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# The Minnesota State Register

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# State Register

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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, professional, technical and consulting contracts, non-state bids and public contracts, and grants.

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# Minnesota Rules: Amendments and Additions

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

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

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 Proposed emergency rules and withdrawn proposed rules are also published in the *State Register*.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

The *State Register* features partial and cumulative listings of rules in this section on the following schedule: issues 1-13 inclusive; issues 14-25 inclusive; issue 26, cumulative for issues 1-26; issues 27-38 inclusive; issue 39, cumulative for 1-39; issues 40-51 inclusive; and issue 52, cumulative for 1-52. An annual subject matter index for rules appears in August. For copies of the *State Register*, a subscription, the annual index, the *Minnesota Rules* or the *Minnesota Guidebook to State Agency Services*, contact the Print Communications Division, 117 University Avenue, St. Paul, MN 55155 (612) 297-3000 or toll-free in Minnesota 1-800-657-3757.

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## Proposed Rules

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

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

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

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

## Board of Chiropractic Examiners

### Proposed Permanent Rules Relating to License Renewal and Application Fees

#### Notice of Intent to Amend a Rule Without a Public Hearing

**NOTICE IS HEREBY GIVEN** that the Minnesota Board of Chiropractic Examiners (hereinafter "Board") intends to amend a permanent rule without a public hearing following procedures set forth in the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28 and *Minnesota Laws* 1993, section 69. You have 30 days to submit written comments on the proposed amendment to the rule.

**Agency Contact Person.** Comments or questions on the rule must be submitted to:

Larry A. Spicer, D.C., Executive Director  
Minnesota Board of Chiropractic Examiners  
2700 University Ave W, #20  
St. Paul, MN 55114-1089  
(612) 642-0591  
Fax: (612) 643-3535

**Subject of Rule and Statutory Authority.** The proposed rule raises license renewal and examination fees. The statutory authority to adopt this rule is *Minnesota Statutes* 148.08, Subd. 3. A copy of the proposed rule is published in the *State Register* and attached to this notice as mailed.

**Comments.** You have until October 13, 1993 at 4:30 p.m. to submit written comments in support of or in opposition to the proposed rule and any part or subpart of the rule. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

**Request for a Hearing.** Pursuant to *Minnesota Laws* 1993, section 69, no hearing will be held.

**Modifications.** The proposed rule may be modified as a result of public comment. The modifications must be supported by data and views submitted to the agency and may not result in substantial change in the proposed rule as attached and printed in the *State Register*. If the proposed rule affects you in any way, you are encouraged to participate in the rulemaking process.

**Statement of Need and Reasonableness.** A statement of need and reasonableness is now available from the agency contact person. This statement 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.

**Adoption and Review of Rule.** If no hearing is required, after the end of the comment period the agency may adopt the rule. The rule and supporting documents will then be submitted to the attorney general for review as to legality and form to the extent form relates to legality. You may request to be notified of the date the rule is submitted to the attorney general or be notified of the attorney

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## Proposed Rules

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general's decision on the rule. If you wish to be so notified, or wish to receive a copy of the adopted rule, submit your request to the agency contact person listed above.

Dated: 13 August 1993

Larry A. Spicer, D.C.  
Executive Director

### Rules as Proposed

#### 2500.1000 LICENSE APPLICATION FEE.

Applications for licensure must be accompanied by a fee of ~~\$150~~ \$250.

#### 2500.1100 INDIVIDUAL ANNUAL LICENSE RENEWAL.

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

Subp. 2. **Renewal fees.** The license of each licensee shall expire at midnight on December 31 each year. Subject to the terms of part 2500.1200, the board shall renew the license upon receipt from the licensee of a license renewal fee of ~~\$150~~ \$200, plus any applicable penalty fee in subpart 3. Each licensee shall submit the license renewal fee to the board no later than January 1 of the year for which the license renewal is requested.

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

## Pollution Control Agency

### Proposed Permanent Rules Relating to Motor Vehicle Emissions

#### Notice of Intent to Adopt a Rule Amendment Without a Public Hearing

The Minnesota Pollution Control Agency (MPCA) intends to amend a permanent rule without a public hearing following the procedures set forth in the Administrative Procedure Act, *Minnesota Statutes* §§ 14.22 to 14.28. You have 30 days to submit written comments on the proposed rule and may also submit a written request that a public hearing be held on the rule.

**Agency Contact Person.** Comments or questions on the rule and written requests for a public hearing on the rule must be submitted to:

Norma Florell  
Air Quality Division  
Minnesota Pollution Control Agency  
520 Lafayette Road North  
St. Paul, Minnesota 55155-4194  
Telephone: (612) 296-7712  
Facsimile: (612) 297-7709

**Subject of Rule and Statutory Authority.** The proposed amended rule is about annual vehicle inspections. The statutory authority to adopt this rule is contained in *Minnesota Statutes* § 116.62 which requires the MPCA to adopt standards and criteria governing the testing and inspection of motor vehicles for air pollution emissions. A copy of the proposed amended rule is published immediately after this notice.

**Comments.** You have until 4:30 p.m. October 13, 1993, to submit written comment in support of or in opposition to the proposed amended rule and any part or subpart of the rule. Your comment must be in writing and received by the MPCA contact person by the due date. Comment is encouraged. Your comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

**Request for a Hearing.** In addition to submitting comments, you may also request that a hearing be held on the rule. Your request for a public hearing must be in writing and must be received by the MPCA contact person by 4:30 p.m. on October 13, 1993. Your written request for a public hearing must include your name and address. You are encouraged to identify the portion of the proposed rule which caused your request, the reason for the request, and any changes you want made to the proposed rule. If 25 or more persons submit a written request for a hearing, a public hearing will be held unless a sufficient number withdraw their requests in writing. If a public hearing is required, the MPCA will follow the procedures in *Minnesota Statutes* §§ 14.131 to 14.20.

**Request to Appear before the Board.** The MPCA Board has delegated its authority to adopt the proposed amendments to *Minnesota Rules* pts. 7023.1010 to 7023.1105, using the procedures for rules adopted without a public hearing, and to perform the necessary acts to provide that the rule shall have the force and effect of law, to the MPCA Commissioner or his designee. You may request to appear before the Board. Your request to appear before the Board must be in writing and must be received by the MPCA contact person by 4:30 p.m. on October 13, 1993. Your written request to appear before the Board must include your name and address.

**Modifications.** The proposed rule may be modified as a result of public comment. The modifications must be supported by data and views submitted to the MPCA and may not result in a substantial change in the proposed rule as printed immediately after this notice. If the proposed rule affects you in any way, you are encouraged to participate in the rulemaking process.

**Statement of Need and Reasonableness.** A statement of need and reasonableness is now available from the MPCA contact person. This statement 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.

**Small Business Considerations.** *Minnesota Statutes* § 14.115, subd. 4, requires that the notice of rulemaking include a statement of the impact of this proposed rule on small businesses. These rule amendments reflect changes in federal law and correct problems that have arisen in the MPCA's experience with the rule. These technical amendments do not change which vehicles are subject to testing under current rules or the frequency of testing, and is therefore not expected to effect costs of compliance for small businesses.

**Expenditure of Public Money by Local Public Bodies.** *Minnesota Statutes* § 14.11, subd. 1, requires the MPCA to include a statement of the rule's estimated costs to local public bodies in this notice if the rule would have a total cost of over \$100,000 to all local public bodies in the state in either of the two years following adoption of the rule. The proposed rule amendments will not require the expenditure of public money by local public bodies as a result from the adoption of the proposed rule changes. The proposed rule amendments reflect minor technical changes to the annual vehicle inspection program, and changes mandated by EPA rules. The proposed rules do not change which vehicles are subject to testing under current rules or the frequency of testing.

**Impact on Agriculture Lands.** *Minnesota Statutes* § 14.11, subd. 2, requires that if the rule would have a direct and substantial impact upon agricultural lands in the state, the MPCA shall comply with specified additional requirements. The proposed rule amendments will not have a direct and substantial adverse impact on agricultural land in the state.

**Economic Factors.** *Minnesota Statutes* § 116.07, subd. 6, requires the MPCA to give due consideration to economic factors in exercising its powers. In proposing the changes to *Minnesota Rules* pts. 7023.1010 to 7023.1105, the MPCA has given due consideration to available information as to any economic impacts the proposed changes would have. No significant adverse economic impacts are anticipated to result from adoption of the proposed rule changes, which reflect minor technical changes to the program, and changes mandated by U.S. Environmental Protection Agency rules.

If the MPCA contact person does not receive a request to appear before the Board and if a public hearing is not required, the MPCA Commissioner may adopt the rule after the end of the comment period. The rule and supporting documents will then be submitted to the attorney general for review as to legality and form to the extent form relates to legality. You may request to be notified of the date the rule is submitted to the attorney general or be notified of the attorney general's decision on the rule. If you wish to be so notified, or wish to receive a copy of the adopted rule, submit your request to the MPCA contact person listed above.

Charles W. Williams  
Commissioner

## Rules as Proposed

### 7023.1010 DEFINITIONS.

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

**Subp. 3a. Certificate of annual exemption.** “Certificate of annual exemption” means a certificate issued by the commissioner or contractor for the annual exemption of a vehicle from the state vehicle inspection requirements as prescribed in part 7023.1070.

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

**Subp. 4a. Certificate of exemption.** “Certificate of exemption” means a certificate issued by the commissioner or contractor for the exemption of a vehicle from the state vehicle inspection requirements as prescribed in part 7023.1070.

**Subp. 4b. Certificate of temporary extension.** “Certificate of temporary extension” means a certificate issued by the commissioner or contractor for the extension of the time period for a vehicle to meet state vehicle inspection requirements as prescribed in part 7023.1070.

[For text of subps 5 to 8, see M.R.]

**Subp. 9. Customarily domiciled.** “Customarily domiciled” means that a vehicle, although registered to an owner residing in the metropolitan area, is kept outside the metropolitan area for a minimum of 11 months each calendar year during the one-year registration

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## Proposed Rules

renewal period and is not generally used for transportation within the metropolitan area.

[For text of subs 10 to 12, see M.R.]

**Subp. 12a. Dual exhaust.** “Dual exhaust” means two separate exhaust streams, one from each bank of the engine, each containing a muffler.

[For text of subs 13 to 22, see M.R.]

Subp. 23. [See repealer.]

Subp. 24. [See repealer.]

[For text of subs 25 to 35, see M.R.]

Subp. 36. **Tampering inspection.** “Tampering inspection” means the inspection of the catalytic converter, ~~fuel inlet restrictor,~~ and the gas cap conducted by the emission inspector under part 7023.1025.

[For text of subs 37 to 39, see M.R.]

### 7023.1015 INSPECTION REQUIREMENT.

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

Subp. 2. **Inspection requirement.** Subject vehicles shall be inspected according to the following schedule:

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

B. for tax-exempt subject vehicles, the inspection shall be completed annually:

[For text of subitem (1), see M.R.]

(2) at a an inspection station or fleet inspection station at a time designated by the owner and approved by the commissioner.

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

### 7023.1020 DESCRIPTION OF INSPECTION AND DOCUMENTS REQUIRED.

Subpart 1. **Location and components of inspection.** ~~Except as provided in part 7023.1035, item D,~~ An inspection shall consist of a tampering inspection and an exhaust emission test. The inspection and testing shall be performed at an inspection station or fleet inspection station.

Subp. 2. **Document requirements.** Each vehicle that is inspected at an inspection station must display a legible vehicle license plate or vehicle identification number, or be accompanied by one of the following documents that identifies the vehicle by make, model year, vehicle identification number, license plate number, and registered owner's name and address: a current Minnesota registration renewal notice, a current Minnesota registration card, or a Minnesota certificate of title.

### 7023.1025 TAMPERING INSPECTION.

Each subject vehicle shall be visually inspected for and shall be required to have an unvented fuel cap, ~~a fuel inlet restrictor,~~ and a catalytic converter if the vehicle was equipped with these items at the time of manufacture. If an unvented fuel cap is not in place, the tampering inspection shall continue and the owner shall be advised to replace the unvented fuel cap. If the ~~fuel inlet restrictor or~~ catalytic converter is not in place or is damaged, the vehicle shall fail the tampering inspection, except as provided in items C and D.

A. If the catalytic converter is not in place or is damaged as determined by visual inspection, the owner shall replace the catalytic converter. ~~If the fuel inlet restrictor is not in place or is damaged, the owner shall repair or replace the fuel inlet restrictor and replace the catalytic converter. Fuel inlet restrictors shall be replaced with original manufacturer's equipment or equivalent.~~ Catalytic converters shall be replaced with original manufacturer's equipment or new after-market equipment that meets the emission reduction requirements and criteria established by the United States Environmental Protection Agency.

B. In a tampering dispute, the vehicle owner or operator may elect to leave the tampering inspection area to seek proof of nontampering, such as obtaining emission control system information from another source, and return to ~~the same an~~ inspection facility with documentation ~~within 20 days~~ and continue with the tampering inspection. The contractor may not bill the agency for an inspection upon the owner's or operator's return visit to continue the tampering inspection.

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

### 7023.1030 EXHAUST EMISSION TEST.

Subpart 1. **Procedure.** The exhaust emission testing procedure shall consist of the following procedure performed in accordance with *Code of Federal Regulations*, title 40, section 85.2212, as amended:

A. the vehicle shall be tested in idle mode with the transmission in neutral, or park, if appropriate;

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

D. vehicles with ~~multiple dual~~ exhaust pipes may be tested by simultaneous sampling of ~~all both~~ tail pipes or by sampling each tail pipe. In the ~~later latter~~ case, the measurements for hydrocarbon as hexane, carbon monoxide, and carbon dioxide shall be numerically averaged.

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

Subp. 3. **Exhaust emission standards.** A motor vehicle that is subject to inspection under part 7023.1015 and *Minnesota Statutes*, sections 116.60 to 116.65, must not emit carbon monoxide or hydrocarbon as hexane from the exhaust system in concentrations greater than those in the table 1 or 2, whichever is in effect, in this subpart when measured in an inspection conducted under parts 7023.1010 to 7023.1105. A subject vehicle that emits carbon monoxide or hydrocarbon as hexane from the exhaust system in concentrations greater than those in the table 1 or 2, whichever is in effect, in this subpart shall fail the emission test. ~~Table 1 is effective through December 31, 1992. Table 2 is effective beginning January 1, 1993.~~

**TABLE 1  
TABLE OF MAXIMUM ALLOWABLE EMISSION CONCENTRATIONS  
EFFECTIVE UNTIL DECEMBER 31, 1992**

Model Year	Maximum Allowable Emission Concentrations	
	Hydrocarbon as hexane (parts per million of exhaust)	Carbon Monoxide (as a percent of exhaust)
1976-1977	600	6.0
1978-1979	400	4.0
1980	275	2.5
1981 and later	220	1.2

**TABLE 2  
TABLE OF MAXIMUM ALLOWABLE EMISSION CONCENTRATIONS  
EFFECTIVE JANUARY 1, 1993**

Model Year	Maximum Allowable Emission Concentrations	
	Hydrocarbon as hexane (parts per million of exhaust)	Carbon Monoxide (as a percent of exhaust)
1976-1977	600	5.5
1978-1979	400	3.5
1980	275	2.0
1981 and later	220	1.2

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

Subp. 6. **Loaded mode preconditioning after failing exhaust emission test.** If the vehicle fails the exhaust emission test, the vehicle shall be preconditioned on the chassis dynamometer and the procedures and diagnostic testing shall be conducted in accordance with items A and B. After preconditioning, the vehicle shall be tested at idle according to subparts 1 to 3.

