Brook, T.135, R.30, S.9,15,16,21,22,27
Dabill Brook, T.137, R.31, S.1,2,9,10,11,16; T.138, R.31, S.36
Farnham Creek, T.135, R.32, S.5,6,7; T.136, R.32, S.2,3,9,10,16,19,20,21,29,31,32
Hay Creek, T.135, R.31, S.8,9,17
Hoblin Creek, T.137, R.30, S.17,18,19
Michaud Brook, T.140, R.25, S.7,17,18
Olson Brook, T.136, R.30, S.12,13,14
Peterson Creek, T.134, R.30, S.29,33
Poplar Brook, T.135, R.32, S.5,6; T.136, R.32, S.22,27,28,32,33
Rogers Brook, T.134, R.30, S.29,32
Shingobee River (Hubbard*), T.141, R.31, S.16,17,18,19
Spring Brook, T.139, R.26, S.3,10,11,14
Stoney Brook, T.135, R.29, S.5,8,9; T.136, R.29, S.30,31,32; T.136, R.30, S.20,21,22,25,26,27,29,30; T.136, R.31, S.24,25,26
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Vermillion Creek, Little, T.143, R.25, S.22,27

CHIPPEWA COUNTY

Cottonwood Creek (Swift*), T.119, R.41, S.4

CHISAGO COUNTY

Beaver Creek, T.35, R.20, S.7,8,17; T.35, R.21, S.3,4,10,12,13,14,15; T.36, R.21, S.33,34
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Buckboard Creek, T.144, R.37, S.19,30,31; T.144, R.38, S.11,12,13,24
Elbow Lake Creek (Becker*), T.143, R.38, S.31,32
Lost River, T.148, R.38, S.20,21,22,27,28
Mud Creek, T.144, R.37, S.13,14,22,23,24
Nassett Creek, T.148, R.38, S.20,28,29
Sucker Brook (Gould Creek), T.144, R.36, S.27,28,29,30,32,33

COOK COUNTY

Assinika Creek, T.63, R.1E, S.1; T.63, R.2E, S.7,8,16,17,21; T.64, R.1E, S.36; T.64, R.2E, S.31
Bally Creek, T.61, R.1W, S.3,4,5,6,7,8,9,10,11; T.61, R.2W, S.12
Barker Creek, T.60, R.3W, S.5,6,7,8; T.60, R.4W, S.2,3,9,10,11,12; T.61, R.4W, S.34,35
Beaver Dam Creek, T.63, R.3E, S.2,3,4,5; T.64, R.3E, S.32,33,34,35
Blind Temperance Creek, T.60, R.4W, S.19,29,30,32; T.60, R.5W, S.25,36
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Brule River, T.62, R.2E, S.1,2; T.62, R.3E, S.4,5,6,9,10,15,16,22,27,34; T.63, R.2E, S.21,22,23,25,26,27,28,33,35,36; T.63, R.3E, S.30,31,32
Brule River, Little, T.62, R.3E, S.19,20,29,32,33
Burnt Creek, T.62, R.4W, S.8,9,16,17,20
Caribou Creek, T.60, R.3W, S.2,3,10
Caribou River (Lake*), T.59, R.5W, S.19,20,29,30,31
Carlson Creek (Stony Brook), R.62, R.4E, S.3,4,9,10; T.63, R.4E, S.31,32,33,34
Cascade River, T.60, R.2W, S.1; T.61, R.1W, S.19,20,21; T.61, R.2W, S.1,12,13,14,24,25,26,35,36; T.62, R.2W, S.3,10,11,14,15,16,22,23,24,25,36
Cedar Creek, T.59, R.5W, S.2; T.60, R.5W, S.14,22,23,25,26,35,36
Cliff Creek, T.61, R.2E, S.3,4,5,9,10; T.62, R.2E, S.29,30,31,32
Colville Creek, East, T.61, R.3E, S.5; T.62, R.2E, S.25; T.62, R.3E, S.30,31,32
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Cutface Creek (Good Harbor Creek), T.61, R.1W, S.27,28,29,34
Deer Yard Creek (Spruce Creek), T.60, R.2W, S.4,5,6,7,8,9,10,15,16,17; T.61, R.2W, S.32
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Durfee Creek, T.61, R.2E, S.5,6,8; T.62, R.1E, S.25,36; T.62, R.2E, S.31
Elbow Creek, T.62, R.1E, S.3,4,9,10,15,22,27,34; T.63, R.1E, S.33,34
Farquhar Creek, T.62, R.4E, S.2,11; T.63, R.4E, S.34,35
Fiddle Creek, T.63, R.1W, S.2,3,10,15; T.64, R.1W, S.34,35
Flute Reed River, T.62, R.3E, S.1,2,3,10,11,12,13,14,15; T.62, R.4E, S.17,18,19,20; T.63, R.3E, S.26,34,35,36
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Grand Portage Creek, T.63, R.5E, S.1; T.63, R.6E, S.4,5,6; T.64, R.6E, S.31,32,33
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Heartbreak Creek, T.59, R.4W, S.18,19; T.59, R.5W, S.2,11,12,13; T.60, R.5W, S.27,28,33,34,35
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Honeymoon Creek (Spring Creek), T.61, R.4W, S.28,31,32,33
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Irish Creek, T.63, R.3E, S.8,9,10,13,14,15,23,24,25,26; T.63, R.4E, S.17,18,19
Jonvick Creek, T.60, R.2W, S.19; T.60, R.3W, S.12,13,14,24
Junco Creek, T.62, R.1W, S.1,2,9,10,11,12,13,14,15,16,21,28; T.62, R.1E, S.6,7; T.63, R.1E, S.20,29,30,31; T.63, R.1W, S.24,25
Kadunce Creek, T.61, R.2E, S.2; T.62, R.2E, S.9,10,12,13,14,15,16,22,23,24,26,35
Kimball Creek, T.61, R.2E, S.3,4,10; T.62, R.2E, S.7,16,17,18,19,20,21,28,29,33,34
Koski Creek, T.61, R.4W, S.5,8; T.62, R.4W, S.31,32
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Mark Creek, T.61, R.2W, S.1,2,3,4,5,6,9
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Mons Creek, T.62, R.3E, S.4; T.63, R.3E, S.28,29,33
Mud Creek, T.62, R.1E, S.8,9,16,17,21,22
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Pike Lake Creek, T.61, R.2W, S.10,11,15
Pine Mountain Creek, T.63, R.1E, S.23,26,27,28,33
Plouff Creek, T.61, R.4W, S.17,18; T.61, R.5W, S.2,3,11,13,14,15,23; T.62, R.5W, S.23,26,34,35
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Whitley's Creek, T.45, R.30, S.16,17,20,21

DAKOTA COUNTY

Kennaley's Creek, T.27, R.23, S.18
Pine Creek, T.113, R.17, S.31; T.113, R.18, S.25,26,35,36
Trout Brook (Goodhue*), T.113, R.17, S.26,27,35,36
Unnamed #1, T.27, R.23, S.18; T.27, R.24, S.13
Unnamed #4, T.27, R.24, S.24
Unnamed #7, T.27, R.24, S.26
Vermillion River, T.113, R.20, S.1,2,3,4,9; T.114, R.19, S.31; T.114, R.20, S.33,34,35,36

DOUGLAS COUNTY

Spruce Creek (Otter Tail*), T.130, R.36, S.3,4,9,10

FILLMORE COUNTY

Big Springs Creek, T.104, R.9, S.21,22,26,27
Camp Creek, T.101, R.10, S.5,8,9; T.102, R.10, S.5,8,16,17,20,29,32

Camp Hayward Creek, T.104, R.8, S.31,32
Crystal Creek, T.102, R.11, S.35,36
Diamond Creek, T.103, R.8, S.18,19; T.103, R.9, S.10,11,13,14,24
Duschee Creek, T.102, R.10, S.1; T.103, R.10, S.23,24,25,26,36
Etna Creek, T.102, R.13, S.25,36
Forestville Creek, N. Branch, T.102, R.12, S.13,14,15
Forestville Creek, S. Branch, T.102, R.12, S.24,25
Frego Creek, T.101, R.9, S.14,15,22,23
Gribben Creek, T.103, R.9, S.9,16,21,27,28
Hamilton Creek (Mower*), T.103, R.13, S.6; T.103, R.14, S.1
Jordan Creek, Little, T.104, R.12, S.21,22,26,27,28
Kedron Creek, T.104, R.13, S.36
Lanesboro Park Pond, T.103, R.10, S.13
Lost Creek, T.104, R.11, S.18; T.104, R.12, S.9
Lynch Creek, T.104, R.11, S.2,11,14
Mahoods Creek, T.103, R.12, S.20
Maple Creek, T.102, R.8, S.3,4; T.103, R.8, S.27,28,33,34
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Nepstad Creek, T.102, R.8, S.4,5,7,8,9; T.102, R.9, S.1,2,12
Newburg Creek (M-9-10-10-1), T.101, R.8, S.5,8
Partridge Creek, T.102, R.10, S.33; T.101, R.10, S.4
Pine Creek (Winona*), T.104, R.9, S.2,3,4
Rice Creek, T.103, R.11, S.3,4,5,7,8,9; T.104, R.11, S.14,23,33
Riceford Creek (Houston*), T.101, R.7, S.6,7,18,19; T.101, R.8, S.1,12,13,24
Root River, S. Branch, T.102, R.10, S.5,6; T.102, R.11, S.1,2,3,4,5,6,7,8,9,10,11,18; T.102, R.12, S.13,21,22,23,24,26,27;
T.103, R.9, S.7,18; T.103, R.10, S.13,14,15,16,21,22,23,24,28,29,32,33; T.103, R.11, S.36
Root River, S. Fork, T.102, R.8, S.2,3,4,8,9,10,11,17,18,19; T.102, R.9, S.24,25,26
Rush Creek (Winona*), T.104, R.8, S.2,3,4,10,11,13,14
Schueler Creek, T.104, R.8, S.1,2,3
Shady Creek, T.104, R.11, S.19,30
Spring Valley Creek, T.103, R.12, S.8,17,18,19,20,30; T.103, R.13, S.23,24,25,26,27,28,29,32,33,34
Torkelson Creek, T.104, R.10, S.25,36
Trout Run Creek (Winona*), T.104, R.10, S.4,5,8,9,16,17,20,21
Unnamed Creek (M-9-10-5-3) (Houston*), T.101, R.8, S.1,2
Unnamed Creek (M-9-10-5-4), T.101, R.8, S.12,13
Unnamed Creek (M-9-10-10-5), T.102, R.8, S.32,33
Unnamed Creek (M-9-10-6) (Houston*), T.103, R.8, S.36
Unnamed Creek, T.104, R.8, S.19,30
Vesta Creek, T.102, R.8, S.10,11,14,15,23
Watson Creek, T.103, R.10, S.19,20,21,29,30; T.103, R.11, S.22,23,24,25,26,27,28,29,30
Willow Creek, T.101, R.11, S.1,12; T.102, R.11, S.1,12,13,24,25,36
Wisel Creek, T.101, R.8, S.5,6,8; T.102, R.8, S.19,20,29,30,31,32

GOODHUE COUNTY

Bullard Creek, T.112, R.14, S.1,2,3,10; T.113, R.14, S.36
Cannon River, Little, T.110, R.18, S.1,10,11,12,15; T.111, R.18, S.13,24,25,36
Hay Creek, T.111, R.15, S.4; T.112, R.14, S.19; T.112, R.15, S.1,12,13,23,24,26,27,33,34; T.113, R.15, S.24,25,36
Mazeppa Creek (Wabasha*), T.110, R.15, S.24,25
Pine Creek, T.112, R.17, S.5,6,8,9
Spring Creek, T.112, R.15, S.5,6,7,18; T.113, R.15, S.29,31,32,33,34
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Beaver Creek, East, T.102, R.6, S.5,6,8,17
Beaver Creek, West, T.102, R.6, S.5,6,7,18,19,30; T.102, R.7, S.12,13,24,25,26
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Campbell Creek, T.104, R.6, S.5,7,8,18
Crooked Creek, Main Branch, T.102, R.4, S.18,19,20,28,29,30; T.102, R.5, S.25,26,36
Crooked Creek, N. Fork, T.102, R.5, S.17,20,21,22,23,26
Crooked Creek, S. Fork, T.102, R.5, S.26,28
Crystal Creek, T.103, R.5, S.6,7,18,19; T.103, R.6, S.1,12
Daley Creek, T.103, R.7, S.4,5,8; T.104, R.7, S.33
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Eitzen Creek, T.101, R.5, S.22,23
Ferndale Creek, T.104, R.7, S.29,30,31
Girl Scout Camp Creek, T.103, R.7, S.29,30
New York Hollow Creek, T.101, R.5, S.25,26
Riceford Creek (Fillmore*), T.101, R.7, S.6; T.102, R.7, S.29,30,31,32
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Storer Creek, T.104, R.5, S.17,18,19,30
Sullivan Creek, T.103, R.5, S.12,13,14,23,24,25,26
Swede Bottom Creek, T.103, R.6, S.10
Thompson Creek, T.103, R.4, S.5,6,7; T.103, R.5, S.12; T.104, R.4, S.32
Unnamed Creek, T.101, R.4, S.21
Unnamed Creek (M-9-10-5-3) (Fillmore*), T.101, R.7, S.6
Unnamed Creek, T.102, R.4, S.18,19,20,29,30
Unnamed Creek (M-9-10-6) (Fillmore*), T.103, R.7, S.31
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Winnebago Creek, T.101, R.4, S.28,29,30; T.101, R.5, S.7,8,14,15,16,17,22,23,24,25; T.101, R.6, S.12