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

B. Vehicles shall be tested in the following manner:

[For text of subitems (1) to (5), see M.R.]

(6) vehicles with ~~multiple dual~~ exhaust pipes shall be tested by simultaneous sampling of ~~all both~~ tail pipes or by sampling each tail pipe. In the latter case, the measurements for hydrocarbon as hexane, carbon monoxide, and carbon dioxide shall be numerically averaged.

[For text of subps 7 and 8, see M.R.]

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## Proposed Rules

Subp. 9. **Alternate preconditioning.** A vehicle for which loaded mode preconditioning is omitted under subpart 7 or 8 shall be preconditioned by completing items A to D.

A. the vehicle's transmission shall be placed in neutral, or park, if appropriate;

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

Subp. 10. **Reconstructed (KIT) vehicles.** All reconstructed (KIT) subject vehicles shall be tested for compliance with the exhaust emission standards in the table in subpart 3, ~~Table 4 or 2, whichever is in effect,~~ using the standards applicable to the year of manufacture of the engine installed in the vehicle.

Subp. 11. **Exchanged engines.** For the purposes of parts 7023.1010 to 7023.1105, a motor vehicle with an exchanged engine must be tested as described in items A to C.

A. Except as provided in item B, a motor vehicle must be tested for compliance with the exhaust emission standards in the table in subpart 3, ~~Table 4 or 2, whichever is in effect,~~ using the standards applicable to the model year of the vehicle's chassis.

B. A vehicle manufactured in model year 1991 or older that has received an exchanged or rebuilt engine, or other vehicle made from manufactured kit bodies (KIT cars), must be tested for compliance with the exhaust emission standards in the table in subpart 3, ~~Table 4 or 2, whichever is in effect,~~ using the standards applicable to the model year of the vehicle's chassis, unless the owner of the vehicle complies with the procedure in item C.

C. If a motor vehicle described in item B has not been inspected, or if it has been inspected and failed to meet the emission standards in the table in subpart 3, ~~Table 4 or 2, whichever is in effect,~~ using the standards applicable to the model year of the vehicle's chassis, the agency representative upon request by the motorist shall certify the year the engine was manufactured by checking the identification number of the engine block and by reviewing documentation provided by the vehicle owner. The vehicle must be tested for compliance with the exhaust emission standards in the table in subpart 3, ~~Table 4 or 2, whichever is in effect,~~ using the year of the engine as certified by the agency representative. If the identification number on the block of the engine is absent and the vehicle owner is unable to provide documentation as to the engine year, the vehicle must be tested for compliance with the exhaust emission standards for model year 1976. If the agency representative determines that the engine was manufactured prior to 1976, the motor vehicle is not a subject vehicle.

Classification of a motor vehicle with an exchanged engine under parts 7023.1010 to 7023.1105, and receipt of a certificate of compliance or certificate of waiver for the motor vehicle shall not exempt the owner of the motor vehicle from the requirements of part 7023.0120 and *Minnesota Statutes*, section 325E.0951.

### 7023.1035 REINSPECTIONS.

Vehicles that fail the inspection under parts 7023.1020 to 7023.1030 shall be allowed reinspection after repair or adjustment of the vehicle.

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

~~C. The reinspection must take place within 30 consecutive calendar days after the initial inspection, unless the owner presents satisfactory evidence that the repairs and adjustments that were performed on the vehicle and the reinspection could not have been completed within 30 days.~~

~~D. The vehicle presented for reinspection shall be inspected only for the portions of the test that were failed as indicated on the vehicle's previous inspection report form. If the owner or operator does not provide a copy of the inspection report forms as required in item B, then both a tampering inspection and exhaust emission test shall be conducted have both a tampering inspection conducted as provided for in part 7023.1025 and an emission test conducted as provided for in part 7023.1030.~~

~~E. D. A vehicle shall be eligible for no more than two reinspections unless the owner pays an additional fee under part 7023.1105, subpart 2.~~

~~F. E. If the vehicle passes the reinspection, the contractor shall issue a vehicle inspection report under part 7023.1040 and certificate of compliance under part 7023.1045. The certificate of compliance and the inspection report may be combined into a single form.~~

~~G. F. If the vehicle cannot pass the reinspection, the contractor shall issue a vehicle inspection report under part 7023.1050 indicating noncompliance. The owner may then be eligible to apply for a certificate of waiver under part 7023.1055. If the owner requests a certificate of waiver, the waiver surveillance inspector shall review the request and shall approve or deny the request in accordance with part 7023.1055.~~

### 7023.1040 VEHICLE INSPECTION REPORT.

Subpart 1. **Required items.** The owner or operator of each vehicle inspected shall be provided with a vehicle inspection report at the time of each inspection. The vehicle inspection report shall be a design approved by the commissioner and shall provide space for the following information:



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

V. idle exhaust emission concentrations of hydrocarbon as hexane ~~and~~, carbon monoxide, carbon dioxide, and oxygen, if an analyzer is used when making repairs;

[For text of items W and X, see M.R.]

Subp. 2. **Responsibility for completion of form.** The contractor shall be responsible for the completion of subpart 1, items A to R, for all ~~nonfleet~~ vehicles tested by the contractor. The person performing the repairs or making the cost estimates shall be responsible for completion of subpart 1, items S to X.

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

### **7023.1050 VEHICLE NONCOMPLIANCE AND REPAIR.**

Subpart 1. **Tampering inspection.** If the subject vehicle fails the tampering inspection or reinspection under part 7023.1025 or 7023.1035, the contractor shall issue an inspection report that indicates noncompliance.

A subject vehicle that fails its tampering inspection shall not be eligible to have its registration renewed unless:

A. the owner replaces ~~or repairs the fuel inlet restrictor or~~ replaces the catalytic converter under part 7023.1025;

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

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

### **7023.1055 CERTIFICATE OF WAIVER.**

Subpart 1. **Eligibility.** A vehicle, including a fleet vehicle, that has failed its initial exhaust emission test and at least one exhaust emission retest is eligible for a waiver, valid for no longer than the annual registration period, if it meets the following criteria:

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

C. the owner or a ~~mechanic~~ an automotive repair technician has diagnosed and attempted to repair the vehicle to pass reinspection, including interrogation of appropriate on board diagnostic systems;

D. except as provided in item E, the owner presents satisfactory evidence to the waiver surveillance inspector that a low emission adjustment, as described in part 7023.1065, subpart 4, as appropriate according to the exhaust emission test results, has been performed on the vehicle after the initial exhaust emission test ~~and within 90 days before renewal of registration~~;

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

Subp. 2. **Waivers following repairs by persons other than ~~mechanics~~ automotive repair technicians.**

A. In cases in which a person other than a ~~mechanic~~ an automotive repair technician, including an owner, attempts to repair a vehicle, the person must take the actions listed on the low emission adjustment list, as appropriate according to the exhaust emission test results, and attempt to diagnose and perform other repairs necessary to bring the vehicle into compliance as if the vehicle were being presented for repair to a ~~mechanic~~ an automotive repair technician.

B. In cases where a person other than a ~~mechanic~~ an automotive repair technician attempts repair or in cases where there is no charge for the labor of vehicle repair, the repair cost limit of part 7023.1065 must be reduced solely by the expenditure for emission-related parts including parts on the low emission adjustment list. The owner shall comply with evidence requirements under part 7023.1065.

Subp. 3. **Waiver documentation review.** The waiver surveillance inspector's duties in reviewing waiver requests consist of the provisions in items A to E.

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

B. To determine whether the vehicle should qualify for warranty repairs under applicable federal law. If so, the waiver surveillance inspector shall determine whether the owner has a signed statement from an appropriate new car dealership stating that the vehicle is not eligible for emission control system warranty work. ~~The agency shall distribute and require the use of a standard form for this purpose.~~ The statement shall be signed and dated by the new car dealership after the vehicle failed its initial inspection and shall identify the vehicle and the dealership. If the owner has a statement conforming to these requirements, it shall be delivered to the waiver surveillance inspector who shall proceed with the remainder of the waiver duties described in items C to E. If the owner does not have a statement conforming to these requirements, no waiver shall be issued.

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

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

Subp. 5. **Waiver due to technical difficulties.** The waiver surveillance inspector shall issue a waiver for a vehicle that cannot be subjected to the inspection required by parts 7023.1010 to 7023.1105 because of technical difficulties inherent in the manufacturer's design or construction, excluding tampering, of the vehicle. A copy of the waiver shall be retained for the agency's use.

A vehicle that, in the opinion of a ~~mechanic~~ an automotive repair technician employed by a fleet station, cannot be inspected because of technical difficulties inherent in the manufacturer's design or construction, excluding tampering, or because of limitations of the fleet station's inspection equipment, shall be referred to the waiver surveillance inspector or the agency. The waiver surveillance inspector shall indicate concurrence on that vehicle's inspection report by signature if the inspector or the agency concurs that a waiver due to technical difficulties should be issued for the vehicle. The fleet station ~~mechanic~~ automotive repair technician shall then issue a certificate of waiver. A copy of the waiver shall be returned for the agency's use.

Subp. 6. [See repealer.]

### 7023.1060 EMISSION CONTROL EQUIPMENT INSPECTION AS A CONDITION OF WAIVER.

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

Subp. 4. **Tampering dispute.** In a tampering dispute, the vehicle owner or operator may elect to leave the inspection area to seek proof of nontampering, such as obtaining emission control system information from another source, and return to ~~the same an~~ inspection facility with documentation ~~within 20 days~~ and continue with the inspection. The contractor must not bill the agency for an emission control equipment inspection upon the owner's or operator's return visit.

### 7023.1065 REPAIR COST LIMIT AND LOW EMISSION ADJUSTMENT.

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

Subp. 3. **Evidence of repair cost.** Except as provided in part 7023.1055, subpart 2, item B, the cost of repair or estimate of the cost of repair under this part is eligible to be credited to the repair cost limit when applying for a waiver if the owner presents to the waiver surveillance inspector a legible and itemized receipt for parts replaced and labor, provided that the costs relate to the emission control system. The receipt must have a legible date and the date must be ~~within 90 days before registration expiration~~ and after the vehicle failed its initial inspection. The waiver surveillance inspector shall be responsible for examining receipts for such items and determining which costs are eligible to be credited toward the repair costs limit. The eligible total cost shall be indicated on the vehicle inspection report form.

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

### 7023.1070 ~~LETTER CERTIFICATE OF TEMPORARY EXTENSION AND LETTER, CERTIFICATE OF ANNUAL EXEMPTION, AND CERTIFICATE OF EXEMPTION.~~

#### Subpart 1. ~~Letter Certificate of temporary extension.~~

A. ~~If a subject vehicle requiring registration renewal will not be available, due to the vehicle's absence or storage, or the owner's absence or illness, for an inspection within the state during the 90-day period before the registration renewal, the owner may apply in writing to the commissioner for a letter of temporary extension. An owner of a subject vehicle requiring registration renewal may apply in writing to the commissioner or contractor for a certificate of temporary extension. The vehicle owner shall sign the application and certify that the information contained in the application is correct.~~

B. ~~The owner shall provide the reason for requesting a letter of temporary extension, certify that the vehicle will not be available for inspection during the 90-day period before the registration renewal, and state when the vehicle will be operated again within the metropolitan area. The owner shall sign the application and certify that the information contained in the application is correct. An owner must meet one or more of the following criteria for a temporary extension:~~

~~(1) the vehicle will not be available, due to the vehicle's absence or storage, or the owner's absence or illness, for an inspection in the state during the 90-day period before registration expiration. The owner must document that for these reasons the vehicle or owner will not be available for inspection during the 90-day period before the registration expiration and state when the vehicle will be operated again within the metropolitan area;~~

~~(2) the vehicle has failed the initial inspection and additional time is needed for repair and reinspection;~~

~~(3) the vehicle registration has been expired for at least 12 months or more; or~~

~~(4) the vehicle owner presents satisfactory evidence which, in the judgment of the commissioner or contractor, demonstrates that due to circumstances beyond the owner's control, the owner could not have met the requirements of parts 7023.1010 to 7023.1105 prior to registration expiration.~~

C. Upon approval of the application by finding that the owner meets one or more of the criteria in item B, the commissioner or contractor shall issue a letter certificate of temporary extension ~~shall be issued~~ to the vehicle owner. The letter certificate shall allow the owner to proceed with vehicle registration renewal.

D. An owner of a vehicle who has received a letter certificate of temporary extension shall have the vehicle inspected:

(1) during the 90-day period preceding the registration renewal date;

(2) by an inspection station outside Minnesota which, in the judgment of the commissioner, performs inspections equivalent to those established in parts 7023.1010 to 7023.1105; or

(3) within 30 days of again operating the vehicle within the metropolitan area on or before the inspection due date indicated on the certificate of temporary extension.

E. The owner shall ~~complete and sign the affidavit portion of the letter of temporary extension and submit it~~ complete and sign the affidavit portion of the letter of temporary extension and submit it the certificate of temporary extension to the registrar when making application for registration renewal. A letter certificate of temporary extension is shall not be valid for ~~no~~ longer than the annual registration period. The registrar shall forward all extension affidavits certificates of temporary extension to the agency within ten days after the end of the calendar month in which the affidavits certificates are received.

F. If the owner who has received a letter certificate of temporary extension has the vehicle inspected at an inspection station outside of Minnesota, the owner shall submit evidence of the inspection to the commissioner or contractor within 30 days of commencement of the operation of the vehicle in the metropolitan area.

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

H. If the owner fails to comply with items D to F, the owner of the subject vehicle shall not be eligible to receive a letter certificate of temporary extension for the next annual registration period.

I. If a dispute arises regarding whether the owner has complied with items D to F, the owner may elect to present evidence of compliance to the commissioner or contractor within 30 days of notification from the commissioner or contractor that the owner has failed to comply with items D to F. The commissioner or contractor shall review the evidence. The commissioner or contractor shall approve or disapprove the application for the letter certificate of temporary extension.

**Subp. 2. Letter Certificate of annual exemption.**

A. An owner whose subject vehicle is customarily domiciled outside of the metropolitan area may apply in writing to the commissioner or contractor for a letter certificate of annual exemption. The owner must document where the vehicle is customarily domiciled. The owner shall sign the application and certify that the information contained in the application is correct.

B. Upon approval of the application by the commissioner or contractor, the owner shall ~~complete and sign the affidavit portion of the letter of annual exemption and present it~~ submit the certificate of annual exemption to the registrar when making application for registration renewal. A letter certificate of annual exemption shall not be valid for longer than the annual registration period.