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Cold Creek, T.145, R.33, S.19
Hellcamp Creek, T.140, R.33, S.19; T.140, R.34, S.24
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Kawishiwash Creek, T.142, R.32, S.12
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Pickedee Creek, T.144, R.32, S.29,30; T.144, R.33, S.24,25
Schoolcraft Creek, T.142, R.34, S.5,7,8,17
Shingobee River (Cass*), T.141, R.32, S.24
Stall Creek, T.143, R.33, S.12,13,14
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Wallingford Brook, T.139, R.33, S.1,2,11; T.140, R.33, S.25,36

ITASCA COUNTY

Bruce Creek, T.53, R.22, S.6,7; T.53, R.23, S.25,26; T.54, R.22, S.18,19,30,31; T.54, R.23, S.25,26
Harrigan Creek, T.62, R.23, S.10
Matuska's Creek, T.54, R.26, S.35,36
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Pancake Creek, T.54, R.22, S.20,28,29,32,33
Peters Creek, T.54, R.22, S.22,23,27,28
Pickerel Creek, T.56, R.22, S.7,18; T.56, R.23, S.13
Pokegama Creek, T.54, R.26, S.26,27,28
Pokegama Creek, Little, T.54, R.26, S.26,27,34,35
Rosholt Creek, T.55, R.23, S.22,23,24
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Smith Creek, T.53, R.26, S.1,9,10,11,12,13,14,15; T.54, R.26, S.35,36

Smith Creek, Unnamed Trib., T.54, R.26, S.35,36
Smith Creek, Unnamed Trib., T.53, R.26, S.11,12
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Stoney Brook (St. Louis*), T.60, R.22, S.3,4; T.61, R.22, S.13,24,25,35,36
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Venning Creek, T.60, R.23, S.1,2,11,12,13,14; T.61, R.23, S.35
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Baptism River, Main Branch, T.56, R.7, S.3,4,5,9,10,14,15; T.57, R.7, S.20,27,28,29,33,34
Baptism River, E. Branch, T.57, R.6, S.6; T.57, R.7, S.1,2,3,9,10,11,12,16,17,20; T.58, R.6, S.30,31; T.58, R.7, S.13,17,19,20,21,22,23,24,25,26,29,30,36; T.58, R.8, S.22,23,24,25,26
Baptism River, W. Branch, T.57, R.7, S.7,17,18,20; T.57, R.8, S.1,2,12; T.58, R.8, S.2,3,4,9,10,11,15,16,20,21,22,28,33,34,35,36; T.59, R.8, S.27,34,35
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Beaver River, W. Branch, T.55, R.8, S.7,17,18; T.55, R.9, S.2,3,4,10,11,12,13,14
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Blesner Creek, T.58, R.6, S.20,29,30,31
Budd Creek, T.55, R.9, S.7,17,18,20,21
Camp Creek, T.60, R.8, S.3,4,5,7,8,9,10,16,17,20,21,29; T.61, R.8, S.33
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Caribou River (Cook*), T.58, R.6, S.1,2,11,13,14,15,22,23,24,25,26,36; T.59, R.6, S.23,24,25,26,35,36
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Cedar Creek, T.56, R.8, S.13,14,23,24,26
Cloudy Spring Creek, T.57, R.9, S.5,6,7,18; T.57, R.10, S.12,13,24
Cross River (Cook*), T.60, R.6, S.13,24,25
Crow Creek, T.53, R.10, S.1,2; T.54, R.10, S.15,22,23,26,35
Crown Creek, T.57, R.8, S.2,3,4,5,9,10,11; T.58, R.8, S.5,6,7,18,19,20,29,30,31,32,33; T.58, R.9, S.1,12,13,14,24,36; T.59, R.8, S.31,32
Dago Creek, T.54, R.9, S.18,19; T.54, R.10, S.2,11,12,13; T.55, R.10, S.27,34,35
Dragon Creek, T.57, R.6, S.8,9,16,17,21
Egge Creek, T.57, R.7, S.2,3,4,11
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Gooseberry River, Little, T.54, R.10, S.6; T.54, R.11, S.1; T.55, R.10, S.31; T.55, R.11, S.34,35,36
Harris Lake Creek, T.60, R.10, S.6; T.61, R.10, S.19,30,31
Hockamin Creek, T.57, R.7, S.17,18,19; T.57, R.8, S.13,16,20,21,22,23,24,25,26,27,28,29,32,33,34
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Houghtaling Creek, T.59, R.6, S.2,3,4,5,6; T.60, R.6, S.25,32,33,35,36
Inga Creek, T.60, R.9, S.2; T.61, R.9, S.11,12,14,22,23,27,34,35
Isabella River, Little, T.59, R.8, S.3,4,5,6,9,10; T.60, R.8, S.31,32; T.60, R.9, S.5,6,8,9,10,15,16,22,25,26,27,36; T.61, R.9, S.3,4,9,10,16,17,20,21,22,29,32; T.62, R.9, S.34
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Knife River, Little, W. Branch (St. Louis*), T.52, R.11, S.5,6; T.53, R.11, S.31
Leppanen Creek, T.57, R.7, S.15,21,22,28
Lindstrom Creek, T.56, R.7, S.4; T.57, R.7, S.19,30,31,32,33; T.57, R.8, S.25
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Manitou River, Little, T.57, R.6, S.2; T.58, R.6, S.34,35
Marais River, Little, T.57, R.6, S.5,8,16,17,21
Mary Ann Creek, T.58, R.10, S.16,21
Martin Creek, T.58, R.6, S.2,3,11
McCarthy Creek (St. Louis*), T.53, R.11, S.18
Mike Kelly Creek, T.60, R.11, S.14,15,23
Mile Post 43 Creek, T.56, R.8, S.2,3,9,10,11,13,14,15
Mink Creek, T.54, R.9, S.4,5,9; T.55, R.9, S.30,31,32; T.55, R.10, S.25,26,36
Mitawan Creek, T.60, R.9, S.1,12; T.61, R.8, S.5,6,7,18,19,31; T.61, R.9, S.1,2,12,13,24,25,36; T.62, R.9, S.35
Moose Creek, T.59, R.6, S.31,32,33,34
Mud Creek, Little, T.57, R.11, S.11,12,14,22,23
Murphy Creek, T.56, R.11, S.4,5,8,17,18,19; T.57, R.10, S.4,7,8,9,18; T.57, R.11, S.11,12,13,14,21,22,23,24,26,27,28,33,34
Nicadoo Creek, T.56, R.7, S.7; T.56, R.8, S.1,12; T.57, R.8, S.25,35,36
Nine Mile Creek, T.58, R.6, S.3,4,9,16,17; T.59, R.6, S.27,28,33,34
Nip Creek, T.59, R.11, S.3,4; T.60, R.11, S.21,22,27,28,34
Nira Creek, T.61, R.11, S.22,23,27
Oliver Creek (Silver), T.57, R.7, S.5,6; T.57, R.8, S.1; T.58, R.7, S.31,32
Palisade Creek, T.56, R.7, S.16,17,18,19,20,21,22; T.56, R.8, S.24
Rock Cut Creek, T.58, R.6, S.18,19,20; T.58, R.7, S.13
Sawmill Creek, T.57, R.6, S.18; T.57, R.7, S.1,12,13,22,23,24,26,27,34
Schoolhouse Creek, T.58, R.7, S.35,36
Scott Creek, T.59, R.7, S.4; T.60, R.7, S.9,10,15,16,21,22,27,33,34,35
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Silver Creek, E. Branch, T.53, R.10, S.5,8,9,16,21
Skunk Creek (Carlton*), T.54, R.9, S.4,9,16,17,20; T.55, R.9, S.19,29,30,32,33; T.55, R.10, S.13,14,24
Snake Creek, T.60, R.9, S.6; T.60, R.10, S.1; T.61, R.9, S.19,30,31; T.61, R.10, S.24,25,36
Snake River, T.60, R.10, S.3,4; T.61, R.9, S.7,18,19; T.61, R.10, S.12,23,24,26,27,33,34
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Split Rock River, W. Branch, T.55, R.9, S.6,7,8,16,17,21,22,26,27,28; T.55, R.10, S.1; T.56, R.10, S.22,26,27,33,34,35,36
Stanley Creek (St. Louis*), T.52, R.11, S.18,19
Stewart River, T.53, R.10, S.18,19,20,29; T.53, R.11, S.2,3,10,11,13,14,15; T.54, R.11, S.3,4,10,15,22,26,27,34,35
Stewart River, Little, T.53, R.10, S.19,20,29; T.53, R.11, S.9,15,16,22,23,24
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Stoney Creek (Rock), T.55, R.9, S.30; T.55, R.10, S.20,23,24,25,27
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Sullivan Creek, T.56, R.11, S.1,2,10,11,15; T.57, R.10, S.19,30; T.57, R.11, S.24,25,36
Thirty-nine Creek, Big, T.56, R.8, S.19,30,31; T.56, R.9, S.1,2,3,9,11,12,13,14,15,22,23,24,25; T.57, R.9, S.22,26,27,35,36
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Tikkanen Creek, T.57, R.7, S.5,6,8,16,17

Tomlinson Creek, T.60, R.7, S.18,19,31; T.60, R.8, S.24,25,36
Tower Creek, T.57, R.7, S.9
Trappers Creek, T.56, R.11, S.2,3,9,10,16,17,19,20; T.57, R.11, S.35
Twin Points Creek, T.54, R.9, S.10,11,13,14
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Victor Creek, T.60, R.9, S.12,13
Wanless Creek, T.60, R.6, S.27,33,34,35,36
Weiss Creek, T.59, R.9, S.2,3,11; T.60, R.9, S.27,34
Wenho Creek, T.58, R.10, S.17,20,21,27,28,34
Whyte Creek, T.57, R.10, S.1,2,11,14,23,26,27,34

LAKE OF THE WOODS COUNTY

Pitt Creek, T.159, R.32, S.4,9,16; T.160, R.32, S.21,28,33 Tomato Creek, T.161, R.34, S.3,9,10; T.162, R.34, S.35

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LYON COUNTY

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MAHNOMEN COUNTY

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Schermerhorn Creek, T.144, R.39, S.6; T.145, R.39, S.31; T.145, R.40, S.25,26,36

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Nelson Hay Creek, T.130, R.31, S.1,2
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Finn Creek, T.135, R.37, S.27,34
Holmstad Creek, T.136, R.37, S.7; T.136, R.30, S.12,13,14
Long Branch Creek, T.134, R.42, S.7
Long Lake Creek, T.132, R.41, S.9
Rush Lake Creek, T.135, R.38, S.23,26,27,28
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Crooked Creek, W. Fork, T.41, R.18, S.11,12; T.42, R.18, S.3,4,9,10,16; T.43, R.18, S.27,34
Crystal Creek, T.41, R.16, S.9,10,15
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Amity Creek, T.50, R.14, S.1; T.50, R.13, S.5,6; T.51, R.13, S.31,32; T.51, R.14, S.26,27,28,35,36
Amity Creek, E. Branch, T.51, R.13, S.30,31; T.51, R.14, S.13,14,15,22,24,25,36
Anderson Creek (Carlton*), T.49, R.15, S.16,17,18
Angora Creek, T.61, R.18, S.9,10,15,16,21,22
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Barrs Creek, T.53, R.13, S.20,27,28,29
Bear Trap Creek, T.51, R.16, R.30; T.51, R.17, S.16,21,22,23,25,26,27,28
Beauty Creek, T.67, R.21, S.23,24,25,26
Berry Creek (Breda) (Lake*), T.55, R.12, S.6,7; T.55, R.13, S.12,13; T.56, R.12, S.1,11,12,14,15,16,21,28,29,31,32
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S.2,3,4,10,14,15,23,24,25,26,36; T.68, R.20, S.26,27,28,33,34
Captain Jacobson Creek, T.52, R.12, S.1,2,3; T.53, R.12, S.33,34,35
Carey Creek, T.53, R.14, S.28,33
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Cemetery Creek, T.51, R.17, S.4,5,9
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Chester Creek, E. Branch, T.50, R.14, S.4,5,9,15,16
Chicken Creek, T.52, R.16, S.5,7,8,18,19; T.52, R.17, S.13,24,25; T.53, R.16, S.32
Coolidge Creek, T.55, R.14, S.19,29,30; T.55, R.15, S.25,26,35,36
Dark River, T.60, R.19, S.19,20,30; T.60, R.20, S.10,11,12,13,24
Dutchess Slough Creek, T.50, R.17, S.4,9,10,13,14,15,24
Elm Creek (Carlton*), T.50, R.16, S.35
Fawn Creek, T.66, R.20, S.1,2,3,4,12; T.67, R.20, S.15,22,23,26,34,35