**Subp. 3. Certificate of exemption.**

A. An owner whose vehicle is registered by the department as a subject vehicle but meets the requirements of part 7023.1010, subpart 35, item B, D, or E, may apply in writing to the commissioner or contractor for a certificate of exemption.

B. The owner shall complete and sign the application for a certificate of exemption and have the vehicle certified as meeting the requirements of part 7023.1010, subpart 35, item B, D, or E, at any vehicle inspection station.

C. Upon approval by the commissioner or contractor, the certificate shall be presented to the registrar when making application for registration renewal. The certificate of exemption is valid until the vehicle no longer meets the requirements of part 7023.1010, subpart 35, item B, D, or E.

**7023.1075 EVIDENCE OF MEETING STATE INSPECTION REQUIREMENTS.**

Either of the documents listed in items A and B shall be accepted by the department, the agency, and the registrar as evidence that a subject vehicle is in compliance with the requirements of parts 7023.1010 to 7023.1105, unless there is reason to believe that it is a false document:

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

B. a letter certificate of annual exemption or certificate of exemption, as provided in part 7023.1070.

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### 7023.1080 FLEET INSPECTION STATION PERMITS, PROCEDURES, AND INSPECTION.

Subpart 1. **Permit application.** A registered owner of a fleet of 50 or more subject vehicles may apply to the agency for a permit to establish a fleet inspection station. Two or more persons each owning 25 or more subject vehicles may apply jointly for a fleet inspection station permit. The agency must not issue a fleet inspection station permit unless the agency finds that the applicant maintains an established facility that meets the requirements in items A to C and B.

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

B. At a minimum, the applicant shall own or lease the following equipment and maintain it in good working condition:

(1) ignition timing light with timing advance tester;

(2) ignition-operated tachometer;

(3) dwell meter;

(4) positive crankcase ventilation tester; and

(5) tools necessary for the installation, adjustment, repair, or replacement of items in the low emission adjustment list.

C. The applicant shall either:

(1) obtain a hydrocarbon, as hexane, and carbon monoxide emission analyzer that meets or exceeds the equipment specifications for performance warranty short tests in *Code of Federal Regulations*, title 40, section 85.2215, as amended, and employ a mechanic an automotive repair technician to conduct the required inspections; or and

(2) enter into an agreement with the agency's inspection and maintenance contractor to have the required inspection performed. Only the equipment required to test and repair the types of vehicles in the fleet inventory will be required in the fleet station. The commissioner shall maintain a list of analyzers that the commissioner finds will perform in a manner that produces accurate test results tools necessary for the installation, adjustment, repair, or replacement of items in the low emission adjustment list.

Subp. 2. **Permits.**

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

J. A fleet inspection station that does not employ a mechanic an automotive repair technician to conduct the inspections shall immediately cease to operate as a fleet inspection station. The permittee shall immediately notify the agency if it has ceased to employ a mechanic an automotive repair technician and that it has ceased to operate as a fleet station.

[For text of items K and L, see M.R.]

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

Subp. 4. **Inspection frequency.** All fleet vehicles for which a fleet inspection station permit has been issued shall be inspected by the fleet station mechanic automotive repair technician according to the schedule in part 7023.1015.

Subp. 5. **Test procedure.** The tampering inspection and exhaust emission test shall be conducted on fleet vehicles by a fleet inspection station mechanic automotive repair technician under parts 7023.1015 to 7023.1030 with the exception of part 7023.1030, subpart 6. If the fleet vehicle fails the exhaust emission test, the vehicle shall be preconditioned according to either the procedure in part 7023.1030, subpart 6, or if the fleet inspection station does not have a dynamometer, the procedure in part 7023.1030, subpart 9. The idle speed of each tested vehicle shall be adjusted to manufacturer's specifications if it deviates from the specified value by more than plus or minus 75 revolutions per minute.

Subp. 6. **Vehicle inspection reports.** Inspection reports must be issued and processed by the fleet inspection station according to items A to H.

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

B. Vehicle inspection reports that are incorrect shall have corrections authenticated and initialed by the mechanic automotive repair technician conducting the inspection. Voided or unusable reports and certificates shall be returned to the agency.

C. Only the fleet station mechanic automotive repair technician may sign a fleet vehicle inspection report, except in the case of a fleet station permit holder who secures the services of the agency's inspection and maintenance contractor to perform the inspection.

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

Subp. 7. **Fleet audit.** Upon request of the commissioner, a fleet inspection station permittee shall submit vehicles designated by the commissioner numbering five percent of the fleet or five motor vehicles annually, whichever is greater, but no more than 25 vehicles, for inspection at inspection stations operated by the contractor or inspection by the agency.

Subp. 8. **Analyzer inspections.** A fleet station emission analyzer shall not be used for an exhaust emission test under part 7023.1030 if it does not register pass the agency's field audit gases within the tolerances prescribed in part 7023.1090, if there is a leak in the sampling system or the calibration port, or if the sample handling system is restricted. An agency representative shall tag a fleet inspection station's emission analyzer upon a determination inform the fleet station automotive repair technician that the analyzer does not meet the requirements of this subpart. The analyzer must not be used for testing until the tag is removed by an agency representative. The analyzer failure tag must be affixed to the analyzer in a manner so that the tag cannot be removed without breaking a seal or mutilating the tag. The tag must contain the following information, at a minimum: fleet vehicles until the agency representative determines that the analyzer meets the requirements of this subpart.

- A. a brief statement that the analyzer does not meet agency operating requirements for exhaust emission test purposes;
- ~~B.~~ the reason for tagging;
- C. the values of the agency's field audit gases used and the analyzer readings obtained;
- ~~D.~~ the date of the agency's inspection; and
- ~~E.~~ the signature of the agency representative tagging the analyzer.

A fleet inspection station may lease or borrow an emission analyzer for temporary use for fleet testing while the station's approved analyzer is being repaired, provided that an agency representative has approved its use.

**7023.1085 INSPECTION STATIONS ACTING AS TESTING FLEET INSPECTION STATIONS VEHICLES.**

A. Inspection stations may provide inspection services to a holder of a fleet inspection station permit under a separate agreement between the inspection station contractor and the holder of a fleet inspection station permit.

~~B.~~ The agency may not be billed for inspection fees for a fleet vehicle inspected under an agreement between the contractor and the holder of a fleet inspection station permit.

~~C.~~ B. Vehicle inspection reports must be filled out at the time of inspection by an inspection station operating as a fleet inspection station in the same manner required for nonfleet vehicles.

~~D.~~ C. The holder of the fleet inspection station permit is responsible for maintaining records and reports required by part 7023.1080.

**7023.1090 EXHAUST GAS ANALYZER SPECIFICATIONS; CALIBRATION AND QUALITY CONTROL.**

A. Exhaust gas analyzers used at inspection stations and fleet inspection stations must comply with the specifications in items A to J requirements of Code of Federal Regulations, title 40, part 51, subpart S, Appendix D, as amended, entitled "Steady-State Short Test Equipment."

~~A.~~ Analyzer accuracy: the hydrocarbon analyzer must have an accuracy of plus or minus 15 parts per million at 200 to 220 parts per million concentration hydrocarbon as hexane; the carbon monoxide analyzer must have an accuracy of plus or minus 0.10 percent carbon monoxide from 1.0 percent to 1.2 percent concentration; and the carbon dioxide analyzer must have an accuracy of plus or minus 0.5 percent carbon dioxide from 5.0 percent to ten percent concentration.

~~B.~~ Response time: response time of the analyzers must be 15 seconds to 95 percent of the final reading.

~~C.~~ Analyzer drift: analyzer drift (up-scale and down-scale zero and span wander) must not exceed plus or minus 0.1 percent carbon monoxide, plus or minus 15 parts per million hydrocarbon as hexane, and plus or minus 0.5 percent carbon dioxide on the lowest range capable of reading 1.0 percent carbon monoxide, 200 parts per million hydrocarbon as hexane, or five percent carbon dioxide during a one-hour period.

~~D.~~ Calibration: the analyzer must have the capability of being calibrated electronically or by gas.

~~E.~~ Flow restriction indicator: the analyzer must be operated within manufacturer's specifications for sample flow. The sampling system must be equipped with a visual and audible warning that sample flow is not within operating requirements.

~~F.~~ Interference effects: sampling the following concentrations of interfering gases must not cause the hydrocarbon as hexane reading to change plus or minus ten parts per million: 15 percent carbon dioxide in nitrogen, ten percent carbon monoxide in nitrogen, 3,000 parts per million nitrogen oxide in nitrogen, ten percent oxygen in nitrogen, and three percent water vapor in air.

Sampling the following concentrations of interfering gases must not cause the carbon monoxide reading to change plus or minus

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0.05 percent; 15 percent carbon dioxide in nitrogen; 1,600 parts per million hydrocarbon in nitrogen; 3,000 parts per million nitrogen oxide in nitrogen; ten percent oxygen in nitrogen; and three percent water vapor in air.

Sampling the following concentrations of interfering gases must not cause the carbon dioxide reading to change plus or minus 0.5 percent; 1,600 parts per million hydrocarbon in nitrogen; ten percent carbon monoxide in nitrogen; 3,000 parts per million nitrogen oxide in nitrogen; ten percent oxygen in nitrogen; and three percent water vapor in air.

G. Repeatability: the repeatability of the exhaust analyzers used must be within plus or minus ten parts per million hydrocarbon as hexane; plus or minus 0.05 percent carbon monoxide; and plus or minus 0.2 percent carbon dioxide during five successive measurements of the same sample.

H. Sensitivity: the analyzer sensitivity must be ten parts per million hydrocarbon as hexane; 0.05 percent carbon monoxide; and 0.2 percent carbon dioxide.

I. Temperature and humidity operating range: the analyzer must be capable of meeting all specifications from zero to 85 percent relative humidity and temperature of 35 to 110 degrees Fahrenheit.

J. Range of measurement: the analyzer must have a range of zero to 2,000 parts per million hydrocarbon as hexane; zero to ten percent carbon monoxide; and zero to at least ten percent carbon dioxide.

B. Exhaust gas analyzers used at inspection stations and fleet inspection stations must be maintained according to the quality assurance requirements of Code of Federal Regulations, title 40, part 51, subpart S, Appendix A, as amended, entitled "Calibration Adjustments and Quality Control."

### 7023.1100 PUBLIC NOTIFICATION.

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

B. The agency or the contractor shall establish a system to respond to inquiries from members of the public regarding the compliance status of a subject vehicle under the program including last inspection date, whether a certificate of compliance or, certificate of waiver, certificate of extension, certificate of annual exemption, or certificate of exemption has been issued, and the reason for waiver the certificate.

### 7023.1105 INSPECTION FEES.

Subpart 1. Inspection fee. Beginning October 10, 1989, the fee for inspection at an inspection station must not exceed \$10. The fee must be paid to the registrar for subject vehicles at the time of reregistration. After that, the commissioner shall annually establish the inspection fee at an amount of up to \$10. ~~The fee shall be established by October 1 for later years, and~~ At least 30 days' notice shall be given to the registrar of changes in the fee.

Deputy registrars shall report to the department ~~letters~~ certificates of extension, annual exemption, and exemption, along with registrations made and inspection fees collected in the same manner required for registrations under *Minnesota Statutes*, section 168.33, subdivision 2.

#### Subp. 2. Reinspections; elective inspections.

A. The inspection fee shall entitle an owner to an initial inspection and two reinspections. The commissioner shall establish a fee for each third and subsequent reinspection. The fee must not be more than \$10 and shall be paid to the ~~commissioner~~ registrar or contractor by the owner.

B. Each elective inspections inspection not required by parts 7023.1010 to 7023.1105 shall be allowed only upon approval of the commissioner or contractor. The commissioner shall establish a fee for each elective inspection. The fee must not be more than \$10 and must be paid to the ~~commissioner~~ contractor by the owner.

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

**REPEALER.** Minnesota Rules, parts 7023.1010, subparts 23 and 24; 7023.1055, subpart 6; and 7023.1095, 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 Health

### Adopted Permanent Rules Governing Fees for Lodging Establishments

The rules proposed and published at *State Register*, Volume 17, Number 47, pages 2890-2891, May 24, 1993 (17 SR 2890), are adopted with the following modifications:

#### Rules as Adopted

##### 4625.5000 INITIAL AND RENEWAL LICENSE FEES, LICENSE EXPIRATION DATES.

Subp. 1a. **Construction; remodeling.** An initial license application for food and beverage establishments as defined in part 4625.2401 must be accompanied by a fee of \$150 for review of the construction or remodeling plans as required under part 4625.2701. When an establishment is extensively remodeled, a fee of \$150 must accompany the remodeling plans required under part 4625.2701. Neither an initial license plan review fee nor a remodeling plan review fee shall be required for a limited food service establishment as defined in part 4625.2401, subpart 22, that is not a mobile food service as defined in part 4625.2401, subpart 23. Extensive remodeling means an addition or change to the physical facility, or making a major equipment addition. Extensive remodeling does not include redecorating, cosmetic refurbishing, or altering seating design or capacity.

## Department of Health

### Adopted Permanent Rules Relating to Lead Abatement

The rules proposed and published at *State Register*, Volume 17, Number 23, pages 1383-1392, December 7, 1992 (17 SR 1383), are adopted with the following modifications:

#### Rules as Adopted

##### 4761.0100 APPLICABILITY.

Chapter 4761 applies to boards of health and any person performing or ordering performance of lead abatement on residential property and playgrounds. ~~In addition to lead abatement contractors and boards of health, this applicability includes, but is not limited to:~~

A. A property owner who personally performs lead abatement; either is not exempt from this chapter, whether or not the abatement is performed under an order to abate or voluntarily, and whether or not the abatement is performed on a residence that the owner occupies; and

B. A tenant who personally performs lead abatement on a the tenant's residence that the tenant occupies is not exempt from this chapter.

C. Pursuant to Minnesota Statutes, section 144.878, subdivision 5, after July 1, 1994, a person who performs work that removes intact paint on residences built before February 27, 1978, must determine whether lead sources are present and whether the planned work would be lead abatement as defined in Minnesota Statutes, section 144.871, subdivision 2. This determination may be made by quantitative chemical analysis, x-ray fluorescence analyzer, or chemical spot test using sodium rhodizonate. If lead sources

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## Adopted Rules

are identified, the work must be performed by a licensed lead abatement contractor. An owner of an owner-occupied residence with one or two units is not subject to the requirements of this item on either of the units owned.

### 4761.0200 DEFINITIONS.

Subp. 9. **Elevated blood lead level.** "Elevated blood lead level" means at least ten micrograms of lead per deciliter of whole blood. [See repealer.]

### 4761.0300 STANDARDS.

Subp. 4. **Bare soil.** Bare soil on residential property or on playgrounds must not contain lead in a concentration of 1/100 of one percent (100 parts per million) or more by weight.

### 4761.0400 ASSESSMENT.

Subpart 1. **General.** A board of health must conduct an assessment of the residential property and the bare soil in a playground known to be used by a pregnant woman or child with a blood lead level as described in *Minnesota Statutes*, section 144.874, subdivision 1, and act on the findings of the assessment as described in this part. If an assessment of the residential property or playground fails to identify one or more probable sources of lead exposure paint, soil, dust, or drinking water that exceeds a standard specified in part 4761.0300, then the board of health must provide information to the resident identifying the following as possible sources of lead exposure:

Subp. 2. **Assessment required contracting; optional testing.** A board of health must conduct an assessment of a residence to determine sources of lead exposure if a pregnant woman in the residence has a blood lead level of at least ten micrograms per deciliter or if a child in the residence has a blood lead level of at least 20 micrograms per deciliter or has had a blood lead level of at least 15 but less than 20 micrograms per deciliter for 90 days. A board of health may contract for assessments. Notwithstanding any requirement in subparts 4, 5, and 6, a Board of health need not test testing of the following items under subparts 4, 5, and 6, is optional:

- A. any material that would not be subject to an abatement order, such as;
- B. intact paint that is not dust-producing, producing dust; and need not test
- C. any material that the a property owner agrees has agreed in writing to abate as a lead source.

Subp. 2a. **Variance.** A board of health may request a variance from part 4761.0400 according to the procedures and criteria specified in parts 4717.7000 to 4717.7050.

Subp. 3. **Abatement required.** A board of health must order a property owner to perform abatement on a lead source that exceeds a standard in part 4761.0300 at the residence of a pregnant woman who has a blood lead level of at least ten micrograms per deciliter or of a child who has a blood lead level of at least 20 micrograms per deciliter or who has had a blood lead level of at least 15 but less than 20 micrograms per deciliter for 90 days as described in *Minnesota Statutes*, section 144.874, subdivision 1. A board of health may order in-place management of lead sources. In-place management of lead sources includes encapsulation or the activities described in *Minnesota Statutes*, section 144.871, subdivision 9. Encapsulation is another means of in-place management.

Subp. 5. **Dust.** In conducting an assessment, a board of health must test dust from each type of horizontal hard surface, such as a floor, window well, windowsill, shelf, or fixture. Carpeting, if any, must be tested for lead in dust nearest the main entrance to the residence and elsewhere within the residence if the carpet appears to the board of health to be in a soiled or worn condition or has not been subject to regular cleaning with a vacuum cleaner. A board of health must also test dust from surfaces that are accessible to small children, that are lead-dust producing, and that are actual sources of lead exposure. A board of health is not required to test dust on every surface within a residence. Dust samples from hard surfaces must be analyzed by a method approved by the United States Environmental Protection Agency as described in subpart 4, item B. Dust samples from carpeting must be analyzed by this method or by a method described in "Determination of Lead in Soil," Soil Testing and Research Analytical Laboratories, Department of Soil Science/Agricultural Experiment Station, University of Minnesota, Saint Paul, Minnesota, July 1990. This publication is incorporated by reference and is available through the Minitex interlibrary loan system. This publication is not subject to frequent change. A dust sample must be collected from an area of one square foot, if possible. For hard surfaces, either the method described in item A or B may be used. For carpeting, the method described in item B must be used. If the method in item B fails to collect enough of a dust sample from carpeting to conduct analysis, then the carpeting is considered to be in compliance. The information listed in item C must be recorded for each dust sample.

Subp. 7. **Bare soil.** In conducting an assessment, the board of health must test bare soil from the residence. The board of health need not collect and test soil from the residence for possible soil lead if the property owner agrees to treat the bare soil according to the abatement procedures adopted by the Pollution Control Agency under *Minnesota Statutes*, section 144.878, subdivision 2, paragraph (b). Soil must be collected according to items A to F and must be analyzed by a method approved by the United States Environmental Protection Agency as described in subpart 4, item B, or described in "Determination of Lead in Soil," prepared by the Soil Testing and Research Analytical Laboratories, Department of Soil Science/Agricultural Experiment Station, University of Minnesota, Saint Paul, Minnesota, July 1990. This publication is available through the Minitex interlibrary loan system and is incorporated by reference. This publication is not subject to frequent change.



**4761.0600 REASSESSMENT.**

Subpart 1. **Reassessment required.** Abatement of lead in paint, dust, drinking water, ~~and~~ or bare soil is considered successfully completed when reassessment demonstrates compliance with standards in part 4761.0300. A board of health must conduct the reassessment of a residence or playground for which orders were issued under part 4761.0400, subpart 1.

Subp. 2. **Sample collection.** In conducting a reassessment, a board of health must collect interior dust samples from each type of horizontal surface that has been abated or exposed to dust from abatement. A board of health is not required to sample dust from every surface within a residence. A board of health must collect dust samples according to the method described in part 4761.0400, subpart 5. A board of health must collect a one-liter water sample ~~after running water to waste for 30 seconds~~ from the tap from which the original sample was drawn. A point-of-use device must be disconnected or bypassed while the sample is collected unless the board of health orders that a point-of-use device be used to remove lead.

**4761.0710 LICENSING REQUIREMENTS FOR LEAD ABATEMENT CONTRACTORS.**

Subpart 1. **License required.** A lead abatement contractor must obtain a license before doing lead abatement and must renew it annually. The license must be readily available at the contractor's primary place of business for inspection by the commissioner or by staff of a board of health with jurisdiction over a worksite. A license cannot be transferred. ~~A property~~ The owner of an owner-occupied residence with one or two units who ~~personally~~ performs lead abatement on ~~a either of the units of the residence that the property owner occupies~~ is not required to obtain this license but must comply with part 4761.0500.

**4761.0740 APPROVAL OF LEAD ABATEMENT TRAINING COURSES.**

Subp. 2. **Approval of lead abatement training course.** A sponsor of a lead abatement initial or annual refresher training course must meet the requirements in this part and must be approved by the commissioner in writing. A sponsor must present the course at least annually and renew course approval biennially or when the course content is modified. The fee required in this subpart is required with initial and biennial applications for course approval and with modification of any of the course content. At least ~~90~~ 30 days before the start of a lead abatement training course, a sponsor must inform the commissioner in writing of the schedule for the course. A sponsor must permit the commissioner to attend, evaluate, and monitor a lead abatement training course and course examinations at no cost. The commissioner need not give advance notice of attendance. An application must be on a form provided by the commissioner and must include:

Subp. 3. **Initial lead abatement training course requirements.** An initial lead abatement training course must meet the requirements of this subpart to be approved. Videotapes may be used to present topics but an instructor must be present to answer questions. Live lectures must be provided on any change in federal or state laws governing lead abatement during the preceding year. An examination must be provided that addresses all the topics in item E. When the commissioner prepares a standard examination, the standard examination must be administered to course participants. For an initial lead abatement training course, a sponsor must:

D. present an initial training course that lasts at least ~~three~~ 24 hours, minus breaks and meals, which must be completed within 30 calendar days of eight hours each, minus breaks and lunch from the start of the course;

E. address the following topics:

(3) this chapter 4761;

F. after July 1, 1993, in addition to item D, an initial lead abatement training course must include ~~an eight-hour session~~ eight hours on lead abatement training in which each participant practices use of personal protection equipment, site preparation, lead abatement methods, and cleanup. The total training time required by this item and item D, is 32 hours of training which must be completed within 30 calendar days of the start of the course.

**RENUMBERER.** *Minnesota Rules*, parts 4760.0015, subpart 8, is renumbered as 4761.0200, subpart 13b; 4760.0015, subpart 9, is renumbered as 4761.0200, subpart 15a; ~~4760.0020 is renumbered as 4761.0300, subpart 4;~~ 4760.0510, subpart 3, is renumbered as 4761.0200, subpart 8a; 4760.0510, subpart 9, is renumbered as 4761.0200, subpart 15c; ~~4760.0520 is renumbered as 4761.0770;~~ 4760.0530, subpart 2, is renumbered as 4761.0780, subpart 2; and 4760.0530, subpart 3, is renumbered as 4761.0780, subpart 3.

**REPEALER.** *Minnesota Rules*, parts 4760.0010; 4760.0015, subparts 1, 2, 3, 4, 5, and 7; ~~4760.0020;~~ 4760.0030; 4760.0040; 4760.0045; 4760.0050; 4760.0500; 4760.0510, subparts 1, 2, 4, 5, 6, 7, and 8; ~~4760.0520;~~ 4760.0530, subpart 1; ~~and 4760.0540;~~ and 4761.0200, subpart 9, are repealed.

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

## Adopted Rules

### Board of Medical Practice

#### Adopted Permanent Rules Relating to Continuing Education in Infection Control

The rules proposed and published at *State Register*, Volume 17, Number 39, pages 2316-2318, March 29, 1993 (17 SR 2316), are adopted with the following modifications:

##### Rules as Adopted

##### 5605.0100 CONTINUING EDUCATION CYCLES.

During three-year cycles, each physician licensed to practice by this board shall obtain 75 hours of continuing medical education credit as required by this chapter, with at least three hours in the subject of infection control, including blood borne diseases. "Infection control" means programs, procedures, and methods to reduce the transmission of agents of infection for the purpose of preventing or decreasing the incidence of infectious diseases. "Blood borne diseases" means diseases that are spread through exposure to, inoculation of, or injection of blood, or through exposure to blood contained in body fluids, tissues, or organs. Blood borne diseases include infection caused by such agents as the human immunodeficiency virus (HIV) and hepatitis B virus (HBV). Infection control continuing education credits must be obtained from the category I activities in part 5605.0300, item A. Continuing education in infection control is required for renewal periods beginning on or after ~~July~~ October 1, 1993. For initial continuing education periods of less than three years, one continuing education hour in infection control is required for each remaining full year.

## 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 Natural Resources

### Adopted Expedited Emergency Game and Fish Rules; Regulating the 1993 Deer Season and the Taking of Certain Small Game

**NOTICE IS HEREBY GIVEN** that the above entitled proposed rules have been adopted through the process prescribed by *Minnesota Statutes*, section 14.29, subdivision 4(b). The statutory authority for the contents of these rules is *Minnesota Statutes*, sections 97A.045, subdivision 2; 97A.091, subdivision 2; 97A.137, subdivision 2; 97A.401, subdivision 4; 97A.485, subdivision 2a; 97B.111; 97B.301, subdivision 4; 97B.311; 97B.605; 97B.621, subdivision 3; 97B.625, subdivision 1; 97B.635; 97B.711, subdivision 1; 97B.731; 97B.911; and 97B.915.

Dated: 3 September 1993

Rodney W. Sando, Commissioner  
Department of Natural Resources

**Rules as Adopted****6230.1300 SPECIAL PROVISIONS FOR NATIONAL WILDLIFE REFUGES.**

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

Subp. 4. **Rice Lake National Wildlife Refuge, Aitkin county.** Portions of Rice Lake National Wildlife Refuge in Aitkin county and Pine counties are open to firearm hunting of deer by special permit, archery hunting for deer in designated areas, cottontail rabbit, snowshoe hare, gray squirrel, fox squirrel, ruffed grouse, and spruce grouse, woodcock, and snipe in areas posted as "Public Hunting Area" or as shown on maps available at Refuge Headquarters.

[For text of subs 5 to 8, see M.R.]

**6232.0200 DEFINITIONS.**

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

Subp. 5. **Deer management permit.** "Deer management permit" means a license to take and tag a ~~second~~ additional deer available for one-half the cost of a regular resident or nonresident license, except that the license is free to qualifying owners and tenants of ten acres or more of agricultural land.

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

**6232.0300 GENERAL RESTRICTIONS FOR TAKING DEER.**

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

Subp. 3. **Party hunting.** A party is a group of two or more licensed deer hunters who are afield hunting together and are all using firearms or all using archery equipment. A member of a party may kill a deer for another member of the party who has an unused tag valid for that deer, except that other hunters may not shoot antlerless deer for youth under age 16 authorized to take antlerless deer in 1993 and 1994 under Minnesota Statutes, section 97B.301, subdivision 6. A mixed-weapons group is considered two separate parties. Multizone buck licensees may party hunt with regular firearms licensees.

[For text of subs 4 to 6, see M.R.]

**Subp. 7. All-terrain vehicle use by licensed hunters.**

A. A person licensed to take deer must not operate an all-terrain vehicle in an area open for the taking of deer by firearms during legal shooting hours on a day that they are licensed to take deer within that area except from 11:00 a.m. to 2:00 p.m. each day.

B. A person licensed to take deer who does not possess a firearm, either cased or uncased, may use an all-terrain vehicle to retrieve and transport a deer that is known to be dead from sunset to two hours after sunset during the regular firearms deer season and for one day after the season on wildlife management areas north and west of a line described as follows:

State Trunk Highway (STH) 1 from the west boundary of the state to STH 89; then north along STH 89 to Fourtown; then north on County State Aid Highway (CSAH) 44, Beltrami County, to County Road 704, Beltrami County; then north on County Road 704 to Dick's Parkway State Forest Road; then north on Dick's Parkway to CSAH 5, Roseau County; then north on CSAH 5 to Warroad; then north on STH 11 to STH 313; then north on STH 313 to the north boundary of the state.

C. For purposes of this chapter, all-terrain vehicles are vehicles, including trail bikes, three-wheelers, four-wheelers, tracked vehicles, or other manufactured or homemade vehicles, must not be licensed for highway use. Motor vehicles licensed for and being lawfully operated on a public road or highway, or farm tractors being used for agricultural purposes, are exempt from this subpart. This subpart applies to all lands and waters regardless of ownership except as provided in item B, and except that a person using an all-terrain vehicle in pursuing an occupation on the person's own land and not in possession of a firearm is exempt. A permit to operate these vehicles during the restricted hours may be issued by a conservation officer in the event of an emergency or other unusual conditions. Legal use of snowmobiles during the open deer season is governed by part 6100.5100.

Subp. 8. **Bag limit.** A person may not tag more than one deer per calendar year, except as follows:

A. In Marshall, Kittson, Roseau, and Lake of the Woods counties a person may tag one deer with a regular firearms license, including a multizone buck license or a firearms license punched for the muzzle-loader option, and one deer with a regular archery license. A free permit must be obtained before attempting to take the second deer and both deer must be registered in this four-county area.

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## Emergency Rules

B. Archery and firearms deer management permits may be used to tag a second deer as specified in parts 6232.1200 and 6232.1900.

C. Firearms deer management permits may be used to tag a third deer in antlerless permit area 228, or a third, fourth, and fifth deer in antlerless permit area 337 and in the Alternative Deer Control Program, Baker Park Reserve, Carver Park Reserve, Lake Rebecca Park Reserve, and Murphy-Hanrehan Park Reserve special firearms hunts.

D. Urban archery deer management permits may be used to tag a third deer in antlerless permit area 228 and in the New Ulm City Deer Hunt, if fewer than 75 applications are received, or a third, fourth, or fifth deer in antlerless permit area 337 and the Cleary Lake Regional Park, Murphy-Hanrehan Park Reserve, and Crow-Hassan Park Reserve special archery deer hunts.