French River, T.51, R.12, S.7,17,18; T.51, R.13, S.1,2,3,12; T.52, R.13, S.8,9,16,17,20,21,23,26,27,28,29,34,35
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Hasty Brook (Carlton*), T.50, R.20, S.28,29,32,33
Hay Creek (Carlton*), T.50, R.16, S.20,21,28,29,32,33
Hellwig Creek, T.53, R.17, S.13,14,23,24,25,26,34,35; T.52, R.17, S.3,10,14,15,23,26; T.53, R.16, S.16,18,19,20,30
Hornby Junction Creek, T.55, R.13, S.5,6,7; T.56, R.13, S.28,32,33
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Johnson Creek, T.50, R.17, S.3,10,11,14; T.51, R.17, S.34
Johnson Creek, T.55, R.12, S.35,36
Johnson Creek, T.60, R.18, S.6,7,8,17,20
Keene Creek, T.49, R.14, S.18; T.49, R.15, S.1,12,13; T.50, R.15, S.24,25,36
Kehtel Creek, T.51, R.15, S.8,17,18,19,20
Kingsbury Creek, T.49, R.15, S.4,9,10,11,13,14; T.50, R.15, S.33,34
Kinmount Creek, T.67, R.20, S.19; T.67, R.21, S.13,14,15,20,21,22,23,24
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Longstorff Creek, T.62, R.12, S.6,7; T.63, R.12, S.31
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Marshall Creek, T.52, R.15, S.10,15
McCarthy Creek (Lake*), T.53, R.12, S.12,13
McNiven Creek, T.59, R.19, S.10,16,21,28,32,33
Midway River (Carlton*), T.49, R.15, S.5,6; T.50, R.15, S.7,8,14,15,16,17,20,21,22,23,28,29,32,33
Miller Creek, T.49, R.14, S.4; T.50, R.14, S.6,18,19,29,30,32,33; T.50, R.15, S.12,13; T.51, R.14, S.31,32
Mission Creek (Carlton*), T.48, R.15, S.5,6; T.49, R.15, S.31
Mud Creek, T.54, R.12, S.20,21,22,29,30
Nine Mile Creek, T.66, R.19, S.4; T.67, R.19, S.7,8,18,19,20,21,27,28,29,33; T.67, R.20, S.12,13,14,23
Pine River (White Pine River), T.50, R.16, S.4,8,9,15,16,17,18,19,20,21,29,30,32; T.50, R.17, S.23,24,26
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Rocky Run Creek, T.49, R.15, S.6; T.50, R.15, S.30,31; T.50, R.16, S.11,12,13,24,25
Ross Creek, T.52, R.13, S.1,2,3,4,5; T.53, R.13, S.33
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Sand Creek, T.60, R.21, S.3,4,5,10,11,14; T.61, R.20, S.19; T.61, R.21, S.3,10,11,14,15,23,24,25,26,27,33,34,35; T.62,
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Stanley Creek (Lake*), T.52, R.12, S.4,5,8,9,10,11,12,13
Stewart Creek, T.49, R.15, S.21,22,26,27
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Stoney Brook (Itasca*), T.61, R.21, S.7,18
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S.19,20,30,31; T.53, R.13, S.24,25,36
Sucker River, Little, T.51, R.12, S.2,3
Swan Creek, East, T.56, R.20, S.3,4,5,10,11
Swan Creek, Little, T.56, R.19, S.17,19,20,30; T.56, R.20, S.25,26,35
Swan River, East, T.55, R.19, S.18,19,30,31; T.55, R.20, S.1,2,12,13; T.56, R.20, S.2,3,11,14,23,26,27,35; T.57, R.20,
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Two Rivers, East, T.61, R.14, R.7,8; T.61, R.15, S.1,2,3,4,12; T.62, R.14, S.29,30,31,32; T.62, R.15, S.32,33,34,35,36
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Ugstad Creek, T.51, R.15, S.21,22,26,27,28
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R.15, S.23,24,26,27,32,33,34
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Luxemburg Creek, T.123, R.28, S.16,17,18,19,20,21,22,30
Meyers Creek, T.122, R.28, S.4; T.123, R.28, S.22,27,33,34
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Spring Creek, T.110, R.12, S.7,17,18,20,21,27,28,29
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Hay Creek, T.134, R.33, S.7,8,9,10,11,17,18
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Burns Valley Creek, E. Branch, T.106, R.7, S.3,10,15
Burns Valley Creek, W. Branch, T.106, R.7, S.3,4; T.107, R.7, S.34
Burns Valley Creek, Main Branch, T.106, R.7, S.2; T.107, R.7, S.35
Campbell Creek, T.105, R.6, S.21,28,29,32
Cedar Valley Creek, T.105, R.6, S.6; T.106, R.6, S.1,11,12,14,15,21,22,28,29,31,32; T.107, R.6, S.1
Coolridge Creek, T.105, R.9, S.23,26
Corey Creek, T.105, R.6, S.18,19; T.105, R.7, S.24,25,26,27,34
Dakota Creek, T.105, R.4, S.7; T.105, R.5, S.1,2,3,11,12
Ferguson Creek, T.105, R.8, S.18; T.105, R.9, S.12,13
Garvin Brook, T.106, R.8, S.4,5,8,17; T.107, R.8, S.14,23,26,27,33,34,35
Gilmore Creek, T.106, R.7, S.6; T.107, R.7, S.20,29,30,31,32
Hemmingway Creek, T.105, R.9, S.26,28,33,34,35
Money Creek, T.105, R.7, S.3,4,6,7,8,9,16,17
Peterson Creek, T.106, R.8, S.7,8
Pickwick Creek, T.106, R.5, S.7,18; T.106, R.6, S.13,23,24,26,34,35
Pickwick Creek, Little, T.106, R.5, S.18,19,29,30,32; T.106, R.6, S.13
Pine Creek (Fillmore*), T.105, R.9, S.25,26,33,34,35; T.105, R.8, S.30,31,32,33
Pine Creek, T.105, R.5, S.18,19,20,29,30,31,32; T.105, R.6, S.13,36
Pine Creek, S. Fork, T.105, R.5, S.19; T.105, R.6, S.24
Pleasant Valley Creek, T.106, R.6, S.7,18,19; T.106, R.7, S.1,12,13,24,25
Rollingstone Creek, T.107, R.8, S.2,3,4,5,6,7,9,10,11; T.107, R.9, S.12,13
Rollingstone Creek, Md. Branch, T.107, R.8, S.9,16
Rose Valley Creek, T.105, R.5, S.22,27,34,35
Rupprecht Creek, T.107, R.9, S.13,24,25,26,35
Rush Creek (Fillmore*), T.105, R.8, S.6,7,18,19,20,29,32,33; T.105, R.9, S.1,2,12; T.106, R.9, S.26,34,35,36
Silver Creek (Houston*), T.105, R.6, S.34,35
Speltz Creek, T.107, R.8, S.5,6; T.108, R.8, S.31; T.108 R.9, S.36
Stockton Valley Creek, T.106, R.8, S.2,3,10,11,14,23; T.107, R.8, S.34
Trout Run Creek (Fillmore*), T.105, R.10, S.18,19,30,31,32
Trout Run (Whitewater State Park), T.107, R.10, S.29
Trout Valley Creek (Wabasha*), T.108, R.9, S.5,8,17,20
Unnamed Creek (Whitewater Trib.), T.108, R.10, S.35,36
Unnamed Creek, T.105, R.7, S.19,29,30; T.105, R.8, S.24
Unnamed Creek (Miller Valley), T.106, R.5, S.21,22,27,28
Unnamed Creek (Richmond), T.106, R.5, S.17,20,21
Unnamed Creek (Deering Valley), T.108, R.8, S.20,28,29
Whitewater River, Main Branch (Wabasha*), T.107, R.10, S.2,3,9,10; T.108, R.10, S.1,2,10,11,14,15,22,23,26,27,35

Commissioners' Orders

Whitewater River, Md. Branch (Olmsted*), T.107, R. 10, S.9,10,16,17,19,20,30

Whitewater River, N. Branch (Wabasha & Olmsted*), T.107, R. 10, S.5,6,7,8,9

Whitewater River, S. Branch, T.106, R.9, S.6; T.106, R.10, S.1; T.107, R.9, S.31; T.107, R. 10, S.3,10,11,13,14,24,25,36

YELLOW MEDICINE COUNTY

Canby Creek, T.114, R.45, S.17,18; T.114, R.46, S.13,14,21,22,23

Sec. 2. (a) The taking of fish of any variety is prohibited in the waters designated as trout streams by this order, except during the open season for the taking of stream trout in streams.

(b) The taking of minnows in the waters designated as trout streams by this order is prohibited at all times.

Sec. 3. Commissioner's Orders Nos. 2294 and 2373 are hereby superseded.

Dated at St. Paul, Minnesota, this 12th day of May, 1992.

Rodney W. Sando, Commissioner
Department of Natural Resources

Revenue Notices

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

Department of Revenue

Revenue Notice #92-13: Sales and Use Tax—Road-Building Materials

General Rules: The sale of building materials to owners, contractors, subcontractors, or builders for the alteration, repair or improvement of real property are retail sales and are taxable under the provisions of *Minnesota Statutes* § 297A.01, subd. 4. If sales tax is not paid by the contractor at the time of purchase, the contractor must pay a use tax for the privilege of using, storing, or consuming tangible personal property in Minnesota. No use tax is due if the contractor uses gravel from their own pit in a contract for the improvement of real property.

The following examples illustrate common situations that occur in this area. References to "materials" in these examples include rock, gravel, and similar road building materials.

1. **Example:** A contractor uses rock or gravel from their own pit on a road contract.

Department position: The contractor does not have to pay sales or use tax on their own gravel or on their labor to mine or process this gravel.

2. **Example:** A contractor uses material from someone else's pit on a road contract. Payment is made to the pit owner as a royalty. The pit owner actively sells gravel to many customers.

Department position: The contractor should be charged sales tax on the purchase. If they purchase the material without tax, they should pay use tax on the gravel.

3. **Example:** A contractor purchases material from its subsidiary for use on a road contract.

Department position: Since each corporation is considered to be a separate legal entity or person, a taxable sale has occurred. The contractor should be charged sales tax on the materials. If the materials are purchased without tax, the contractor should pay use tax.

4. **Example:** A contractor uses rock or gravel from someone else's pit on a road contract. The pit owner is not in the trade or business of selling gravel.

Department position: In this situation, since the pit owner is not in the trade or business of selling gravel, we would recognize the isolated or occasional sale exemption found in *Minnesota Statute* § 297A.25, subd. 12. But note that with certain exceptions, this exemption does not apply to sales of tangible personal property primarily used in a trade or business. This means that even if the pit owner is not in the trade or business of selling gravel, if the pit owner used gravel in a trade or business the occasional sale exemption would not apply and the material would be subject to tax.

5. **Example:** A contractor uses rock or gravel from someone else's pit on a road contract. The pit owner is in the trade or business of selling gravel, but has not previously mined the rock or gravel in this pit. The contractor uses their own machinery to mine the pit. Payment is made to the pit owner as a royalty.

Department position: This is a taxable sale of tangible personal property and not a sale of real property. The contractor should be charged sales tax.

6. **Example:** The state owns material that they sell to a contractor to use on a road contract.

Department position: This material is subject to sales and use tax. The state is required to collect tax on sales of this material. If no tax is paid at the time of sale, the contractor must pay use tax on the material.

7. **Example:** The state owns material that is made available to a contractor at no charge for use on a road contract. The state has a contract with the contractor that includes labor and material. The state furnishes the material to the contractor for a credit against the contract price.

Department position: A taxable sale occurs when the state transfers the materials to the contractor. The state must collect tax on the amount of the credit.

8. **Example:** The state owns material that is made available to a contractor at no charge for use on a road contract. The contract is for labor only.

Department position: No taxable sale has occurred and no sales tax is due on this transaction. The state does not have to pay use tax on rock or gravel from its own pit.

9. **Example:** A contractor has a lease to buy material at a unit price.

Department position: This is a sale of tangible personal property and the material is subject to sales and use tax.

10. **Example:** A contractor purchases material from a pit owner who charges a separate fee for crushing, screening, sizing, or otherwise processing it.

Department position: This modification of the materials is the processing of tangible personal property and is fabrication labor that is subject to sales tax. Therefore, the entire amount charged for the material is taxable, including all processing charges.

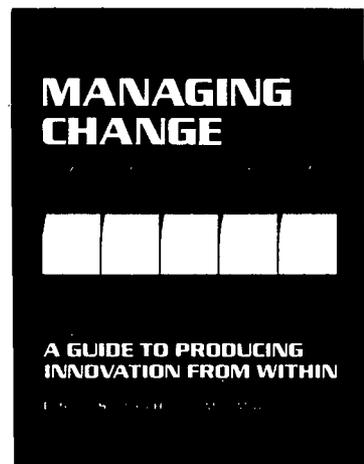
11. **Example:** A contractor purchases material from a pit owner and hires another party to crush, screen, size, or otherwise process the material.

Department position: The pit owner must charge the contractor sales tax on the material. The party processing the material also must charge the contractor sales tax on their fabrication labor.