E. In no case may a person tag more than five deer per year by firearms, archery, or both methods combined.

### 6232.0800 ARCHERY SPECIAL HUNT AREAS AND PROCEDURES.

Subpart 1. Procedures. The special bow and arrow hunt permit application procedure, except the Camp Ripley archery hunt, is described in this subpart.

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

Subp. 2. 1993 areas. The following archery special hunt areas are established for the 1993 season:

A. Crow-Hassan Park Reserve in Hennepin county is open October 23 and 24 and November 11 and 12 for taking antlerless deer and legal bucks. No more than 140 permits will be issued. Archery management permits and urban archery management permits are valid. A \$5 administrative fee will be charged to all applicants. Applications must be sent to Hennepin Parks Bow Hunt, 3800 County Road 24, Maple Plain, MN 55359.

B. Murphy-Hanrehan Park Reserve in Scott county is open October 22 to 24 for taking antlerless deer and legal bucks. No more than 200 permits will be issued. Archery management permits and urban archery management permits are valid. A \$5 administrative fee will be charged to all applicants. Applications must be sent to Hennepin Parks Bow Hunt, 3800 County Road 24, Maple Plain, MN 55359.

C. Cleary Lake Regional Park in Scott county is open October 22 to 24 for taking antlerless deer and legal bucks. No more than 50 permits will be issued. Archery management permits and urban archery management permits are valid. A \$5 administrative fee will be charged to all applicants. Applications must be sent to Hennepin Parks Bow Hunt, 3800 County Road 24, Maple Plain, MN 55359.

D. Portions of the city of New Ulm as shown on maps available from the city are open September 25 to December 5 for taking antlerless deer and legal bucks. No more than 75 permits will be issued. A \$5 administrative fee will be charged to all successful applicants. Applicants will be required to pass a proficiency test before receiving a permit. A regular archery license and an archery deer management permit must be purchased to qualify for the hunt. Urban archery deer management permits may be authorized if fewer than 75 applications are received. Applications must be sent to New Ulm City Deer Hunt, City Manager's Office, 100 North Broadway, New Ulm, MN 56073.

### 6232.1200 ARCHERY DEER MANAGEMENT PERMITS.

Subpart 1. Availability. The purchase of an archery deer management permit, including urban archery deer management permits, is authorized for any person who has purchased and presents an archery deer license from the current year. Archery deer management permits may be purchased from county auditors' offices and, the license bureau, and other authorized agents; except that urban archery deer management permits are only available from county auditors' offices, the license bureau, the city of New Ulm, and vendors in Anoka, Ramsey, Hennepin, Washington, Scott, Carver, and Dakota counties.

Subp. 2. Archery deer management permit areas. The archery deer management permit, except urban archery deer management permits, authorizes taking an antlerless deer in the following areas:

A. special hunt areas by permittees where deer management permits are valid: in 1993, antlerless deer may be taken under an archery deer management permit in the Crow-Hassan Park Reserve, Murphy-Hanrehan Park Reserve, Cleary Lake Regional Park, and New Ulm City Special Archery Hunt Areas; and

B. designated antlerless permit areas, which consist of antlerless permit areas that the commissioner anticipates will be undersubscribed: in 1993, antlerless deer may be taken under an archery deer management permit in the following antlerless permit areas: 203, except the Agassiz National Wildlife Refuge; 205; 206; 208; 209; 210; 222; 223; 225; 226; 227; 228; 236; 337; 338; 339; 341; 342; 343; 345; 346; 347; 348; 349; 401; 402; 403; 405; 406; 407; 408; 409; 410; 411; 412; 419; 420; 421; 422; 423; 429; and 452.

Subp. 3. Urban archery deer management permit areas. The urban archery deer management permit authorizes taking one or more antlerless deer in the following areas:

A. one urban archery deer management permit may be used to take antlerless deer in the New Ulm City Special Hunt Area

if fewer than 75 applications for permits are received;

B. one urban archery deer management permit may be used to take antlerless deer in antlerless permit area 228; and

C. three urban archery deer management permits may be used to take antlerless deer in antlerless permit area 337 and in the Cleary Lake Regional Park, Murphy-Hanrehan Park Reserve, and Crow-Hassan Park Reserve special archery deer hunts.

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

Subpart 1. **Zone 1.** Legal bucks may be taken in Zone 1 for a 16-day period beginning the Saturday nearest November 6. Antlerless deer may be taken only by permit throughout this season and only within the permit area specified on each hunter's permit; except that for the 1993 and 1994 seasons, resident hunters under age 16 on the Saturday nearest November 6 with a license punched for Zone 1 may take antlerless deer without a permit in those antlerless permit areas where permits are offered.

Subp. 2. **Zone 2.** Legal bucks may be taken in Zone 2 for a nine-day period beginning the Saturday nearest November 6. Antlerless deer may be taken only by permit throughout this season and only within the permit area specified on each hunter's permit; except that for the 1993 and 1994 seasons, resident hunters under age 16 on the Saturday nearest November 6 with a license punched for Zone 2 may take antlerless deer without a permit in those antlerless permit areas where permits are offered.

Subp. 3. **Zone 3.** This subpart applies to season dates in Zone 3.

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

B. Legal bucks and antlerless deer may be taken during the late season in Zone 3 for a seven-day period beginning the Saturday nearest November 20. Antlerless deer may be taken only by permit and only within the permit area specified on each hunter's permit; except that for the 1993 and 1994 seasons, resident hunters under age 16 on the Saturday nearest November 6 with a license punched for the Zone 3 late season may take antlerless deer without a permit in those antlerless permit areas where permits are offered.

Subp. 4. **Zone 4.** This subpart applies to season dates in Zone 4.

A. Legal bucks and antlerless deer may be taken in the early season in Zone 4 for a two-day period beginning the Saturday nearest November 6. Antlerless deer may be taken only by permit and only within the permit area specified on each hunter's permit; except that for the 1993 and 1994 seasons, resident hunters under age 16 on the Saturday nearest November 6 with a license punched for the Zone 4 early season may take antlerless deer without a permit in those antlerless permit areas where permits are offered.

B. Legal bucks and antlerless deer may be taken in the late season in Zone 4 for a four-day period beginning the Saturday nearest November 13. Antlerless deer may be taken only by permit and only within the permit area specified on each hunter's permit; except that for the 1993 and 1994 seasons, resident hunters under age 16 on the Saturday nearest November 6 with a license punched for the Zone 4 late season may take antlerless deer without a permit in those antlerless permit areas where permits are offered.

#### **6232.1600 SPECIAL HUNT PROCEDURES.**

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

Subp. 5. Undersubscribed areas. For those special hunt areas that are undersubscribed after provisions of subpart 4 are implemented, the commissioner may issue remaining permits over-the-counter on a first-come first-serve basis to individuals possessing a firearms license validated for the proper zone and time period.

Subp. 6. 1993 special firearms hunt areas. The following special firearms hunts are authorized for the 1993 season:

A. Gooseberry Falls State Park in Lake county is open November 6 to 8 for taking antlerless deer. No more than 15 permits will be issued to Zone 1 licensees. This is special area 901.

B. Gooseberry Falls State Park in Lake county is open November 20 and 21 for taking antlerless deer. No more than 15 permits will be issued to Zone 1 licensees. This is special area 902.

C. Rice Lake National Wildlife Refuge in Aitkin county is open November 13 to 21 for taking antlerless deer and legal bucks. No more than 100 permits will be issued to Zone 1 licensees. This is special area 903.

D. Split Rock Lighthouse State Park in Lake county is open November 6 to 8 for taking antlerless deer. No more than 15 permits will be issued to Zone 1 licensees. This is special area 904.

E. Split Rock Lighthouse State Park in Lake county is open November 20 and 21 for taking antlerless deer. No more than 15 permits will be issued to Zone 1 licensees. This is special area 905.

F. St. Croix State Park in Pine county is open November 13 and 14 for taking antlerless deer and legal bucks. No more than 450 permits will be issued to Zone 1 licensees. If there are fewer than 450 applicants, management permits will be issued to some applicants so that the number of permits issued will total 450. This is special area 906.

G. Tettegouche State Park in Lake county is open November 6 to 8 for taking antlerless deer. No more than 30 permits will be issued to Zone 1 licensees. This is special area 907.

## Emergency Rules

H. Tettegouche State Park in Lake county is open November 20 and 21 for taking antlerless deer. No more than 30 permits will be issued to Zone 1 licensees. This is special area 908.

I. Lake Bronson State Park in Kittson county is open November 11 to 14 for taking antlerless deer and legal bucks. No more than 40 permits will be issued to Zone 2 licensees. Management permits are available. This is special area 909.

J. Lake Elmo Park Reserve in Washington county is open November 6 and 7 for taking antlerless deer. No more than 50 permits will be issued to Zone 2 licensees. Management permits are available. This is special area 910.

K. Wild River State Park in Chisago county is open November 13 and 14 for taking antlerless deer and legal bucks. No more than 135 permits will be issued to Zone 2 licensees. Management permits are available. This is special area 911.

L. Zipple Bay State Park in Lake of the Woods county is open November 6 to 14 for taking antlerless deer. No more than 50 permits will be issued to Zone 2 licensees. Management permits are available. This is special area 912.

M. Murphy-Hanrehan Park Reserve in Scott county is open November 13 and 14 for taking antlerless deer and legal bucks. No more than 85 permits will be issued to Zone 3A licensees. A \$5 administrative fee will be charged to each successful applicant. Up to three management permits may be purchased by each permittee. This is special area 913.

N. Baker Park Reserve in Hennepin county is open November 27 and 28 for taking antlerless deer and legal bucks. No more than 80 permits will be issued to Zone 3B licensees. A \$5 administrative fee will be charged to each successful applicant. Up to three management permits may be purchased by each permittee. This is special area 914.

O. Carver Park Reserve in Carver county is open November 20 and 21 for taking antlerless deer and legal bucks. No more than 115 permits will be issued to Zone 3B licensees. A \$5 administrative fee will be charged to each applicant. Up to three management permits may be purchased by each permittee. This is special area 915.

P. Forestville State Park in Fillmore county is open November 20 to 22 for taking antlerless deer. No more than 100 permits will be issued to Zone 3B licensees. Management permits are available. This is special area 916.

Q. Lake Rebecca Park Reserve in Hennepin county is open December 4 and 5 for taking antlerless deer and legal bucks. No more than 75 permits will be issued to Zone 3B licensees. A \$5 administrative fee will be charged to each successful applicant. Up to three management permits may be purchased by each permittee. This is special area 917.

R. Whitewater State Wildlife Management Area Game Refuge in Winona county is open November 20 to 26 for taking antlerless deer. No more than 100 permits will be issued to Zone 3B licensees. This is special area 918.

S. Rice Lake State Park in Steele and Dodge counties is open November 6 and 7 for taking antlerless deer. No more than 15 permits will be issued to Zone 4A licensees. Management permits are available. This is special area 919.

T. Rice Lake State Park in Steele and Dodge counties is open November 13 to 16 for taking antlerless deer. No more than 15 permits will be issued to Zone 4B licensees. Management permits are available. This is special area 920.

U. Glacial Lakes State Park in Pope county is open November 13 and 14 for taking antlerless deer. No more than 30 permits will be issued to Zone 4B licensees. Management permits are available. This is special area 921.

V. Maplewood State Park in Ottertail county is open November 13 to 16 for taking antlerless deer and legal bucks. No more than 125 permits will be issued to Zone 4B licensees. This is special area 922.

### **6232.1700 MINNESOTA VALLEY ALTERNATIVE DEER CONTROL PROGRAM.**

#### **Subpart 1. Open areas, dates, and quotas.**

A. Portions of Fort Snelling State Park, the Black Dog and Long Meadow Lake Units of the Minnesota Valley National Wildlife Refuge, and adjacent public and private lands in Dakota and Hennepin counties, as designated on maps provided to permittees, may be open to the taking of antlerless deer and legal bucks by shotgun but not muzzleloaders under the Minnesota Valley alternative deer control program. Open dates and permit quotas are determined annually by the commissioner. Information on dates and quotas shall be provided annually by the department.

B. For the 1993 season, no more than 123 permits valid for taking antlerless deer and legal bucks will be issued for each of the following time periods: October 30 and 31, 1993; December 4 and 5, 1993; and January 8 and 9, 1994. Up to five management permits may be purchased and used to tag deer by each permit holder.

Subp. 2. **Applications.** A person possessing a Minnesota firearms or archery deer license for the current year may submit an application for the Minnesota Valley Alternative Deer Control Program. A person may not apply more than once to this hunt, whether as an individual or as a member of a group. If applications exceed the number of available permits, a random drawing will be held. Applications must be made according to this subpart.

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

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

**6232.1750 ORCHARD SUBPERMIT AREA.**

Individuals licensed for the Zone 3A season are eligible to apply for a firearms management permit valid for taking antlerless deer in the Orchard Subpermit Area, as described in the 1993 Annual Hunting and Trapping Regulations. The number of management permits is unlimited. Applicants must complete the permit application form issued with the applicant's license and mail to Orchard Hunt, DNR Headquarters, Box 6247, Rochester, MN 55903.

**6232.1800 ANTLERLESS PERMITS.**

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

Subp. 2. **Preference drawing.** If the number of applications for permits in an area exceeds the quota set forth in the annual hunting regulations, a preference drawing will be used to select permit holders. Persons 12 years of age or older may enter the preference drawing by supplying their driver's license number, official state of Minnesota Identification Number, or 13-digit Firearms Safety Identification Number on the application; except that for the 1993 and 1994 seasons, resident hunters under age 16 on the Saturday nearest November 6 may not apply for antlerless permits. All applicants who have reached their 18th birthday by the first Thursday following Labor Day must provide one of these three numbers to qualify. Applicants under 18 years of age who do not submit one of these numbers will be assigned a number and will be entered into the preference drawing. Applicants establish a preference rating based upon the number of times they have applied in previous years and have not obtained an antlerless or special area permit. The preference rating will increase each year the applicant applies unsuccessfully for either an antlerless or special area permit. Persons applying for the first time have no preference. Applicants receiving either antlerless or special area permits lose their accrued preference.

Subp. 3. **Antlerless permit areas.** Permit areas are comprised of partial, single, or grouped registration blocks described as follows:

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

B. Antlerless permit areas in Zone 2:

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

(4) permit areas 221 to ~~227~~ 228 and 235 and 236 consist of registration blocks 221 to ~~227~~ 228 and 235 and 236;

[For text of subitems (5) to (10), see M.R.]

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

D. Antlerless Permit Areas in Zone 4:

(1) permit areas 401 to ~~428~~ 429 consist of registration blocks 401 to ~~428~~ 429;

[For text of subitems (2) to (8), see M.R.]

**Subp. 4. 1993 antlerless permit quotas in Zone 1. The following number of antlerless permits are available in permit areas in Zone 1 for the 1993 season:**

A. permit area 104-106: 1,800;

B. permit area 107-109, 195: 4,000;

C. permit area 110: 1,100;

D. permit area 119-121: 4,000;

E. permit area 122-125: 2,000;

F. permit area 126-129: 650;

G. permit area 152: 100;

H. permit area 154-156: 8,000;

I. permit area 157-158: 3,000;

J. permit area 159: 1,000;

K. permit area 167-169: 9,000;

L. permit area 170-174: 8,000;

M. permit area 175-179: 4,500;

N. permit area 180-184, 199: 6,000; and

O. permit area 197-198: 1,000.

## Emergency Rules

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**Subp. 5. 1993 antlerless permit quotas in Zone 2.** The following number of antlerless permits are available in permit areas in Zone 2 for the 1993 season:

- A. permit area 210: 400;
- B. permit area 202: 800;
- C. permit area 203: 1,000;
- D. permit area 204: 2,000;
- E. permit area 205: 2,000;
- F. permit area 206: 1,800;
- G. permit area 207: 1,200;
- H. permit area 208: 900;
- I. permit area 209: 1,800;
- J. permit area 210: 2,500;
- K. permit area 211-212: 1,300;
- L. permit area 221: 2,400;
- M. permit area 222: 3,500;
- N. permit area 223: 2,200;
- O. permit area 224: 250;
- P. permit area 225: 4,000;
- Q. permit area 226: 3,000;
- R. permit area 227: 5,000;
- S. permit area 228: 3,000;
- T. permit area 235: 180;
- U. permit area 236: 2,000;
- V. permit area 244-245: 6,000;
- W. permit area 246: 7,500;
- X. permit area 247: 2,500;
- Y. permit area 248: 1,200;
- Z. permit area 249: 2,000;
- AA. permit area 251: 750;
- BB. permit area 284-286: 8,000;
- CC. permit area 287: 500; and
- DD. permit area 297-298: 500.

**Subp. 6. 1993 antlerless permit quotas in Zone 3.** The following number of antlerless permits are available in permit areas in Zone 3 for the 1993 season:

- A. permit area 337: 2,500;
- B. permit area 338: 1,200;
- C. permit area 339: 1,000;
- D. permit area 341: 2,400;
- E. permit area 342: 1,800;
- F. permit area 343: 2,200;
- G. permit area 344: 1,600;
- H. permit area 345: 1,700;
- I. permit area 346: 2,800;



J. permit area 347: 1,800;

K. permit area 348: 2,100; and

L. permit area 349: 2,500.

Subp. 7. 1993 antlerless permit quotas in Zone 4A. The following number of antlerless permits are available in permit areas in Zone 4A for the 1993 season:

A. permit area 401: 650;

B. permit area 402: 700;

C. permit area 403: 300;

D. permit area 404: 600;

E. permit area 405: 900;

F. permit area 406: 900;

G. permit area 407: 1,000;

H. permit area 408: 800;

I. permit area 409: 4,200;

J. permit area 410: 5,000;

K. permit area 411: 4,500;

L. permit area 412: 3,200;

M. permit area 413: 2,000;

N. permit area 414: 2,200;

O. permit area 415: 1,500;

P. permit area 416: 1,050;

Q. permit area 417: 1,750;

R. permit area 418: 1,500;

S. permit area 419: 1,000;

T. permit area 420: 600;

U. permit area 421: 600;

V. permit area 422: 450;

W. permit area 423: 500;

X. permit area 424: 700;

Y. permit area 425: 325;

Z. permit area 426: 550;

AA. permit area 427: 375;

BB. permit area 428: 550;

CC. permit area 429: 700;

DD. permit area 431: 400;

EE. permit area 433: 400;

FF. permit area 435: 650;

GG. permit area 440: 600;

HH. permit area 442: 450;

II. permit area 443: 250;

JJ. permit area 446: 350;

KK. permit area 447: 350;

LL. permit area 448: 250;

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MM. permit area 449: 375;  
NN. permit area 450: 200;  
OO. permit area 451: 200;  
PP. permit area 452: 350;  
QQ. permit area 453: 175;  
RR. permit area 454: 350;  
SS. permit area 455: 75;  
TT. permit area 456: 400;  
UU. permit area 457: 250;  
VV. permit area 458: 250;  
WW. permit area 459: 300;  
XX. permit area 461: 450;  
YY. permit area 462: 700;  
ZZ. permit area 463: 275;  
AAA. permit area 464: 200;  
BBB. permit area 465: 200;  
CCC. permit area 466: 375; and  
DDD. permit area 467: 175.

Subp. 8. 1993 antlerless permit quotas in Zone 4B. The following number of antlerless permits are available in permit areas in Zone 4B for the 1993 season:

A. permit area 401: 650;  
B. permit area 402: 700;  
C. permit area 403: 400;  
D. permit area 404: 600;  
E. permit area 405: 900;  
F. permit area 406: 1,000;  
G. permit area 407: 1,000;  
H. permit area 408: 900;  
I. permit area 409: 2,800;  
J. permit area 410: 2,500;  
K. permit area 411: 2,500;  
L. permit area 412: 1,800;  
M. permit area 413: 1,250;  
N. permit area 414: 1,300;  
O. permit area 415: 1,000;  
P. permit area 416: 1,050;  
Q. permit area 417: 1,750;  
R. permit area 418: 1,500;  
S. permit area 419: 1,200;  
T. permit area 420: 500;  
U. permit area 421: 400;  
V. permit area 422: 400;

W. permit area 423: 350;  
X. permit area 424: 700;  
Y. permit area 425: 325;  
Z. permit area 426: 550;  
AA. permit area 427: 400;  
BB. permit area 428: 650;  
CC. permit area 429: 700;  
DD. permit area 431: 400;  
EE. permit area 433: 600;  
FF. permit area 435: 650;  
GG. permit area 440: 600;  
HH. permit area 442: 625;  
II. permit area 443: 400;  
JJ. permit area 446: 350;  
KK. permit area 447: 350;  
LL. permit area 448: 250;  
MM. permit area 449: 400;  
NN. permit area 450: 300;  
OO. permit area 451: 225;  
PP. permit area 452: 350;  
QQ. permit area 453: 175;  
RR. permit area 454: 350;  
SS. permit area 455: 75;  
TT. permit area 456: 400;  
UU. permit area 457: 275;  
VV. permit area 458: 250;  
WW. permit area 459: 325;  
XX. permit area 461: 575;  
YY. permit area 462: 800;  
ZZ. permit area 463: 300;  
AAA. permit area 464: 300;  
BBB. permit area 465: 200;  
CCC. permit area 466: 425; and  
DDD. permit area 467: 300.

**6232.1900 FIREARMS DEER MANAGEMENT PERMITS.**

Subpart 1. **Undersubscribed antlerless permit areas.** Firearms deer management permits are authorized in antlerless permit areas where the number of applications is less than the number of permits available. The number of deer management permits authorized is up to 1-1/2 times the difference between the number of available permits and the number of antlerless permits issued. A deer management permit for an undersubscribed antlerless permit area is valid only within the area designated on the management permit. The following procedures are used to select antlerless permit applicants for management permits:

A. A landowner-tenant drawing will be held in those antlerless permit areas where firearms deer management permits are available subject to the following restrictions:

(1) Owners and tenants who live on at least ten acres of agricultural land will be given preference for firearms management permits in those antlerless permit areas where management permits are available.

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(2) Agricultural land includes land that is plowed or tilled, that has standing crops or crop residues, that is within a maintained fence for enclosing domestic livestock, or that is enrolled in the federal Conservation Reserve Program (CRP) or the state RIM Reserve Program in the antlerless permit area or subpermit area applied for.

(3) An applicant must be a landowner or tenant living on the qualifying property or a family member of a qualifying landowner or tenant who lives on the qualifying property and is part of the farming operation.

(4) Eligible landowner-tenants or qualifying family members must fill out an application available from county auditors, the license bureau, and other authorized agents and submit the application in an envelope with their antlerless permit application by the first Thursday following Labor Day.

(5) A random drawing will be held among eligible landowner-tenant applications for available firearms deer management permits in each antlerless permit area.

(6) Landowner-tenants selected in the preference drawing will receive certification on their antlerless permit authorizing acquisition of a management permit. They may obtain a firearms deer management permit at no cost by submitting the certificate to any county auditor's office or the license bureau before or during the regular firearms season. Eligible landowner-tenants who apply for the orchard subpermit area may also obtain free management permits under this provision. Before receiving the management permit, the landowner-tenant must verify that they still qualify as a landowner-tenant for purposes of firearms deer management permits, and will allow public firearms deer hunting on their lands during the firearms deer season.

B. If there are firearms deer management permits available after the landowner-tenant drawing, hunters randomly drawn from permittees in each undersubscribed area who have checked the bonus option on their antlerless permit application will be authorized to purchase a management permit. A deer management permit may be purchased by submitting the certificate and fee to the license bureau, a Minnesota county auditors' office, or other authorized agents. Deer management permits may be purchased throughout the regular firearms season.

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

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

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

Subp. 2. 1993 open areas in State Wildlife Management Areas. Public lands within the following State Wildlife Management Areas are open without permit during the muzzle-loader season:

- A. the Moose Willow State Wildlife Management Area in Aitkin county;
- B. the Hubbel Pond State Wildlife Management Area in Becker county;
- C. the Red Lake State Wildlife Management Area in Beltrami, Lake of the Woods, and Roseau counties;
- D. the Blackhoof River State Wildlife Management Area in Carlton county;
- E. the Meadowbrook and Mud Goose State Wildlife Management Areas in Cass county;
- F. the Upper Rice and Old Red Lake Trail State Wildlife Management Areas in Clearwater county;
- G. the Gores Pool State Wildlife Management Area in Dakota county;
- H. the Schletty, Teapail, Vorce, and Tri-Cooperative State Wildlife Management Areas in Dodge county;
- I. the Bear Lake and Carex State Wildlife Management Areas in Freeborn county;
- J. the Crow Wing Chain State Wildlife Management Area in Hubbard county;
- K. the Mille Lacs State Wildlife Management Area in Mille Lacs and Kanabec counties;
- L. the Bejou, Dittmer, and Wambach State Wildlife Management Areas in Mahanomen county;
- M. the Thief Lake State Wildlife Management Area in Marshall county;
- N. the Raslynn State Wildlife Management Area in McLeod county;
- O. the Agassiz-Olson and Faith State Wildlife Management Areas in Norman county;
- P. the Whitewater State Wildlife Management Area in Olmsted, Wabasha, and Winona counties;
- Q. the Chicoq and Liberty State Wildlife Management Areas in Polk county;
- R. the Boyd and Faribault State Wildlife Management Areas in Rice county;
- S. the Roseau Lake State Wildlife Management Area in Roseau county;

- T. the A. Shau Valley State Wildlife Management Area in Stearns and Wright counties;
- U. the Aurora, Marsh Wren, and Oak Glen State Wildlife Management Areas in Steele county;
- V. the Camp Kerk and Danvers State Wildlife Management Areas in Swift county;
- W. the Burlene State Wildlife Management Area in Todd county;
- X. the McCarthy Lake State Wildlife Management Area in Wabasha county;
- Y. the Moonan State Wildlife Management Area in Waseca county; and
- Z. the Thorpe State Wildlife Management Area in Winona county.

**Subp. 3. 1993 open areas in state forests.** Public and private lands within the following state forests are open without permit during the muzzle-loader season:

- A. the Beltrami Island State Forest in Beltrami, Lake of the Woods, and Roseau counties;
- B. the Birch Lake State Forest in Stearns county;
- C. that part of the Buena Vista State Forest north of County Road 22 in Beltrami county;
- D. the Chengwatana State Forest in Pine and Chisago counties;
- E. the Cloquet Valley State Forest in St. Louis county;
- F. the George Washington State Forest in Itasca county;
- G. the Kabetogama State Forest in St. Louis county;
- H. that part of the Land-O-Lakes State Forest north of Cass County Road 58 and east of State Highway 6 in Cass county;
- I. the Lost River State Forest in Roseau county;
- J. the Mississippi Headwaters State Forest in Beltrami, Clearwater, and Hubbard counties;
- K. the Nemadji State Forest in Carlton and Pine counties;
- L. the Red Lake State Forest in Beltrami county;
- M. that portion of the Richard J. Dorer Memorial Hardwood State Forest posted as state forest and shown on public recreation information maps;
- N. the Rum River State Forest in Kanabec and Mille Lacs counties;
- O. the Savanna State Forest in Aitkin and St. Louis counties;
- P. the Sturgeon River State Forest in St. Louis county; and
- Q. the Solana State Forest in Aitkin county.

**Subp. 4. 1993 open antlerless permit areas.** Public and private lands within antlerless permit areas 157-158, 159, 201, 225, 226, 431, 433, 435, 440, and 442 are open without permit during the muzzle-loader season.

**Subp. 5. Other open areas, 1993.** Public and private lands within the following areas, as shown on maps available from the Department of Natural Resources Information Center, are open without permit during the muzzle-loader season:

- A. the Carlos Avery Unit in Anoka and Chisago counties;
- B. the Bashaw Unit in Brown county;
- C. the Augusta, Swan Lake, and Talcot Lake Units in Cottonwood county;
- D. the Walnut Lake Unit in Faribault county;
- E. the Paul Bunyan Game Refuge in Hubbard county;
- F. the Little Sioux Unit in Jackson county;
- G. the Dietrich-Lange Unit in Kandiyohi county;
- H. the Florida Creek and Gollnick Units in Lac qui Parle county;
- I. the Anderson Lake Unit in Lincoln county;
- J. the Archerville Unit in Lincoln and Yellow Medicine counties;
- K. the Sodus and Vallers Units in Lyon county;
- L. the Perch Creek Unit in Martin county;

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- M. the Kunkel Unit in Mille Lacs county;
- N. the Dovray and Southwick Units in Murray county;
- O. the Herlein-Boote Unit in Nobles county;
- P. the Nicholson/Ten Mile Lake Unit in Ottertail county;
- Q. the Altona and Terrace Units in Pipestone county;
- R. the Daub's Lake Unit in Redwood county;
- S. the Wadena Unit in Todd and Wadena counties;
- T. the Wood Lake Unit in Watonwan county;
- U. the Rothsay Unit in Wilkin county; and
- V. the Miller-Richter Unit in Yellow Medicine county.

**Subp. 6. 1993 muzzle-loader special hunt areas.** The following areas are open for muzzle-loader hunting by permit:

A. Carlos Avery State Wildlife Management Area Sanctuary in Anoka and Chisago counties is open November 27 to December 3 for taking antlerless deer and legal bucks. No more than 15 permits will be issued to muzzle-loader licensees. This is special area 924.

B. Carlos Avery State Wildlife Management Area Sanctuary in Anoka and Chisago counties is open December 4 to 12 for taking antlerless deer and legal bucks. No more than 15 permits will be issued to muzzle-loader licensees. This is special area 925.

C. Garvin County Park in Lyon county is open November 27 to December 12 for taking antlerless deer. No more than 20 permits will be issued to muzzle-loader licensees. This is special area 926.