Dated: 26 May 1992

Manage Change and Information Plans

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Emergency Rules

Proposed Emergency Rules

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

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

Adopted Emergency Rules

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

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

Continued/Extended Emergency Rules

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

Department of Human Services

Notice of Continuation of Emergency Rule Governing Grants for Community-Based Mental Health Services for Children with Severe Emotional Disturbance and Their Families

NOTICE IS HEREBY GIVEN that the State Department of Human Services is continuing the above-entitled emergency rules in effect for an additional 180 days in accordance with *Minnesota Statutes*, section 14.35.

The notice adopting the emergency rules was published at *State Register*, Volume 16, Number 27, pages 1591-1592, December 30, 1991 (16 S.R. 1591). The rules became effective December 27, 1991 and are scheduled to expire June 23, 1992. This notice of continuation will extend the effective life of the above-entitled rules through December 20, 1992.

Dated: 13 May 1992

Natalie Haas Steffen
Commissioner

Official Notices

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

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

Department of Agriculture

Minnesota Rural Finance Authority

Notice of Public Hearing on the Issuance of an Agricultural Development Revenue Bond Under Minnesota Statutes, Chapter 41C

NOTICE IS HEREBY GIVEN that a public hearing will be held on June 9, 1992, at 9 a.m. in Room 145 Department of Agriculture Building, 90 West Plato Boulevard, Saint Paul, Minnesota, on a proposal that the Minnesota Rural Finance Authority (the Authority) issue its revenue bond under *Minnesota Statutes*, Chapter 41C, in order to finance the purchase of farmland and to make building repairs located in Section 18 Cerro Gordo Township, Lac Qui Parle County, Minnesota on behalf of Jon Olson, a single person (the Borrowers). The maximum aggregate face amount of the proposed bond issue is \$50,000. The revenue bond will be a limited obligation of the Authority, payable solely from the revenue pledged to the payment thereof. No holder of such revenue bond will ever have the

right to compel any exercise of the taxing power of the State of Minnesota to pay the bond or the interest hereon, nor to enforce payment against any property of the Authority or the State of Minnesota, except the revenues specifically pledged to the payment thereof. Before issuing the revenue bond, the Authority will enter into an agreement with the Borrower whereby the Borrower will be obligated to make payments at least sufficient at all times to pay the principal of and interest on such revenue bond when due.

All persons interested may appear and be heard at the time and place set forth above, or may file written comments with the Executive Director of the Authority prior to the date of the hearing set forth above.

Dated: 11 May 1992

LaVonne Nicolai
RFA Executive Director

Department of Agriculture

Minnesota Rural Finance Authority

Notice of Public Hearing on the Issuance of an Agricultural Development Revenue Bond Under *Minnesota Statutes, Chapter 41C*

NOTICE IS HEREBY GIVEN that a public hearing will be held on June 9, 1992, at 9 a.m. in Room 145 Department of Agriculture Building, 90 West Plato Boulevard, Saint Paul, Minnesota, on a proposal that the Minnesota Rural Finance Authority (the Authority) issue its revenue bond under *Minnesota Statutes, Chapter 41C*, in order to finance the purchase of approximately 200 acres of farmland located in Section 35 Young America Township, Carver County, Minnesota on behalf of Randall & Rose Kuenzel, a married couple (the Borrowers). The maximum aggregate face amount of the proposed bond issue is \$250,000. The revenue bond will be a limited obligation of the Authority, payable solely from the revenue pledged to the payment thereof. No holder of such revenue bond will ever have the right to compel any exercise of the taxing power of the State of Minnesota to pay the bond or the interest hereon, nor to enforce payment against any property of the Authority or the State of Minnesota, except the revenues specifically pledged to the payment thereof. Before issuing the revenue bond, the Authority will enter into an agreement with the Borrower whereby the Borrower will be obligated to make payments at least sufficient at all times to pay the principal of and interest on such revenue bond when due.

All persons interested may appear and be heard at the time and place set forth above, or may file written comments with the Executive Director of the Authority prior to the date of the hearing set forth above.

Dated: 7 May 1992

LaVonne Nicolai
RFA Executive Director

Department of Agriculture

Minnesota Rural Finance Authority

Notice of Public Hearing on the Issuance of an Agricultural Development Revenue Bond Under *Minnesota Statutes, Chapter 41C*

NOTICE IS HEREBY GIVEN that a public hearing will be held on June 9, 1992, at 9 a.m. in Room 145 Department of Agriculture Building, 90 West Plato Boulevard, Saint Paul, Minnesota, on a proposal that the Minnesota Rural Finance Authority (the Authority) issue its revenue bond under *Minnesota Statutes, Chapter 41C*, in order to finance the purchase of farmland located in Section 5 Whitefield Township, Kandiyohi County, Minnesota on behalf of Chad Liebl, a single person (the Borrowers). The maximum aggregate face amount of the proposed bond issue is \$250,000. The revenue bond will be a limited obligation of the Authority, payable solely from the revenue pledged to the payment thereof. No holder of such revenue bond will ever have the right to compel any exercise of the taxing power of the State of Minnesota to pay the bond or the interest hereon, nor to enforce payment against any property of the Authority or the State of Minnesota, except the revenues specifically pledged to the payment thereof. Before issuing the revenue bond, the Authority will enter into an agreement with the Borrower whereby the Borrower will be obligated to make payments at least sufficient at all times to pay the principal of and interest on such revenue bond when due.

All persons interested may appear and be heard at the time and place set forth above, or may file written comments with the Executive Director of the Authority prior to the date of the hearing set forth above.

Dated: 11 May 1992

LaVonne Nicolai
RFA Executive Director

Department of Agriculture

Minnesota Rural Finance Authority

Notice of Public Hearing on the Issuance of an Agricultural Development Revenue Bond Under *Minnesota Statutes, Chapter 41C*

NOTICE IS HEREBY GIVEN that a public hearing will be held on June 9, 1992, at 9 a.m. in Room 145 Department of Agriculture Building, 90 West Plato Boulevard, Saint Paul, Minnesota, on a proposal that the Minnesota Rural Finance Authority (the Authority) issue its revenue bond under *Minnesota Statutes, Chapter 41C*, in order to finance the purchase of farm machinery and some cattle located in Section 18 Cerro Gordo Township, Lac Qui Parle County, Minnesota on behalf of Jon Olson, a single person (the Borrowers). The maximum aggregate face amount of the proposed bond issue is \$10,000. The revenue bond will be a limited obligation of the Authority, payable solely from the revenue pledged to the payment thereof. No holder of such revenue bond will ever have the right to compel any exercise of the taxing power of the State of Minnesota to pay the bond or the interest hereon, nor to enforce payment against any property of the Authority or the State of Minnesota, except the revenues specifically pledged to the payment thereof. Before issuing the revenue bond, the Authority will enter into an agreement with the Borrower whereby the Borrower will be obligated to make payments at least sufficient at all times to pay the principal of and interest on such revenue bond when due.

All persons interested may appear and be heard at the time and place set forth above, or may file written comments with the Executive Director of the Authority prior to the date of the hearing set forth above.

Dated: 11 May 1992

LaVonne Nicolai
RFA Executive Director

Department of Agriculture

Minnesota Rural Finance Authority

Notice of Public Hearing on the Issuance of an Agricultural Development Revenue Bond Under *Minnesota Statutes, Chapter 41C*

NOTICE IS HEREBY GIVEN that a public hearing will be held on June 9, 1992, at 9 a.m. in Room 145 Department of Agriculture Building, 90 West Plato Boulevard, Saint Paul, Minnesota, on a proposal that the Minnesota Rural Finance Authority (the Authority) issue its revenue bond under *Minnesota Statutes, Chapter 41C*, in order to finance the purchase of farm machinery located in Section 14 & 23 Maywood Township, Benton County, Minnesota on behalf of Joseph L. Ratka, a single person (the Borrowers). The maximum aggregate face amount of the proposed bond issue is \$62,500. The revenue bond will be a limited obligation of the Authority, payable solely from the revenue pledged to the payment thereof. No holder of such revenue bond will ever have the right to compel any exercise of the taxing power of the State of Minnesota to pay the bond or the interest hereon, nor to enforce payment against any property of the Authority or the State of Minnesota, except the revenues specifically pledged to the payment thereof. Before issuing the revenue bond, the Authority will enter into an agreement with the Borrower whereby the Borrower will be obligated to make payments at least sufficient at all times to pay the principal of and interest on such revenue bond when due.

All persons interested may appear and be heard at the time and place set forth above, or may file written comments with the Executive Director of the Authority prior to the date of the hearing set forth above.

Dated: 11 May 1992

LaVonne Nicolai
RFA Executive Director

Department of Agriculture

Minnesota Rural Finance Authority

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NOTICE IS HEREBY GIVEN that a public hearing will be held on June 9, 1992, at 9 a.m. in Room 145 Department of Agriculture Building, 90 West Plato Boulevard, Saint Paul, Minnesota, on a proposal that the Minnesota Rural Finance Authority (the Authority)

issue its revenue bond under *Minnesota Statutes*, Chapter 41C, in order to finance the purchase of farmland and building repairs located in Section 14 & 23 Maywood Township, Benton County, Minnesota on behalf of Joseph L. Ratka, a single person (the Borrowers). The maximum aggregate face amount of the proposed bond issue is \$100,000. The revenue bond will be a limited obligation of the Authority, payable solely from the revenue pledged to the payment thereof. No holder of such revenue bond will ever have the right to compel any exercise of the taxing power of the State of Minnesota to pay the bond or the interest hereon, nor to enforce payment against any property of the Authority or the State of Minnesota, except the revenues specifically pledged to the payment thereof. Before issuing the revenue bond, the Authority will enter into an agreement with the Borrower whereby the Borrower will be obligated to make payments at least sufficient at all times to pay the principal of and interest on such revenue bond when due.

All persons interested may appear and be heard at the time and place set forth above, or may file written comments with the Executive Director of the Authority prior to the date of the hearing set forth above.

Dated: 11 May 1992

LaVonne Nicolai
RFA Executive Director

Executive Council State Board of Investment Land Exchange Board Investment Advisory Council

Meeting Notices

The Executive Council, State Board of Investment and the Land Exchange Board will meet on Wednesday, June 3, 1992 at 8:30 a.m. in Room 125, State Capitol, Saint Paul, MN.

The Investment Advisory Council will meet on Tuesday, June 2, 1992 at 2:00 p.m. in Suite 105, 55 Sherburne Avenue, St. Paul, MN.

Department of Human Services

Health Care Management Division

Notice of Solicitation of Outside Information or Opinions Regarding Proposed Emergency Rule Governing the Minnesota Health Right Plan

NOTICE IS HEREBY GIVEN that the State Department of Human Services is seeking information or opinions from sources outside the agency in preparing to propose the adoption of the emergency rule governing the Minnesota Health Right Plan. The adoption of the emergency rule is authorized by *Minnesota Statutes*, section 256.936, subdivision 2 (*Laws of Minnesota 1992*, chapter 549, article 4, section 3), which permits the agency to adopt emergency rules to govern implementation of the Minnesota Health Right Plan.

The emergency rule will expand the Minnesota Children's Health Plan (CHP) to cover eligible adults and older dependent siblings. Health coverage will include all the benefits currently covered under CHP and will add up to 10 hours of outpatient treatment per year of alcohol or drug dependency, inpatient hospital services with a dollar limit and co-pay for adults, and emergency medical transportation. Other elements of the emergency rule will include: a requirement that the commissioner coordinate the provision of hospital inpatient services under the plan with enrollee eligibility under a medical assistance spenddown and apply for any necessary federal waivers or approvals; a requirement that households pay a monthly premium determined by a sliding fee; criteria for premiums and subsidized premiums based on a sliding fee, including a requirement that Health Right coverage is contingent upon payment of the premium; a requirement that households with gross monthly income above a specific limit are not eligible for the plan; a requirement that adult enrollees must pay copayments; measures to maintain expenditures within the limits of available revenues; eligibility criteria; phased-in eligibility of targeted populations for the plan; application procedures; a requirement that enrollees be permanent residents of Minnesota; a provision that an applicant or enrollee may appeal the commissioner's determination; and a provision that the commissioner must inform enrollees of the future availability of premium discounts for healthy lifestyles.

The State Department of Human Services requests information and opinions concerning the subject matter of the emergency 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: Stephanie L. Schwartz, Department of Human Services, Rules and Bulletins Division, 444 Lafayette Road, St. Paul,

Official Notices

Minnesota 55155-3816. Oral statements will be received during regular business hours over the telephone at (612) 297-4302 and in person at the above address.

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

Dated: 18 April 1992

Stephanie L. Schwartz
Rules and Bulletins Division

Department of Human Services

Rules and Bulletins Division

Notice of Solicitation of Outside Information or Opinions Regarding Proposed Rules Governing Uniform Licensing Requirements for Programs Licensed by the Department of Human Services

NOTICE IS HEREBY GIVEN that the State Department of Human Services is seeking information or opinions from sources outside the agency in preparing to propose the adoption of a single, generic rule governing licensing requirements for programs licensed by the Department of Human Services. The adoption of the rule is authorized by *Minnesota Statutes*, section 245A.09, which directs the Commissioner to adopt rules under *Minnesota Statutes*, chapter 14 to govern the operation, maintenance, and licensure of programs subject to licensure under *Minnesota Statutes*, sections 245A.01 to 245A.16.