D. Lake Louise State Park in Mower county is open November 27 and 28 and December 4 and 5 for taking antlerless deer. No more than 25 permits will be issued to muzzle-loader licensees. Management permits are available. This is special area 927.

E. Lake Shetek State Park in Murray county is open November 27 to 30 for taking antlerless deer. No more than 30 permits will be issued to muzzle-loader licensees. This is special permit area 928.

F. Nerstrand State Park and State Game Refuge in Rice county is open November 27 to 29 and December 4 and 5 for taking antlerless deer. No more than 75 permits will be issued to muzzle-loader licensees valid for both time periods, and an additional 25 permits will be issued to muzzle-loader licensees valid only for the second time period. Management permits are available. This is special area 929.

G. Rice Lake State Park in Steele and Dodge counties is open November 27 to 30 for taking antlerless deer. No more than 15 permits will be issued to muzzle-loader licensees. Management permits are available. This is special area 930.

H. Sakatah State Park in LeSueur and Rice counties is open for taking antlerless deer November 27 to 29. No more than 20 permits will be issued to muzzle-loader licensees. Management permits are available. This is special area 931.

I. Sibley State Park in Kandiyohi county is open November 27 to 30 for taking antlerless deer. No more than 70 permits will be issued to muzzle-loader licensees. This is special area 932.

J. Upper Sioux Agency State Park in Yellow Medicine county is open November 27 and 28 for taking antlerless deer. No more than 25 permits will be issued to muzzle-loader licensees. Management permits are available. This is special area 933.

K. Upper Sioux Agency State Park in Yellow Medicine county is open December 4 and 5 for taking antlerless deer. No more than 25 permits will be issued to muzzle-loader licensees. Management permits are available. This is special area 934.

### **6232.2450 BONUS DEER BY MUZZLE-LOADER.**

**Subpart 1. Purchase and issuance of deer management permits.** Deer management permits may be issued for muzzle-loader hunting areas listed in the annual hunting regulations. Deer management permits may be purchased from the license bureau, county auditor, or other authorized agents. Permits may also be purchased at the headquarters for special hunt areas and prior to the permit holder hunting in the special area. Special hunt personnel are authorized to sell deer management permits.

**Subp. 2. 1993 muzzle-loader management permit areas.** Firearms deer management permits issued to persons with firearms deer licenses punched for the muzzle-loader option may be used to tag antlerless deer in the following areas: Upper Rice and Old Red Lake Trail State Wildlife Management areas in Clearwater county, Gores Pool State Wildlife Management Area in Dakota county, Agassiz-Olson and Faith State Wildlife Management Areas in Norman county, Chicoq and Liberty State Wildlife Management Areas in Polk county, McCarthy Lake State Wildlife Management Area in Wabasha county, Thorpe State Wildlife Management Area in Winona county, Lost River State Forest in Roseau county, antlerless permit area 225, antlerless permit area 226, and the Kunkel Unit in Mille Lacs county, Nicholson/Ten Mile Lake Unit in Ottertail county, and the Rothsay Unit in Wilkin county.

**6232.2500 DISABLED HUNT.**

**Subpart 1. Requirements.** Hunters must be participants in a program for physically disabled hunters sponsored by a nonprofit organization and must be referred by an organization prior to being issued a permit. Permittees must purchase an archery or firearms deer hunting license. Each permittee may be accompanied by one or more assistants named by the nonprofit organizations and approved by the commissioner. Assistants are not required to purchase licenses and may assist permittees in taking deer. Both permittees and assistants must meet the bright red or blaze orange requirement for deer hunters.

**Subp. 2. Open areas.**

**A. The Carlos Avery State Wildlife Management Area Sanctuary in Anoka county is open for taking antlerless deer and legal bucks using legal firearms or bow and arrow October 16 to 24. The Minnesota Deer Hunters Association and Capable Partners are the sponsoring nonprofit organizations.**

**B. The Camp Ripley Military Reservation in Morrison county is open for taking antlerless deer and legal bucks using legal shotguns loaded with single slug shotgun shells October 13 and 14. The St. Cloud Veterans Affairs Medical Center is the sponsoring organization.**

**6232.4700 DEER AND BEAR REGISTRATION BLOCKS.**

[For text of subps 1 to 72, see M.R.]

**Subp. 73. Registration Block 225.** Deer and Bear Registration Block 225 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of U.S. Highway 169 and State Trunk Highway (STH) 23 at Milaca and U.S. Highway 169; thence along STH 23 to STH 65; thence along STH 65 to STH 70; thence along STH 70 to the east boundary of the state; thence along the east boundary of the state to U.S. Highway 8; thence along U.S. Highway 8 STH 107; thence along STH 107 to STH 65; thence along STH 65 to STH 95; thence along STH 95 to U.S. Highway 169; thence along U.S. Highway 169 to the point of beginning.

**Subp. 74. Registration Block 226.** Deer and Bear Registration Block 226 consists of that portion of the state lying within the following described boundary; ~~except that part comprising Block 235:~~

Beginning at the intersection of State Trunk Highway (STH) 95 and U.S. Highway 169 at Princeton; thence south along U.S. Highway 169 to County State Aid Highway (CSAH) 4, Sherburne County; thence along CSAH 4 to CSAH 8, Isanti County; thence along CSAH 8 to CSAH 7, Isanti County; thence along CSAH 7 to CSAH 28, Anoka County; thence along CSAH 28 to CSAH 24, Anoka County; thence along CSAH 24 to STH 65; thence along STH 65 to CSAH 9, Isanti County; thence along CSAH 9 to CSAH 17, Chisago County; thence along CSAH 17 to Interstate 35 (I-35); thence south along I-35 to STH 97; thence along STH 97 to STH 95; thence due east to the east boundary of the state; thence along the east boundary of the state to U.S. Highway 8; thence along U.S. Highway 8 to STH 95; thence along STH 95 107 and STH 70; thence along STH 70 to the east boundary of the state; thence along the east boundary of the state to STH 95; thence along STH 95 to STH 65; thence along STH 65 to STH 107; thence along STH 107 to the point of beginning.

**Subp. 75. Registration Block 227.** Deer and Bear Registration Block 227 consists of that portion of the state lying within the following described boundary; ~~except that part comprising Block 235:~~

Beginning at the intersection of County State Aid Highway (CSAH) 4, Sherburne County, and U.S. Highway 169 and State Trunk Highway (STH) 95; thence along CSAH 4 to CSAH 8, Isanti County; thence along CSAH 8 to CSAH 7, Isanti County; thence along CSAH 7 to CSAH 28, Anoka County; thence along CSAH 28 to CSAH 24, Anoka County; thence along CSAH 24 to State Trunk Highway (STH) 65; thence along STH 65 to CSAH 9, Isanti County; thence along CSAH 9 to CSAH 17, Chisago County; thence along CSAH 17 to Interstate 35 (I-35); thence south along I-35 to CSAH 14, Anoka County; thence along CSAH 14 to STH 242; thence along STH 242 to U.S. Highway 52; thence along U.S. Highway 52 to the east bank of the Mississippi River; thence along the east bank of said river to STH 101; thence along STH 101 STH 95 to Interstate Highway 35 (I-35); thence along I-35 to the north border of the Carlos Avery Wildlife Management Area; thence along the north and west border of the Carlos Avery Wildlife Management Area to the north boundary of Ham Lake Township, Anoka County; thence along the north border of Ham Lake, Andover, and Ramsey Townships to County State Aid Highway (CSAH) 12, Sherburne County; thence along CSAH 12 to U.S. Highway 169; thence along U.S. Highway 169 to the point of beginning.

**Subp. 75a. Registration Block 228.** Deer and Bear Registration Block 228 consists of that portion of the state lying within the following described boundary:

Beginning at a point on the east boundary of the state due east of the intersection of State Trunk Highway (STH) 95 and STH 96; thence due west to this intersection; thence along STH 96 to the west boundary of Washington County; thence along the west boundary of Washington County to the southeast corner of Anoka County; thence along the south boundary of Anoka County to Interstate Highway 35 (I-35); thence along I-35 to the north boundary of Lino Lakes Township, Anoka County; thence along the north boundary of Lino Lakes Township to the east boundary of Ham Lake Township, Anoka County; thence along the north boundary of Ham Lake, Andover, and Ramsey Townships to County State Aid Highway (CSAH) 12, Sherburne County; thence along CSAH

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12 to U.S. Highway 169; thence along U.S. Highway 169 to the east bank of the Mississippi River; thence along the east bank of the Mississippi River to the east boundary of the state; thence along the east boundary of the state to the point of beginning.

[For text of subp 76, see M.R.]

Subp. 77. **Registration Block 236.** Deer and Bear Registration Block 236 consists of that portion of the state lying within the following-described boundary, except that portion of the state known as the Carlos Avery State Wildlife Management Area:

Beginning at the intersection of U.S. Highway 52 and the east bank of the Mississippi River; thence along U.S. Highway 52 to State Trunk Highway (STH) 242; thence along STH 242 to County State Aid Highway (CSAH) 14, Anoka County; thence along CSAH 14 to Interstate 35 (I-35); thence along I-35 to STH 97; thence along STH 97 to STH 95; thence due east to the east boundary of the state; thence along the east boundary of the state to the junction of the St. Croix and Mississippi Rivers; thence along the east bank of the Mississippi River Interstate Highway 35 (I-35) and State Trunk Highway (STH) 95; thence along STH 95 to the east boundary of the state; thence along the east boundary of the state to a point due east of the intersection of STH 95 and STH 96; thence due west to this intersection; thence along STH 96 to the west boundary of Washington County; thence along the west boundary of Washington County to the southeast corner of Anoka County; thence along the south boundary of Anoka County to I-35; thence along I-35 to the north boundary of Lino Lakes Township; thence along the north boundary of Lino Lakes Township to the east boundary of Ham Lake Township; thence along the east boundary of Ham Lake Township to the north boundary of Ham Lake Township; thence along the north and west boundary of the Carlos Avery State Wildlife Management Area to I-35; thence along I-35 to the point of beginning.

[For text of subs 78 to 90, see M.R.]

Subp. 91. **Registration Block 337.** Deer and Bear Registration Block 337 consists of that portion of the state lying within the following described boundary:

Beginning at the confluence of the South Fork of the Crow River and the Mississippi Rivers River; thence along the east bank of the Mississippi River to U.S. Highway 212; thence along U.S. Highway 212 to State Trunk Highway (STH) 25; thence along STH 25 to the South Fork of the Crow River; thence along the east bank of to the east boundary of the state; thence along the east boundary of the state to the east boundary of the city of Hastings; thence along the east and south boundary of Hastings to the south boundary of Nininger Township; thence along the south boundary of Nininger Township and the city of Rosemont to the east boundary of the city of Lakeville; thence along the east boundary of the city of Lakeville to the east boundary of the city of Farmington; thence along the east and south boundary of the city of Farmington to the south boundary of the city of Lakeville; thence along the south boundary of the city of Lakeville and Credit River and Spring Lake Townships to the west boundary of Spring Lake Township; thence along the west boundary of Spring Lake Township to the south boundary of Louisville Township; thence along the south boundary of Louisville Township to U.S. Highway 169; thence along U.S. Highway 169 to the west boundary of Sand Creek Township; thence along the west boundary of Sand Creek Township to the west bank of the Minnesota River; thence along the west bank of the Minnesota River to the south boundary of the city of Carver; thence along the south and west boundary of the city of Carver to the west boundary of Chaska Township; thence along the west boundary of Chaska Township and the city of Chaska to State Trunk Highway (STH) 5; thence along STH 5 to the west boundary of Laketown Township; thence along the west boundary of Laketown Township to the west boundary of the city of Minnetrista; thence along the west boundary of the city of Minnetrista to the north boundary of Carver County; thence along the north boundary of Carver County to the South Fork of the Crow River to the confluence with the Crow River; thence along the east bank of the South Fork of the Crow River to the point of beginning.

Subp. 92. **Registration Block 338.** Deer and Bear Registration Block 338 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of U.S. Highway 212 and State Trunk Highway (STH) 25; thence along STH 25 to the Minnesota River; thence along the east bank of the Minnesota River to STH 19; thence along STH 19 to Interstate Highway 35 (I-35); thence along I-35 to U.S. Highway 212; thence along U.S. Highway 212 5 and STH 25; thence along STH 25 to the west bank of the Minnesota River; thence along the west bank of the Minnesota River to STH 19; thence along STH 19 to Interstate Highway 35 (I-35); thence along I-35 to the south boundary of the city of Lakeville; thence along the south boundary of the city of Lakeville and Credit River Township to the south boundary of Spring Lake Township; thence along the south and west boundaries of Spring Lake Township to the south boundary of Louisville Township; thence along the south boundary of Louisville Township to U.S. Highway 169; thence along U.S. Highway 169 to the west boundary of Sand Creek Township; thence along the west boundary of Sand Creek Township to the west bank of the Minnesota River; thence along the west bank of the Minnesota River to the south boundary of the city of Carver; thence along the south and west boundary of the city of Carver to the west border of Chaska Township; thence along the west border of Chaska Township and the city of Chaska to STH 5; thence along STH 5 to the west boundary of Laketown Township; thence along the west boundary of Laketown Township to the west boundary of the city of Minnetrista; thence along the west boundary of the city of Minnetrista to the north boundary of Carver County; thence along the north boundary of Carver County to the east bank of the South Fork of the Crow Wing River; thence along the east bank of the South Fork of the Crow Wing River to STH 25; thence along STH 25 to the point of beginning.



Subp. 93. **Registration Block 339.** Deer and Bear Registration Block 339 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of Interstate Highway 35 (I-35) and State Trunk Highway (STH) 19; thence along STH 19 to the Little Cannon River; thence along the west bank of the Little Cannon River to its confluence with the Cannon River; thence along the north bank of the Cannon River to U.S. Highway 61; ~~thence along U.S. Highway 61 to U.S. Highway 63; thence along U.S. Highway 63 to the east boundary of the state; thence along the east boundary of the state to the confluence of the Mississippi and St. Croix Rivers; thence along the east bank of the Mississippi River to U.S. Highway 212; thence along U.S. Highway 212 east boundary of the city of Hastings; thence along the south and east boundaries of the city of Hastings to the south boundary of Nininger Township; thence along the south boundary of Nininger Township and the city of Rosemont to the east boundary of the city of Lakeville; thence along the east boundary of the city of Lakeville to the east boundary of the city of Farmington; thence along the east and south boundary of the city of Farmington to the south boundary of the city of Lakeville; thence along the south boundary of the city of Lakeville~~ to I-35; thence along I-35 to the point of beginning.

[For text of subs 94 to 120, see M.R.]