The Department proposes to adopt a single, generic licensing rule governing administrative licensing requirements for programs licensed by the Department. The goal of the licensing rule is to: provide greater administrative consistency between programs licensed by the Department; reduce administrative complexity by developing uniform licensing requirements; eliminate inconsistent, duplicative, and unnecessary licensing requirements; and simplify the licensing process. Existing administrative licensing requirements in Department rules will be deleted and replaced with a cross-reference to the generic rule.

The State Department of Human Services requests information and opinions concerning the subject matter of the rule. Interested persons or groups may submit data or views on the subject matter of concern in writing or orally. Written statements should be addressed to: Jim Schmidt, Rules and Bulletins Division, Department of Human Services, 444 Lafayette Road, St. Paul, Minnesota 55155-3816. Oral statements will be received during regular business hours over the telephone at (612) 296-7815 and in person at the above address.

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

Dated: 18 May 1992

Jim Schmidt, Rulemaker
Department of Human Services

Metropolitan Council

Notice of Preliminary Schedule for Revising the Housing Chapter of the *Metropolitan Development Guide*

The Metropolitan Council has set up a preliminary schedule to update and revise its housing policy. The Housing Chapter of the *Metropolitan Development Guide* is the Council's chief policy document in the area of housing. Its purpose is to identify the main regional housing issues and set forth policy directions to address special housing needs, guide the production of housing in the region and respond to market changes. The following steps and dates are anticipated:

- Data collection and update Through July 1992
- Issue identification phase: will involve a series of meetings with a variety of housing interest groups May-August 1992

Department of Revenue

Appeals and Legal Services Division

Notice of Solicitation of Outside Information or Opinions Regarding Proposed Sales and Use Tax Rules Governing the Motor Vehicle Rental Tax

NOTICE IS HEREBY GIVEN that the Minnesota Department of Revenue is seeking information or opinions from sources outside the agency in preparing to propose the adoption of rules governing motor vehicle rental tax. The adoption of the rule is authorized by *Minnesota Statutes*, section 270.06, which permits the agency to make, publish, and distribute rules for the administration and enforcement of state tax laws.

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

Stephen E. Krenkel
Department of Revenue
Appeals, Legal Services, and Criminal Investigation Division
10 River Park Plaza
Mail Station 2220
St. Paul, MN 55146-2220

Oral statements will be received during regular business hours over the telephone at (612) 296-1902 Extension 135, and in person at the above address.

All statements of information and opinions shall be accepted until June 26, 1992. Any written material received by the State Department of Revenue shall become part of the rulemaking record to be submitted to the attorney general or administrative law judge in the event that the rule is adopted.

Dated: 13 May 1992

Stephen E. Krenkel
Attorney

Department of Revenue

Appeals, Legal Services, and Criminal Investigation Division

Notice of Solicitation of Outside Information or Opinions Regarding Proposed Sales and Use Tax Rules Governing Utilities and Residential Heating Fuels

NOTICE IS HEREBY GIVEN that the Minnesota Department of Revenue is seeking information or opinions from sources outside the agency in preparing to propose the amendment of rules governing sales and use tax on utilities and residential heating fuels. The adoption of the rule is authorized by *Minnesota Statutes*, section 270.06, which requires the commissioner of revenue to make, publish, and distribute rules for the administration and enforcement of state tax laws.

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

Joan Tujetsch
Department of Revenue
Appeals, Legal Services, and Criminal Investigation Division
10 River Park Plaza
Mail Station 2220
St. Paul, MN 55146-2220

Oral statements will be received during regular business hours over the telephone at (612) 296-1902 Extension 125, and in person at the above address.

All statements of information and opinions shall be accepted until June 26, 1992. Any written material received by the State Department of Revenue shall become part of the rulemaking record to be submitted to the attorney general or administrative law judge in the event that the rule is adopted.

Dated: 26 May 1992

Joan Tujetsch
Attorney

Department of Revenue

Appeals, Legal Services, and Criminal Investigation Division

Notice of Solicitation of Outside Information or Opinions Regarding Proposed Sales and Use Tax Rules Governing Telephone Service and Exemption for Telemarketing

NOTICE IS HEREBY GIVEN that the Minnesota Department of Revenue is seeking information or opinions from sources outside the agency in preparing to propose the adoption of rules governing sales and use tax on telephone service and exemption for telemarketing. The adoption of the rule is authorized by *Minnesota Statutes*, section 270.06, which requires the commissioner of revenue to make, publish, and distribute rules for the administration and enforcement of state tax laws.

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

Joan Tujetsch
Department of Revenue
Appeals, Legal Services, and Criminal Investigation Division
10 River Park Plaza
Mail Station 2220
St. Paul, MN 55146-2220

Oral statements will be received during regular business hours over the telephone at (612) 296-1902 Extension 125, and in person at the above address.

All statements of information and opinions shall be accepted until June 26, 1992. Any written material received by the State Department of Revenue shall become part of the rulemaking record to be submitted to the attorney general or administrative law judge in the event that the rule is adopted.

Dated: 26 May 1992

Joan Tujetsch
Attorney

Department of Revenue

Appeals, Legal Services, and Criminal Investigation Division

Notice of Solicitation of Outside Information or Opinions Regarding Proposed Sales and Use Tax Rules Governing Sales to Exempt Entities, Their Employees or Agents and Charitable, Religious, and Educational Organizations

NOTICE IS HEREBY GIVEN that the Minnesota Department of Revenue is seeking information or opinions from sources outside the agency in preparing to propose the amendment of rules governing sales and use tax on exempt entities, their employees or agents and charitable, religious, and educational organizations. The adoption of the rule is authorized by *Minnesota Statutes*, section 270.06, which requires the commissioner of revenue to make, publish, and distribute rules for the administration and enforcement of state tax laws.

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

Joan Tujetsch
Department of Revenue
Appeals, Legal Services, and Criminal Investigation Division
10 River Park Plaza
Mail Station 2220
St. Paul, MN 55146-2220

Oral statements will be received during regular business hours over the telephone at (612) 296-1902 Extension 125, and in person at the above address.

All statements of information and opinions shall be accepted until June 26, 1992. Any written material received by the State Department of Revenue shall become part of the rulemaking record to be submitted to the attorney general or administrative law judge in the event that the rule is adopted.

Dated: 26 May 1992

Joan Tujetsch
Attorney

State Grants

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

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

Department of Agriculture

Commissioner's Office

Notice of Availability of Agricultural Market Development Grants

The Minnesota Department of Agriculture announces the availability of funds for fiscal year 1993 for agricultural market development grants to encourage and promote marketing of Minnesota agricultural products as provided for in *Minnesota Statutes*, sections 17.101, subd. 2, and 17.102, and *Minnesota Rules*, chapter 1552.

Organizations wishing to apply for a grant should request a copy of the rules governing the program and other related application material. The rules describe eligibility criteria, application content and application procedures. Separate proposals must be submitted for each grant sought. Publication of this notice does not obligate the Minnesota Department of Agriculture to award grant funds.

Other information may be obtained by contacting:

Chris Canaday
Commissioner's Office
Minnesota Department of Agriculture
90 West Plato Blvd.
St. Paul, MN 55107
(612) 296-2810

Proposals must be submitted to Ms. Canaday at the address above. The total of all grants to a grantee may not exceed \$70,000 for the biennium ending June 30, 1993. The grant award for any project may not exceed \$70,000.

Department of Education

Prevention and Risk Reduction Unit

Notice Requesting Grant Proposals for Community and School Prevention and Intervention Initiatives (Violence, Crime, Alcohol and Drug Abuse Prevention and Education of Homeless Youth)

FUNDING CATEGORY	ESTIMATED SIZE OF AWARDS	DOLLARS AVAILABLE	SOURCE OF FUNDS
Co-Location of Services to Targeted Children and Youth (collaboratives between schools and social service, health, and employment providers)	\$30,000-\$50,000 for service projects/\$3,000-\$5,000 for planning grants	\$590,000 for service projects/\$50,000 for planning grants*	Drug Free Schools and Communities Act and MS 123.701
Community Crime and Drug Prevention	\$10,000-\$50,000	\$800,000	U.S. Dept. of Justice Bureau of Justice Assistance and MS 299A.30
Community Violence Prevention Councils	\$3,000	\$250,000	1992 MN Crime Bill
High-Risk Youth Activities (for alcohol and drug prevention)	\$10,000-\$50,000	\$539,000	Drug Free Schools and Communities Act
Education of Homeless Children and Youth	\$5,000-\$75,000	\$220,000	Stewart B. McKinney Act
Violence Prevention Education in Schools	Maximum request \$3/student	\$1,450,000	1992 MN Crime Bill

*10% Matching Funds Required

Deadline for making an application is July 15, 1992* (*one exception, schools wanting to implement their violence prevention education programs by October 1 should submit their applications by July 15. Those wanting to implement their programs in January must submit a letter of intent by July 15, but have until October 1 to submit an application. October 1 applicants will only be considered if a letter of intent is received by July 15.)

The type of organization eligible to apply varies for each funding source. Eligible applicants include public or private non-profit entities which include schools, school districts, groups of school districts, regional entities, community health boards, community social service agencies, community correction agencies parent groups, community action agencies, law enforcement agencies, and other community based organizations may be eligible.

Programs are expected to begin sometime between October 1, 1992 and January 1, 1993. Funding is for 12 months. Some of the funding is renewable for a second year contingent on good performance and availability of funds.

For more information contact the Application Hotline at (612) 297-1419.

Minnesota Housing Finance Agency

Notice of Availability of Federal Funds and State Matching Funds for the Stewart B. McKinney Transitional Housing Program

The Minnesota Housing Finance Agency (MHFA) announces the availability of federal funds and MHFA matching funds to assist in the development of projects providing housing and supportive services for homeless persons in the form of transitional housing to facilitate the movement of homeless persons to independent living. Funding is available for the acquisition and/or rehabilitation of existing structures, new construction (under limited circumstances), and operating and supportive service costs (for up to five years). Eligible applicants are States, metropolitan cities, urban counties, government entities, tribes, and private non-profit organizations.

Federal grants for acquisition, rehabilitation, or new construction are limited to \$200,000 (\$400,000 in high-cost areas) and must be matched with an equal amount of non-federal funds. For the purpose of this program, CDGB and CSBG funds are not considered Federal funds and may be counted as match. Applicants may apply for state matching funds for acquisition or rehabilitation of property, which is made in the form of a no-interest 30 year deferred loan. State matching funds may not exceed \$200,000, may not exceed the federal grant, and no State funds are available to match operating costs.

A total of \$90 million was made available on April 30, 1992 as authorized under the Stewart B. McKinney Homeless Assistance Act, as amended (42 U.S.C. 11381-11388) and appropriated in the HUD appropriations act for fiscal year 1992 (Pub. L. 102-139, approved October 28, 1991). Not less than \$20 million of the funds will be allocated to Transitional Housing projects that serve homeless families with children. A proposed rule was published January 6, 1992 in the *Federal Register* (57 FR 466) and will govern this round of funding. Minnesota applications will compete with applications nationwide for funding, and all Transitional Housing applications are due to HUD by June 26, 1992.

Applications for MHFA matching funds must be submitted to MHFA by May 26, 1992. The application will be reviewed by MHFA staff and awards will be based on the following criteria: capacity and experience of the project sponsor, overall quality and cost-effectiveness of the proposed development, geographical distribution of projects, evidence of local support, need for transitional housing for the population to be served, and the extent to which MHFA and HUD funds will be combined with funds or in-kind contributions from other public and private sources. Commitments regarding matching funds will be made by June 1, 1992 and full, completed applications will be due to MHFA by June 16, 1992 to be forwarded to HUD by June 26, 1992.

Those project sponsors who may be interested in the MHFA McKinney Match program should contact Diane Bauleke (612) 296-9829 or Patty Beech (612) 297-5230, at the Minnesota Housing Finance Agency, 400 Sibley Street, Suite #300, St. Paul, MN 55101, as soon as possible to obtain an application and to discuss the feasibility of their proposal.

Application forms and technical assistance for sponsors who are not seeking state matching funds may be obtained by contacting Charlotte Scott at (612) 370-3035, U.S. Department of Housing and Urban Development, Minneapolis-St. Paul Office, Region V, 220 Second Street South, Minneapolis, MN 55401-2195.

Minnesota Housing Finance Agency

Notice of Availability of Federal Funds and Request for Proposals for Permanent Housing for Handicapped Homeless Persons Program

The Minnesota Housing Finance Agency (MHFA) announces the availability of federal funds and MHFA matching funds to assist in the development of community-based long term housing, which will be combined with supportive services, for handicapped persons

State Grants

who are homeless. Funding is available for the acquisition and/or rehabilitation of existing structures; new construction (under limited circumstances); and operating and supportive service costs (for up to five years).

Federal assistance will be in the form of matching grants to project sponsors for housing projects for not more than eight homeless handicapped persons and their families. The maximum allowable number of handicapped homeless persons in a permanent housing project may be increased to sixteen, but only if not more than twenty percent of the units in the project are designated for such persons. A project sponsor may be either a private nonprofit organization or a public housing agency (PHA).

Federal grants for acquisition, rehabilitation, or new construction are limited to \$200,000 for each activity and must be matched with an equal amount of non-Federal funds. For the purpose of this program, CSBG and CDBG funds are not considered Federal funds and may be counted as match. Applicants may apply for state matching funds for acquisition or rehabilitation of property, which is made in the form of a no-interest 30 year deferred loan. State matching funds may not exceed \$200,000, may not exceed the federal grant, and no State funds are available to match operating costs.

A total of \$41 million was made available on April 30, 1992 as authorized under the Stewart B. McKinney Homeless Assistance Act, as amended (42 U.S.C. 11381-11388) and appropriated in the HUD appropriations act for fiscal year 1992 (Pub. L. 102-139, approved October 28, 1991). A proposed rule was published January 6, 1992 in the *Federal Register* (57 FR 466) and will govern this round of funding. Minnesota applications will compete with applications nationwide for funding.

Since the application to HUD must be submitted by a State, MHFA has issued a mini-Request for Proposals (RFP) for the purpose of selecting applications to be forwarded to HUD. All sponsors must submit their mini-Request for Proposals to MHFA by June 9, 1992. The proposals will be reviewed by an interagency review committee, with project selections based on the following criteria: capacity and experience of sponsor, overall quality and cost-effectiveness of proposed project, quality and comprehensiveness of proposed social services, local support for the project, geographical distribution of projects, and the extent to which MHFA and HUD funds are combined with funds or in-kind contributions from other sources. Potential applicants are encouraged to consider projects which will serve homeless persons whose primary disability is alcoholism or chemical dependency and projects which will involve the cooperation of a housing provider and a social service provider. Projects sponsors whose Permanent Housing projects are selected for submission to HUD will have until July 13, 1992 to submit the full, completed application to MHFA. MHFA will forward the applications to HUD by the deadline of July 29, 1992.

Private, non-profit sponsors who may be interested in this program should contact Patty Beech (612) 297-5230 or Diane Bauleke (612) 296-9829 at the Minnesota Housing Finance Agency, 400 Sibley Street, Suite #300, St. Paul, MN 55101, as soon as possible to obtain the mini-Request for Proposals and the federal application, and to discuss the feasibility of their proposal.

Department of Human Services

Chemical Dependency Program Division

Funds Available to Provide Youth Chemical Dependency Prevention Services for American Indian Youth

The Chemical Dependency Program Division (CDPD) of the Minnesota Department of Human Services is soliciting proposals from non-profit organizations, private organizations, and units of government to provide youth chemical dependency prevention services for American Indian youth residing within the city of St. Paul.

The funded program(s) should begin on or about November 1, 1992 and continue for 8 months. Approximately \$37,000 is available to fund one or more grantees. Grant funds can be used to enhance current programs or to start a new program. The funded project(s) may continue beyond the initial grant period based on satisfactory performance and availability of funds.

The goal of the youth chemical dependency prevention project is to reduce the high incidence of alcohol/drug abuse by American Indian youth.

Telephone requests for programmatic information concerning this RFP should be directed to Ron Welch at (612) 296-4043. Budget/fund use questions should be directed to Ms. Dorrie Hennagir at (612) 296-4617.

Department of Human Services

Family Self-Sufficiency Administration

Refugee and Immigrant Assistance Division

Notice of Discretionary Targeted Assistance Grant

NOTICE IS HEREBY GIVEN that the Refugee and Immigrant Assistance Division, Family Self-Sufficiency Administration, Minnesota Department of Human Services, has received from the Federal Office of Refugee Resettlement the FY 1992 Targeted Assistance 10% Discretionary Program announcement.

The funds available are for specific types of services allowable in each of the four categories of employment, health, education, and crime victimization for high impact areas.

The State is the only eligible applicant for this grant on behalf of local agencies and will be limited in the amount of funding they may request, based on the size of their refugee population and the degree to which they are impacted by Hmong, Cambodians, or Soviet Pentecostals.

The Refugee and Immigrant Assistance Division suggests that interested applicants contact the State by June 5, 1992 to discuss their ideas and the possibility of including their proposals in the State's application for this grant. The deadline for submission of proposals, to the State, is July 2, 1992.

Please refer to the Administration for Children and Families, Office of Refugee Resettlement letter #92-12, dated May 6, 1992 and/or contact the State for further information.

Minnesota Department of Human Services
Refugee and Immigrant Assistance Division
Jan Rohweder-Kohrt, 612-296-1882

Department of Human Services

Family and Children's Services

Notice of Request for Proposals to Develop a Network of Adoptive Parents and Parent Groups for Federal Grant "Partners for the Future: A Design for Special Needs Adoption"

The Adoption Section of the Family and Children's Service Division of the Minnesota Department of Human Services is requesting grant proposals for an agency/individual/consortium to develop a statewide network of adoptive parents and parent groups who would be interested in collaborating with public agencies to better support adoption of special needs children through advocacy, training and support. The proposal should reflect two major goals: (1) development of a community based network of trained adoptive parents and parent support groups who will collaborate with public agencies to advocate for special needs adoption and support and educate families interested in special needs adoption; and (2) facilitation in collaboration with DHS the development of three pilot regional community/agency collaboratives which will explore, design and develop unique collaborative resource networks to encourage and support adoption of special needs children. A total of \$40,000 is secured through federal funds for this project. The contractor will be expected to donate as an in-kind non-federal match their administrative costs and lease/rent rates. This is to be estimated at \$22,000 over the duration of the project. The project should begin on or around August 1, 1992 or upon such date as it is executed by the Commissioner of Finance, whichever occurs later, and continue until September 30, 1993. The project may continue for an additional 3 months if a non-monetary extension is granted by the federal funding source.

A more complete description of the RFP can be obtained by contacting the Adoption Section, at (612) 297-3834 or (612) 297-1787. Six copies of each proposal must be received in the Adoption Section, 444 Lafayette Road, St. Paul, MN 55155-3831, no later than 4:30 p.m. on June 16, 1992.

Applicants must submit either a certificate of compliance from the Commission of Human Rights pursuant to *Minnesota Statutes*, section 636.073 or an Affidavit of Exemption.

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

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 Corrections

Education Unit

Notice of Availability of Contract for Library Coordinator

The Department of Corrections requires the services of a library coordinator. This is a part-time position responsible for coordinating library materials and services in the ten facilities administered by the Department of Corrections and managing grant applications and reports.

Hours of the position are flexible and arranged with the Education Coordinator.

The annual cost is limited to \$18,250.

EVALUATION CRITERIA

REQUIRED:

MLS from ALA accredited library school.

Experience in preparing grant applications and reports.

Experience in working with library networks.

Knowledge of library technology and automation.

Flexibility in scheduling.

Willingness to travel.

DESIRED:

Experience in coordinating library services and materials in a corrections environment.

Experience as a professional librarian in a correctional facility.

FOR APPLICATION INFORMATION, CONTACT:

Roger Knudson
Education Coordinator
Department of Corrections
300 Bigelow Building
450 N. Syndicate St.
St. Paul, MN 55104
612/642-0244

Final submission date for this contract is June 8, 1992.

Department of Education

Notice of Request for Proposals for a Written Analysis of Minnesota State Transition Policy and Procedures

Proposals are being solicited to conduct an analysis of Minnesota state program and fiscal policy and state agency administrative procedures related to the provision of services to youth with disabilities who are in transition from school to their adult lives, specifically in the areas of employment, home living, recreation/leisure, community participation, and post-secondary education. The analysis will represent an interagency focus including at a minimum an analysis of program and fiscal policy from education, rehabilitation, health, human services, and social security. This report will provide information useful in the process of systems change to improve transition services for youth with disabilities throughout the state of Minnesota.

This one-time award will be presented to a single applicant in an amount not to exceed \$30,000. The anticipated time frame for this analysis is June 15, 1992 to September 30, 1992.

Copies of the RFP may be obtained by contacting Cheryl Bates, Transition Systems Change Project, Minnesota Department of

Education, 8th floor, Capitol Sq. Bldg., 550 Cedar St., St. Paul, MN 55101. (612) 296-5660

For additional information contact Sandy Thompson at (612) 296-2965. Proposals must be received by 4:00 p.m. Monday, June 1, 1992.

Department of Human Services

Health Care Management

Minnesota HealthRight Plan

Request for Proposals for a Minnesota HealthRight Plan Stylebook and Creation of Radio and Television Public Service Announcements

The Minnesota Department of Human Services (DHS) is soliciting proposals from qualified parties to develop a print media stylebook to coordinate the design of all Minnesota HealthRight Plan (HRP) materials, and promotional PSA's for radio and television, and Macintosh and IBM compatible stylebook templates by September 1, 1992. The HRP is a state funded health insurance program for uninsured Minnesotans.

I. SCOPE OF PROJECT

HRP is a state-funded health insurance program for qualified uninsured Minnesotans. DHS will phase in enrollment for HRP starting October 1, 1992. The second phase begins January 1, 1993.

HRP is an expansion of the current Minnesota Children's Health Plan (CHP).

The first population to be targeted for HRP enrollment will be parents and older dependent siblings of children enrolled in CHP. Uninsured families with children who meet the income guidelines will be the next group to enroll in HRP starting January 1, 1993. On July 1, 1994, eligible adults without children will be eligible for HRP enrollment.

HRP eligibility is based on Minnesota residency, family size, and income and being uninsured for at least 4 months prior to applying for HRP. Families will pay a premium for HRP on a monthly or quarterly basis.

The HealthRight legislation places Minnesota at the forefront of state initiatives to provide access to health care. It offers both a challenge and opportunity to make significant impact on health status. Thus, broad-based, effective promotion is essential to successful administration. A stylebook providing design formats, and the various administrative and promotional materials will ensure consistency throughout the outreach campaign.

A print media stylebook providing design formats and Macintosh and IBM compatible electronic templates for the various administrative and promotional materials will ensure consistency throughout the outreach campaign. Television and radio PSAs should be conceptually linked to print materials for consistency and program recognition.

II. GOALS, OBJECTIVES, AND PROJECT TASKS

The Department is seeking consistent design focus to link various administrative and promotional materials, including ID cards, application materials, reports, one page fact sheet, brochure, booklet, poster, press release, memo, newsletter, fax sheet, business cards, overhead transparency and slide format for presentations, annual report, direct mail piece, a billboard, and radio and television public service announcements. The Department is willing to consider separate proposals for the creation of the radio and television public service announcement portion of HRP promotion and outreach.

The vendor shall provide professional advertising services and advice during the term of the agreement, including but not limited to marketing concepts, design, layouts, print media stylebook development, Macintosh and IBM compatible stylebook template creation, media recommendations, scriptwriting and production of television and radio public service announcements, and marketing assistance.

Print media stylebook recommendations must include but not be limited to colors (both one color and two color proposals in order to allow us some budget options), copy placement, font sizes/style/spacing, and logo and/or photograph location(s) and use. Each type of print promotional material must be provided to DHS in hard copy for inclusion in a 3-ring binder stylebook.

The vendor must also provide an electronic style template for each type of promotional piece in each of three formats: Macintosh Quark Express version 3.1, Macintosh Pagemaker version 4.2, and MS DOS compatible Pagemaker for Windows version 4.0. Slides and overhead transparencies to be developed in Persuasion and Powerpoint. All text should be prepared using the following fonts: Avant Garde, Bookman, Futura (family), Garamond (family), Helvetica (family), New Century Schoolbook, Palatino and Times. Recommendations which vary from these fonts must be approved by the Department. Fonts available for consideration are shown in Appendix A.

Professional, Technical & Consulting Contracts

The first priority will be given to enrollment materials, i.e., the ID cards, application and enrollment information materials, that are necessary to meet the October 1, 1992 program implementation. The brochure design and poster or other promotional materials that may require more creative time will be the second priority.

The Children's Health Plan uses the following graphic in its materials and the proposals must include this graphic in its design as a way of linking Children's Health Plan to HealthRight and providing a transition for the public.



The Department is also seeking scriptwriting and production assistance for radio and television PSAs. The Department is willing to consider separate proposals for this aspect of the HRP promotion and outreach. Responders may propose additional tasks or activities if they will substantially improve the results of the project.

The Department will expect to work closely with the successful bidder to assure that the design can be implemented within state budget and administration conditions.

All promotional materials, preparation work, artwork, electronic data and graphics produced for this program are the property of the State of Minnesota, Department of Human Services, HealthRight Program. These materials must be delivered with the completed job before the Vendor will receive payment.

III. AFFIRMATIVE ACTION/HUMAN RIGHTS COMPLIANCE

It is hereby agreed between the parties that *Minnesota Statutes*, section 363.073 and *Minnesota Rules*, parts 5000.3400 to 5000.3600 are incorporated into any contract between these parties based upon this specification or any modification to it. A copy of *Minnesota Statutes*, section 363.073 and *Minnesota Rules*, parts 5000.3400 to 5000.3600 is available upon request from the contracting agency, the Department of Human Services.