Subp. 121. **Registration Block 419.** Deer and Bear Registration Block 419 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 23 and STH 15; thence along STH 15 to U.S. Highway 12; thence along U.S. Highway 12 to the east bank of the Crow River at Delano; ~~thence along the east bank of the Crow River to the confluence of the Crow River and County State Aid Highway (CSAH) 9, Wright County; thence along CSAH 9 to CSAH 35, Wright County; thence along CSAH 35 to CSAH 8, Wright County; thence along CSAH 8 to Interstate Highway 94 (I-94); thence along I-94 to STH 24; thence along STH 24~~ to the Mississippi River; thence along the northeast bank of the Mississippi River to STH 23; thence along STH 23 to the point of beginning.

[For text of subs 122 to 128, see M.R.]

Subp. 129. **Registration Block 427.** Deer and Bear Registration Block 427 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 7 and STH 4; thence along STH 4 to STH 19; thence along STH 19 to STH 15; thence along STH 15 to County State Aid Highway (CSAH) 1, Nicollet County; thence along CSAH 1 to STH 22; thence along STH 22 to CSAH 2, Nicollet County; thence along CSAH 2 to CSAH 9, Sibley County; thence along CSAH 9 to STH 19; ~~thence along STH 19 to the Minnesota River; thence along the north shore of the Minnesota River to STH 25; thence along STH 25 to STH 5; thence along STH 5 to U.S. Highway 212; thence along U.S. Highway 212 to STH 22; thence along STH 22 to STH 7; thence along STH 7~~ to the point of beginning.

[For text of subp 130, see M.R.]

Subp. 130a. Registration Block 429. Deer and Bear Registration Block 429 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of County State Aid Highway (CSAH) 8, Wright County and Interstate Highway 94 (I-94); thence along I-94 to State Trunk Highway (STH) 24; thence along STH 24 to the Mississippi River; thence along the northeast bank of the Mississippi River to the confluence of the Mississippi River and the south fork of the Crow River; thence along the east bank of the south fork of the Crow River to U.S. Highway 12; thence along U.S. Highway 12 to CSAH 9, Wright County; thence along CSAH 9 to CSAH 35, Wright County; thence along CSAH 35 to CSAH 8, Wright County; thence along CSAH 8 to the point of beginning.

[For text of subs 131 to 134, see M.R.]

Subp. 135. **Registration Block 442.** Deer and Bear Registration Block 442 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 49 ~~5~~ and County State Aid Highway (CSAH) 9, Sibley County; ~~thence along STH 5 to STH 25; thence along STH 25 to the Minnesota River; thence along the north bank of the Minnesota River to STH 19;~~ thence along STH 19 to CSAH 11, LeSueur County; thence along CSAH 11 to STH 99; thence along STH 99 to CSAH 15, LeSueur County; thence along CSAH 15 to CSAH 26, Blue Earth County; thence along CSAH 26 to STH 60; thence along STH 60 to CSAH 6, Blue Earth County; thence along CSAH 6 to CSAH 22, Blue Earth County; thence along CSAH 22 to CSAH 19, Brown County; thence along CSAH 19 to STH 15; thence along STH 15 to CSAH 1, Nicollet County; thence along CSAH 1 to STH 22; thence along STH 22 to CSAH 3 ~~2~~, Nicollet County; thence along CSAH 3 ~~2~~ to CSAH 3, Nicollet County; thence along CSAH 3 to CSAH 9, Sibley County; thence along CSAH 9 to the point of beginning.

[For text of subs 136 to 143, see M.R.]

Subp. 144. **Registration Block 453.** Deer and Bear Registration Block 453 consists of that portion of the state lying within the

## Emergency Rules

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following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 30 and STH 91; thence along STH 91 to the south boundary of the state; thence along the south boundary of the state to County State Aid Highway (CSAH) 3, Nobles County; thence along CSAH 3 to STH 264; thence along STH 264 to CSAH 1, Jackson County; thence along CSAH 1 to CSAH 1, Nobles County; thence along CSAH 1 to CSAH 18, Nobles County; thence along CSAH 18 to CSAH 3, Nobles County; thence along CSAH 3 to the south boundary of Murray County; thence along the south boundary of Murray County to the Chicago and North Western Railroad; thence northwest along said railroad CSAH 42, Murray County; thence along CSAH 42 to STH 62; thence along STH 62 to U.S. Highway 59; thence along U.S. Highway 59 to STH 30; thence along STH 30 to the point of beginning.

Subp. 145. **Registration Block 454.** Deer and Bear Registration Block 454 consists of that portion of the state lying within the following described boundary, except that part comprising Block 455:

Beginning at the intersection of U.S. Highway 14 and State Trunk Highway (STH) 91; thence along STH 91 to STH 30; thence along STH 30 to U.S. Highway 59; thence along U.S. Highway 59 to STH 62 at ~~Fulda~~; thence along STH 62 to the ~~Chicago and North Western Railroad~~; thence along said railroad to the south boundary of Murray County; thence along said boundary to the southwest corner of Cottonwood County; thence along the south boundary of Cottonwood County to County State Aid Highway (CSAH) ~~County State Aid Highway (CSAH) 42, Murray County; thence along CSAH 42 to the south boundary of Murray County; thence along said boundary to CSAH 3, Nobles County; thence along CSAH 3 to CSAH 18, Nobles County; thence along CSAH 18 to CSAH 32, Jackson County; thence along CSAH 32 to CSAH 9, Jackson County; thence along CSAH 9 to CSAH 5, Cottonwood County; thence along CSAH 5 to STH 62; thence along STH 62 to U.S. Highway 71; thence along U.S. Highway 71 to U.S. Highway 14; thence along U.S. Highway 14 to the point of beginning.~~

Subp. 146. **Registration Block 455.** Deer and Bear Registration Block 455 consists of that portion of the state lying within the following described boundary:

Beginning at the ~~junction~~ intersection of County State Aid Highway (CSAH) 6, Murray County, and CSAH 42, Murray County; thence along CSAH 42 to the south boundary of Murray County; thence along said boundary to CSAH 3, ~~Murray~~ Nobles County; thence along CSAH 3 to the ~~Chicago and North Western Railroad~~; thence along said railroad to the south boundary of Murray County; thence along said boundary to the southwest corner of Cottonwood County; thence along the south boundary of Cottonwood County CSAH 18, Nobles County; thence along CSAH 18 to CSAH 32, Jackson County; thence along CSAH 32 to CSAH 9, Jackson County; thence along CSAH 9 to CSAH 5, Cottonwood County; thence along CSAH 5 to CSAH 13, Cottonwood County; thence along CSAH 13 to CSAH 6, Murray County; thence along CSAH 6 to the point of beginning.

Subp. 147. **Registration Block 456.** Deer and Bear Registration Block 456 consists of that portion of the state lying within the following described boundary:

Beginning ~~on~~ at the intersection of County State Aid Highway (CSAH) 1, Nobles County, at the south boundary of ~~Murray County and CSAH 18, Nobles County;~~ thence along CSAH 1, ~~Nobles County,~~ to CSAH 1, Jackson County; thence along CSAH 1 to State Trunk Highway (STH) 264; thence along STH 264 to CSAH 3, Nobles County; thence along CSAH 3 to the south boundary of the state; thence along the south boundary of the state to CSAH 23, Jackson County; thence along CSAH 23 to CSAH 8, Jackson County; thence along CSAH 8 to CSAH 29, Jackson County; thence along CSAH 29 to CSAH 36, Jackson County; thence along CSAH 36 to CSAH 1, Cottonwood County; thence along CSAH 1 to STH 60; thence along STH 60 to STH 62; thence along STH 62 to CSAH 5, Cottonwood County; thence along CSAH 5 to the south boundary of Cottonwood County; thence along said boundary to the southeast corner of Murray County; thence along the south boundary of Murray County CSAH 9, Jackson County; thence along CSAH 9 to CSAH 32, Jackson County; thence along CSAH 32 to CSAH 18, Nobles County; thence along CSAH 18 to the point of beginning.

[For text of subps 148 to 157, see M.R.]

### 6234.0300 TAKING SHARP-TAILED GROUSE.

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

Subp. 2. **Open area.** The open area to take sharp-tailed grouse is statewide except in that portion of the state lying within the following described boundary:

Beginning on U.S. Highway 2 at the west boundary of the state; thence along U.S. Highway 2 to ~~Cass Lake; thence along State Trunk Highway (STH) 371 to Little Falls; thence along STH 27 to the west boundary of the state; thence along the U.S. Highway 71; thence northeast along U.S. Highway 71 to State Trunk Highway (STH) 1; thence east along STH 1 to STH 73; thence south along STH 73 to U.S. Highway 2; thence west on U.S. Highway 2 to STH 200; thence west on STH 200 to STH 6; thence south on STH 6 to STH 18; thence east on STH 18 to STH 65; thence south on STH 65 to STH 70; thence east on STH 70 to the east boundary of the state; thence along the east, south, and west boundary of the state to the point of beginning.~~

### 6234.1100 TAKING MINK AND MUSKRATS.

Subpart 1. **Open season in North Zone.** Mink and muskrats may be taken by trapping from 9:00 a.m. on the Saturday nearest

October 26 to ~~December 31~~ the last day in February in the North Zone.

Subp. 2. **Open season in South Zone.** Mink and muskrats may be taken by trapping from 9:00 a.m. on the Saturday nearest October 30 to ~~December 31~~ the last day in February in the South Zone.

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

#### **6234.1200 TAKING RACCOON RACCOONS.**

Subpart 1. **Open season.** Raccoons may be taken statewide with legal firearms, bow and arrow, and by trapping from 9:00 a.m. on the Saturday nearest ~~October 15~~ September 16 to ~~December 31~~ March 15.

Subp. 2. **Bag limits.** Residents Raccoons may ~~take~~ be taken and possess ~~raccoons~~ possessed without limit. Nonresidents may not take more than 20 raccoons per season or possess more than 20 raccoons at a time.

Subp. 3. **Special provisions.** The special provisions in items A and B apply to taking raccoons.

A. A person may use an artificial light to locate, attempt to locate, or shoot a raccoon only if the raccoon has been treed or put at bay by dogs. The use of dogs and lights to take raccoon is regulated as provided by *Minnesota Statutes*, sections 97B.081, 97B.621, and 97B.931.

B. Each ~~raccoon or, if the pelt is removed, the pelt of a raccoon~~ taken by a nonresident must be tagged by the person taking it at the time and place where taken with a locking possession tag furnished with the license. These tags must be fastened to the raccoon or its pelt in the manner as provided by part 6234.2600.

#### **6234.1300 TAKING RED FOX AND GRAY FOX.**

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

Subp. 2. **Bag limits limit.** Residents may take and possess Red fox and gray fox may be taken and possessed without limit. Nonresidents may not take more than an aggregate of five red and gray fox per season, or possess more than an aggregate of five red and gray fox at a time.

Subp. 3. **Tagging.** Each red or gray fox or, if the pelt is removed, the pelt of red fox or gray fox taken by a nonresident must be tagged by the person taking it at the time and place where taken with a locking possession tag furnished with the license. These tags must be fastened to the fox or its pelt in the manner as provided by part 6234.2600.

Subp. 4. **Special provisions.** The special provisions in items A and B apply to taking red fox and gray fox.

A. Fox may be run without being taken by the use of dogs at any time during the year except from March 16 to July 14 or under permit.

B. Dogs may be used for hunting fox during the open season.

#### **6234.1400 TAKING BADGER AND OPOSSUM.**

Subpart 1. **Open season.** Badgers and opossums may be taken statewide with legal firearms, bow and arrow, and by trapping from 9:00 a.m. on the ~~Friday Saturday~~ nearest ~~October 22~~ to the last day in February September 16 to March 15.

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

#### **6234.1600 TAKING BOBCAT.**

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

Subp. 4. **Tagging bobcats.** Pelts and skinned carcasses are subject to the provisions of part 6234.2600. ~~Each bobcat or pelt taken by a nonresident must be tagged by the person taking it at the time and place where taken with a locking possession tag furnished with the license. These tags must be fastened to bobcats or pelts in the manner as provided by part 6234.2600.~~

#### **6234.1700 TAKING FISHER.**

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

Subp. 2. **Bag limits.** A person may not take more than ~~one~~ two fisher per season or possess more than ~~one~~ two fisher at a time, except that a person may possess additional pelts that the person lawfully took, tagged, and registered during previous seasons.

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

**APPLICABILITY.** The language of these rules supersedes only conflicting language.

**EFFECTIVE PERIOD.** These rules are effective through March 15, 1994.

**REPEALER.** Changes to *Minnesota Rules*, parts 6230.0200, 6232.0200, 6232.0400, 6232.0500, 6232.0600, 6232.0700, 6232.0800, 6232.1200, 6232.1600, 6232.1800, 6232.1900, 6232.2000, 6232.2400, 6232.2500, 6232.2700, 6232.2800, 6234.0400, 6234.1300, 6234.1900, and 6234.2100, as published September 8, 1992, at *State Register*, Volume 17, pages 483 to 494, are repealed.

# Withdrawn Rules --- ---

## Bureau of Mediation Services

### In the Matter of the Proposed Adoption of Rules Pertaining to Mediation Services; Uniform Baseline Determination and Collective Bargaining Agreement Settlement Document

#### Notice of Withdrawing Rule

NOTICE IS HEREBY GIVEN that the State Bureau of Mediation Services has withdrawn the proposed rule relating to Uniform Baseline Determination and Collective Bargaining Agreement Settlement Document (*Minnesota Rules* Chapter 5510.4510). This rule appeared at 17 S.R. 1954, Monday, February 8, 1993.

Persons having questions about this matter may call or write Peter E. Obermeyer at the Bureau of Mediation Services Office, 1380 Energy Lane, Suite Two, St. Paul, MN 55108, telephone (612) 649-5421.

Dated: 13 September 1993

Peter E. Obermeyer  
Commissioner

# Errata --- ---

## Errata

### Department of Commerce

#### Proposed Permanent Rules Governing Uniform Conveyancing Blanks

Two incorrect forms were published on pages 543 and 544 in *State Register* Vol. 18, No. 7. The correct forms appear as follows:  
**2820.4005 FORM 51 1/2-M: SATISFACTION OF MORTGAGE BY CORPORATION WITH CHANGE OF NAME OR IDENTITY.**

Subpart 1. **Recommended form.** The recommended form for a satisfaction of mortgage by a corporation with a change of name or identity pursuant to *Minnesota Statutes*, section 507.411, is contained in subpart 2.

Subp. 2 **Contents.**

SATISFACTION OF MORTGAGE	Form No. 51 1/2-M	Minnesota Uniform Conveyancing Blanks (1993)
By Corporation with Change of Name or Identity Pursuant to Minn. Stat. § 507.411		
<b>Satisfaction Of Mortgage</b>		
Date: _____, 19____		(reserved for recording data)

THAT CERTAIN MORTGAGE owned by the undersigned, a \_\_\_\_\_  
under the laws of \_\_\_\_\_, dated \_\_\_\_\_, 19\_\_\_\_,  
executed by \_\_\_\_\_,  
\_\_\_\_\_, as Mortgagor, to

\_\_\_\_\_, as Mortgagee, and filed for record \_\_\_\_\_, 19\_\_\_\_\_, as Document Number \_\_\_\_\_