In accordance with the provisions of *Minnesota Statutes*, Section 363.073; for all contracts estimated to be in excess of \$50,000, all responders having more than 20 full-time employees at any time during the previous 12 months must have an affirmative action plan approved by the Commissioner of Human Rights before a proposal may be accepted. Your proposal will be rejected unless it includes one of the following:

1. A copy of your firm's current certificate of compliance issued by the Commissioner of Human Rights; or
2. A letter from Human Rights certifying that your firm has a current compliance of compliance.
3. A notarized letter certifying that your firm has not had more than 20 full-time employees in Minnesota at any time during the previous 12 months.

In accordance with *Minnesota Rules* Part 1230.1910, certified Targeted Group Businesses and individuals submitting proposals as prime contractors shall receive the equivalent of a 6% preference in the evaluation of their proposal. For information regarding certification, call the Materials Management Division Helpline (612) 296-2600.

IV. SUBMISSION OF PROPOSALS

All proposals must be sent to and received by:

Kathleen Murphy Mattner
Supervisor, Minnesota Children's Health Plan
Minnesota Department of Human Services
444 Lafayette Road
St. Paul, Minnesota 55155-3829

Not later than 4 p.m., June 12, 1992.

Late proposals will not be considered.

Pre-bid meeting for all potential bidders (attendance optional): June 2, 2:00-4:00 at the Department of Human Services, 444 Lafayette Road, St. Paul, in rooms 2A and 2B.

Vendors shall submit one original and 5 copies of their proposals. Proposals must be submitted in a sealed mailing envelope or package with the responder's name and address clearly written on the outside, and with evidence of the responder's compliance with the Human Rights Act attached to the envelope or package. Each copy of the proposal must be signed, in ink, by an authorized member of the firm. Prices and terms of the proposal must be valid for the length of the proposal.

V. PROJECT COSTS

The Department has estimated that the cost of this project will not exceed \$100,000.

VI. PROJECT COMPLETION DATE

The final approved design materials for the enrollment print materials must be delivered with 3 copies of in ringed binder notebooks and on Macintosh and IBM compatible disks on or before August 7, 1992.

The final approved camera ready copy for the brochure, poster and other promotional materials must be delivered on or before August 27, 1992.

VII. PROPOSAL CONTENTS

Proposals must contain the following:

IDENTIFICATION.

- A. Name and address of business entity making the proposal.
- B. Type of business entity (e.g., corporation, partnership).
- C. Name and location of major offices and other facilities that relate to the Vendor's performance under the terms of this RFP.
- D. Name, address and function of any and all subcontractors, associated companies or consultants to be involved in any phase of this project.
- E. Name, address and telephone number of Vendor's representative to contacting regarding all contractual matters concerning this proposal.
- F. Name, address and telephone number of Vendor's representative to contact regarding all technical matters concerning this proposal.
- G. Vendor's Federal Employer Identification Number and Minnesota tax identification numbers.
- H. Date of registration to do business in Minnesota.

EXPERIENCE.

- A. Descriptions and references for all engagements of comparable complexity and sensitivity which have been conducted by the Vendor over the past 5 years.
- B. Examples of previous stylebook creations.
- C. Audio and video tape(s) presenting examples of past radio and television public service announcements produced.
- D. Resumés of the staff who would be assigned to the various portions of this project.

PRODUCTION.

- A. The Vendor shall describe its capability, capacity and plans for producing (through current resources or modification) deliverables proposed to meet the requirements of this RFP.
- B. The Vendor shall describe secondary sources and backup plans for producing such deliverables if the primary source is not able to meet the needs, for whatever reason.
- C. The Vendor shall describe the computer design equipment and software to be used in meeting the stylebook and template requirements of this RFP.

PLAN/CREATIVE PROPOSAL.

- A. Vendors shall provide a description of their understanding of HealthRight's needs that generated the RFP, of the objectives in asking for the services and of the nature and scope of the work involved.
- B. The Vendor shall provide a detailed project plan, listing the required steps, parties involved (Vendor, and/or Department), scheduled completion dates, important decision points, and associated charges.
- C. Proposing Vendors shall provide, through rough art and writing, their ideas and recommendations for the design of a poster and press release for HealthRight, including a narrative describing the basis for design. HealthRight does not intend that Vendors furnish final artwork.

VENDOR STRENGTHS.

The Vendor should briefly state why it believes its proposed services best meet the objectives of the Department, and the Vendor shall describe any additional features, aspects or advantages of its services in any relevant area not covered elsewhere in its proposal.

VIII. EVALUATION

All proposals received by the deadline specified in Section I will be evaluated by DHS representatives. A personal interview may

Professional, Technical & Consulting Contracts

be part of the evaluation process. Proposals will be evaluated based on the following factors: expressed understanding of the project, project work plan, project cost details, and qualifications of both company and personnel. DHS reserves the right to assign portions of the RFP to different bidders based on bidder qualification. Under the RFP procedure, judgmental factors may be used to evaluate competing proposals. The quality of competing services may be compared and trade-offs made between price and quality of the services offered. Award under the RFP is then made to the responsible offerer whose proposal is most advantageous to the Department.

All proposals become the property of the Department upon receipt and will not be returned to the proposing Vendor. The Department shall have the right to use all ideas or adaptations of the ideas contained in any proposal received in response to this RFP without compensation, fee, royalty or other remuneration. Selection or rejection of the proposal will not affect this right.

The Department shall not be liable for any costs incurred by the Vendor as a result of responding to this RFP.

IX. DEPARTMENT CONTACTS

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

Kathryn J. Lamp or Kathleen Murphy Mattner
Minnesota Department of Human Services
Health Care Management Division
444 Lafayette Road
St. Paul, MN 55155-3829
(612) 296-2741 or 297-2573

These are the only employees authorized to answer questions regarding this RFP.

Department of Human Services/Willmar Regional Treatment Center

Request for Proposal for Professional Services

NOTICE IS HEREBY GIVEN that the Willmar Regional Treatment Center, Mental Health Division, Department of Human Services, is seeking the following services for the period starting July 1, 1992 - June 30, 1993. These services are to be performed as requested by the Administration of the Willmar Regional Treatment Center, Willmar, MN.

1. **Services of 1 full-time Protestant Chaplain** to conduct services and other ministries to Mentally Ill, Developmentally Disabled and Chemically Dependent patients. Estimated amount of the contract will not exceed \$30,500.00.

2. **Services of a Psychiatrist** to provide consultation for newly admitted mentally ill patients, consultative services in the clinical management of developmentally disabled patients and related educational guidance of treatment staff. Approximately 9 hours weekly. Estimated amount of contract will not exceed \$38,000.00.

3. **Services of Psychiatrist** to provide consultation for newly admitted MI patients and consultative services in the clinical management of geriatric MI patients and related educational guidance of treatment staff. Approximately 5 hours weekly. Estimated amount of contract will not exceed \$33,500.00.

4. **Services of Psychiatrist** to provide consultation for newly admitted MI patients and consultative services in the clinical management of MI patients and related educational guidance of treatment staff. Approximately 5 hours weekly. Estimated amount of contract will not exceed \$33,500.00.

5. **Services of a part-time Protestant Chaplain** to conduct services and other ministries to Mentally Ill, Developmentally Disabled and Chemically Dependent patients. Approximately 13 hours weekly. Estimated amount of contract will not exceed \$10,300.00.

Questions: 612-231-5396—Stephen Grams

WRITTEN RESPONSES/BIDS FOR THE ABOVE SERVICES MUST BE RECEIVED BY 6-5-92.

ADDRESSED TO:

Mr. Stephen Grams
Business Manager
Willmar Regional Treatment Center
Box 1128
Willmar, MN 56201

State Board of Technical Colleges

Notice of Request for Proposals for Conversion of a Student Information System to a Client/Server Architecture

Proposals are being requested for conversion of a Student Information System to a client/server architecture with Paradox4 and Oracle V6.0 using a Novell wide area network. The RFP application and additional information should be requested from:

Greg Pedersen
Information Management Services Director
State Board of Technical Colleges
550 Cedar Street, #352
St. Paul, Minnesota 55101
612-297-1483

This is the only employee authorized to answer questions regarding this RFP.

Approximately \$54,000 will be available for this project. Proposals must be received by Greg Pedersen at the above address by 4:00 p.m. on June 12, 1992 in order to be considered.

State Contracts and Advertised Bids

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

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

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

Materials Management Division—Department of Administration:

Contracts and Requisitions Open for Bid

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

COMMODITY CODE KEY

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

Commodity: Responder's pre-proposal conference for: RFP—Interstate Package Freight Contract
Conference location: 116B State Admin. Bldg., 50 Sherburne Ave., St. Paul, MN 55155. Time and date of meeting: 5/29/92 9:00 am
Contact: Ann Wefald 612-296-2546

Commodity: Interstate package freight contract
Contact: Ann Wefald 612-296-2546
Bid due date at 2pm: June 9
Agency: Various
Deliver to: Various
Requisition #: Request for proposal

Commodity: First aid kits and supplies—rebid
Contact: Cherie Ackerman 612-296-3776
Bid due date at 2pm: May 29
Agency: Various
Deliver to: Various
Requisition #: Price contract

State Contracts and Advertised Bids

Commodity: Publication Minnesota Volunteer magazine
Contact: Norma Cameron 612-296-2546
Bid due date at 2pm: June 5
Agency: Natural Resources
Deliver to: Various
Requisition #: Price contract

Commodity: Tools: miscellaneous carpentry hand tools
Contact: Patricia Anderson 612-296-3770
Bid due date at 2pm: June 8
Agency: Various
Deliver to: Various
Requisition #: Price contract

Commodity: A I L—Wyse computer systems
Contact: Bernadette Vogel 612-296-3778
Bid due date at 2pm: May 29
Agency: Department of Human Services
Deliver to: St. Paul
Requisition #: B 55000-25337

Commodity: B G K—Outboard motor
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 4:30pm: May 29
Agency: Bemidji State University
Deliver to: Bemidji
Requisition #: B 26070-14715

Commodity: B F—Trailer
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 4:30pm: May 29
Agency: Department of Natural Resources—Regional Headquarters
Deliver to: Forest Lake
Requisition #: B 29006-20562

Commodity: B F—Twinmax spreader/grader
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 4:30pm: May 29
Agency: Department of Natural Resources—Regional Headquarters
Deliver to: St. Paul
Requisition #: B 29006-20564

Commodity: Propane (L.P. gas) cylinders and bulk
Contact: Dale Meyer 612-296-3773
Bid due date at 2pm: June 9
Agency: Various
Deliver to: Various
Requisition #: Price contract

Commodity: B F—Stahl steel service body
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 4:30pm: May 26
Agency: Minnesota Department of Transportation
Deliver to: Duluth
Requisition #: B 79100-09281

Commodity: B H M—Heat sealing machine—rebid
Contact: Linda Parkos 612-296-3725
Bid due date at 2pm: May 29
Agency: Minnesota Correctional Facility
Deliver to: Oak Park Heights
Requisition #: B 78630-10475-1

Commodity: B F—Outboard motor
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 4:30pm: May 29
Agency: Department of Natural Resources—Fish Hatchery
Deliver to: Lanesboro
Requisition #: B 29005-16101

Commodity: B F—Loader to fit Case 595 tractor
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 4:30pm: May 29
Agency: Department of Natural Resources—Regional Headquarters
Deliver to: St. Paul
Requisition #: B 29006-20563

Commodity: Woodwork sawing machine
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 4:30pm: May 29
Agency: Faribault Regional Center
Deliver to: Faribault
Requisition #: B 55303-16408

Commodity: B F—Tables
Contact: Jack Bauer 612-296-2621
Bid due date at 4:30pm: June 2
Agency: Board of Voc-Tech Education
Deliver to: St. Paul
Requisition #: B 36000-24858

Commodity: Recyclable waste paper and confidential record sales contract
Contact: Norma Cameron 612-296-2546
Bid due date at 2pm: June 1
Agency: Various
Deliver to: Various—Twin Cities metro area
Requisition #: Sales contract

Commodity: B F—486/33 computer
Contact: Bernadette Vogel 612-296-3778
Bid due date at 4:30pm: June 1
Agency: Bemidji State University
Deliver to: Bemidji
Requisition #: B 26070-14710

Commodity: B E—H.P. printer cartridges
Contact: Bernadette Vogel 612-296-3778
Bid due date at 4:30pm: June 1
Agency: St. Cloud State University
Deliver to: St. Cloud
Requisition #: B 26073-23684

Commodity: B F—H.P. printer cartridges
Contact: Bernadette Vogel 612-296-3778
Bid due date at 4:30pm: June 1
Agency: Winona State University
Deliver to: Winona
Requisition #: B 26074-14360

Commodity: B F M—Bookcase
Contact: Jack Bauer 612-296-2621
Bid due date at 4:30pm: June 2
Agency: Winona State University
Deliver to: Winona
Requisition #: B 26074-14363

Commodity: B F—Cable
Contact: Bernadette Vogel 612-296-3778
Bid due date at 4:30pm: June 1
Agency: Mankato State University
Deliver to: Mankato
Requisition #: B 26071-02220

Commodity: B E—Quantum hard disks
Contact: Bernadette Vogel 612-296-3778
Bid due date at 4:30pm: June 1
Agency: St. Cloud State University
Deliver to: St. Cloud
Requisition #: B 26073-23694

Commodity: B F—486DX/33 computer
Contact: Bernadette Vogel 612-296-3778
Bid due date at 4:30pm: June 1
Agency: Fergus Falls Regional Treatment Center
Deliver to: Fergus Falls
Requisition #: B 55101-02193

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: Diplomas and covers, type to be set, one-sided, proof required, padded purple covers

Contact: Printing Buyer's Office

Bids are due: May 28

Agency: Mankato State University

Deliver to: Mankato

Requisition #: 22895

Commodity: 1992 Specialty meat directory, camera ready copy, two-sided, head-to-head, dylux, 3M books, 16pp plus cover

Contact: Printing Buyer's Office

Bids are due: May 29

Agency: Agriculture

Deliver to: St. Paul

Requisition #: 23228

Minnesota: national leader in education

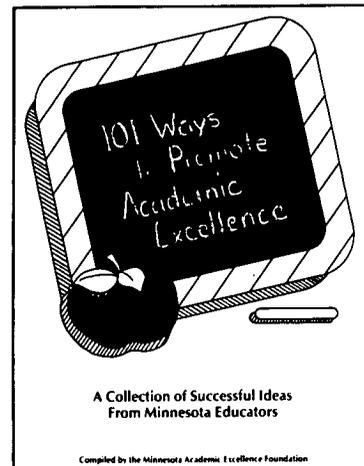
101 Ways to Promote Academic Excellence

A collection of nuts-and-bolts methods educators have successfully used to foster academic achievement. These are techniques that directly help students, can be replicated easily, are cost-effective, and that work in meeting the public education's great challenge: helping every single child learn. Code #5-1, \$4.50.

Education Directory, 1991-92

This popular comprehensive directory contains Minnesota school districts, superintendents, principals, addresses, phone numbers and enrollment. 170 pages, paperbound. Code #1-93, \$9.95.

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



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MAILING LISTS GALORE

Successful business means successful sales

The Print Communications Division has a variety of mailing lists of licensed professionals and permit holders that will enable you to focus your marketing efforts on a targeted audience.

Types of lists available are: registered nurses, real estate agents, physicians, insurance agents, boatowners, hunters, cosmetologists, teachers, and many more! And you can get them on printouts, cheshire/pressure sensitive labels, as well as 9-track magnetic tapes.

What's more, you can choose from several selection capabilities. You will find our selections most helpful and beneficial to your business when you learn that you can acquire names and addresses of individuals in the areas you need to target most.

Find out more about our mailing lists by writing for our free mailing list catalog. In a hurry? Call (612) 296-0930 for more information. Requests can be sent to: Print Communications Division, Mailing List Service, 117 University Avenue, St. Paul, MN 55155. FAX: (612) 296-2265.

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Minnesota Manufacturer's Directory 1992



UPDATED: Name, address, phone number, staff size, sales volume, market area, year of establishment, type of firm, C.E.O., Sales or Marketing Manager, Purchasing Manager and four major manufactured products. Code #40-2. \$90.00.

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



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

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Voices of the Loon

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

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

The Loon: Voice of the Wilderness, hardbound with color plates and illustrations, 143 pages. Code #19-54, \$16.95.

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

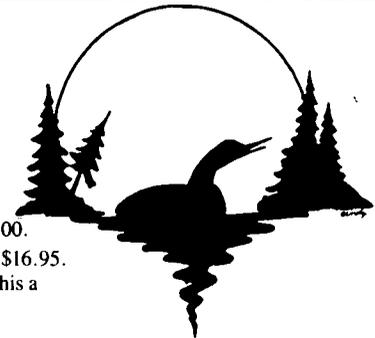
Loon Lapel Pin. Code #15-30, \$2.49.

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

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

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

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



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Morel: Minnesota's mushroom

The Mushroom Hunter's Field Guide. An all-color guide by Alexander Smith and Nancy Smith Weber with clear and orderly facts, explicit pictures and scientific accuracy. Stock #9-10, \$16.95.

Edible Mushrooms, a classic guide to safe mushrooms, describes 60 species in detail, with photographs (many in color) to show each in its natural habitat. Advice to amateur mushroom hunters. Paperbound, 118 pp. Code #19-11, \$12.95.

Malfred Ferndock's Morel Cookbook, brim full of morel lore, interesting and tall tales, recounts of the hunt, and many savory recipes. Spiral bound, 117 pgs., black & white photos and drawings. Code #19-83, \$8.50.

Northland Wildflowers, the perfect mushroomers companion. An excellent guide for identification and enjoyment of wildflowers, with 308 color photographs and descriptions of 300 species. Paperbound. 236 pp. Code #19-9, \$16.95.

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

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Murder: Minnesota style

Murder in Minnesota: A treasury of vintage crimes in which famous and obscure characters come to life in all their cleverness or murderous madness. Minnesota cases from 1858-1917. 253 pp. photos, index. Code 17-35, \$6.95.

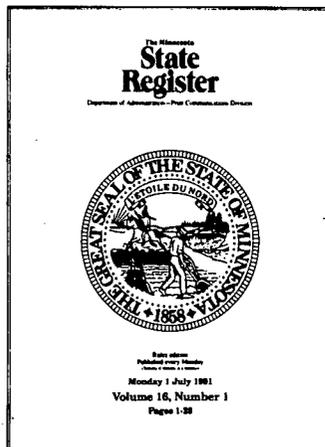
Robber and Hero: On September 7, 1876 six members of the James-Younger gang blasted their way out of Northfield, Minnesota. George Huntington's classic account of the Northfield Bank raid is as fascinating today as it was when first published 19 years after the attempted robbery. 125 pp., charts, maps, photos, with index. Code 17-40, \$5.95.

Secrets of the Congdon Mansion: The prosecutor called it a crime of greed. A complex, intriguing murder case, set in one of Minnesota's most spectacular mansions, and now a top Minnesota tourist attraction on Duluth's famous Lake Superior North Shore Drive. By Joe Kimball, 64 pp., drawings. Code 19-56, \$5.95.

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

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The "inside scoop" on OVER \$1 BILLION in annual business contracts.



Each year over \$1 billion in state contracts are awarded. About \$20 million in state contracts per week are advertised in the **STATE REGISTER**, the most complete listing of state contracts available. Just a *sampling* of contracts includes: professional, technical and consulting services, commodities, printing, equipment, supplies, food items, and a wide variety of special services.

For less than \$2 a week you can have delivered to your office the most effective and economical means of tracking state contracts. The smart way to stay in the know, and land the business of state government, is with the **STATE REGISTER**, now appearing **TWICE A WEEK**.

You will also have the *most comprehensive listing* of contract awards. And you'll receive the source of state agency rulemaking governing business, the professions and regulated occupations. You'll also get official notices, executive orders of the governor, a calendar of supreme court cases, state grants, and other special announcements.

An annual subscription is \$195 for both the Monday and Thursday editions, or \$140 for just the Monday edition if you're only interested in state agency rulemaking information. A 13-week trial subscription for \$60 includes both the Monday and Thursday editions. MasterCard/VISA, American Express and Discover orders can be taken over the phone, otherwise prepayment is required. Send, or FAX (612/296-2265), your orders to Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155. Let us bring you the business of state government. Subscribe to the **STATE REGISTER** today, or call (612) 296-0931, or 1-800-657-3757 for more information.

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Minnesota's future environment

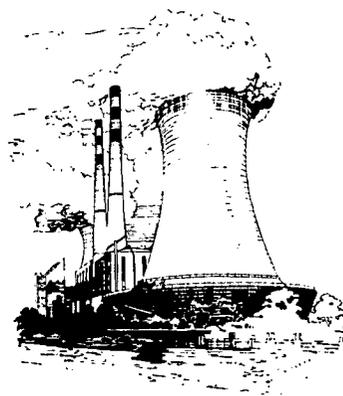
The issue of environmental protection is of continuing interest to both Minnesota business and the general public. Stay abreast of changes in state government regulations with these publications.

1989 Pollution Control Laws

Laws dealing with water pollution, disposal facilities, solid waste management, the MN Environmental Rights Act, recycling, and more. Code No. 2-21. \$24.95.

1991 Hazardous Waste Rules

Governs the production, storage, transportation and disposal of hazardous waste. MN Rules Chapter 7045 and 7046. Code No. 3-71. \$17.95.



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

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For Real Estate Professionals:

REAL ESTATE RULES 1991

Chapters 2800, 2805, and 2810 from the Minnesota Rules. *Essential* for both students and established brokers and salespersons. It contains all education and licensing requirements. Code No. 3-99. \$6.00

REAL ESTATE LAWS 1990

Includes all the changes made by the 1990 State Legislature. Complete and up-to-date. Code No. 2-92. \$8.00.



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

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Subscription Services

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

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

SUBSCRIPTION	COST	CODE NO.	SUBSCRIPTION	COST	CODE NO.
Career Opportunity Bulletin. 1 year	\$ 30.00	90-3	State Register, Monday edition only, 1 year	\$140.00	90-1
Career Opportunity Bulletin. 6 mos.	\$ 24.00	90-4	State Register, Monday and Thursday editions, 1 year	\$195.00	90-1
Gaming News, 6 mo.	\$ 25.00	90-8	Trial State Register, 3-months, Monday and Thursday	\$ 60.00	90-2
Human Services Informational and Instructional Bulletin	\$115.00	90-6	Tax Court/Property Decisions	\$350.00	90-11
Human Services Bulletin List	\$100.00	90-7	Workers Compensation Decisions, unpublished subs run Jan-Dec 1991; can be prorated	\$400.00	90-12
PERB (Public Employee Relations Board) Awards and Decisions, 1 year	\$350.00	90-9	Workers Compensation Decisions Vol. 46	\$180.00	90-13
Minnesota Statutes 1990 Set + Supplement	\$165.00	18-7			
Minnesota Rules 1991 Set + Supplement	\$200.00	18-100			

TO ORDER: Send to Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155. Call (612) 296-0931, or toll-free in Minnesota: 1-800-657-3757. Prepayment is required. Please include daytime phone. **Prices are subject to change.** FAX: (612) 296-2265.

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Minnesota's Bookstore

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Order Form on Back—For Information, Call 297-3000

1991 Minnesota Rules. Eleven volume set includes 1992 Supplement as a subscription service. Stock #18-100, \$200 + tax (Minnesota residents only). Individual volumes can be purchased at \$20.00 + tax.

1991 Minnesota Session Laws. Two volume set includes laws passed during the 1991 session. Stock #18-1. \$32.00 + tax.

101 Ways to Promote Academic Excellence. A collection of nuts-and-bolts methods educators have successfully used to foster academic achievement. These are techniques that directly help students, can be replicated easily, are cost-effective, and that work in meeting the public education's great challenge: helping every single child learn. Code #5-1, \$4.50.

1989 Pollution Control Laws. Laws dealing with water pollution, disposal facilities, solid waste management, the Minnesota Environmental Rights Act, recycling, and more. Code #2-21, \$24.95.

1991 Hazardous Waste Rules. Governs the production, storage, transportation and disposal of hazardous waste. *Minnesota Rules* Chapter 7045 and 7046. Code #3-71, \$17.95.

Real Estate Rules 1991. Chapters 2800, 2805 and 2810 from the *Minnesota Rules. Essential* for both students and established brokers and salespersons. It contains all education and licensing requirements. Code #3-99, \$6.00.

Police Report Writing Style Manual 1989. A common framework for report writing throughout the state. Discusses the general purpose of police reports, reviews field notetaking, offers instructions on completing common report forms and introduces the Data Practices Law. Code #14-13, \$15.00.

OTHER PUBLICATIONS

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

Secrets of the Congdon Mansion. A complex, intriguing murder case set in one of Minnesota's most spectacular mansions. Now a top Minnesota tourist attraction on Duluth's famous Lake Superior North Shore Drive. By Joe Kimball. Code #19-56, \$5.95.

A Paddler's Guide to the Boundary Waters Canoe Area. Advice on what to bring along on canoe trips, regulations, canoe tips and detailed information for self-guided tours. Includes detailed maps and descriptions of 31 wilderness canoe routes in the Superior National Forest of Northern Minnesota. Stock #19-17, \$4.95.

Minnesota Geographic Names. Names of places by the thousand plus interesting historical tidbits included in this 800+ page book. Minnesota history buffs—this is for you! Stock #17-13, \$12.95.

Room at the Inn Minnesota. The only guide to more than 60 historic Bed & Breakfast homes, hotels and country inns. Stock #19-72, \$9.95.

Minnesota Manufacturer's Directory, 1992. More than 7,000 entries listing name, address, phone, staff size, sales volume, market area, year of establishment, type of firm, CEO, sales or marketing and purchase managers, and four manufactured products. Stock #40-2. \$90.00. Directory will also be available on Computer Diskette. Call for further information.

SUBSCRIPTIONS:

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

Workers Compensation Decisions. Volume 45. Selected landmark decisions of the Worker's Compensation Court of Appeals during the period July '91 through Dec. '91. The subscription rate for this volume is \$160.00.

SERVICES:

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

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

1991 Lake Map Index. Listing over 4,000 lake maps. Free.

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

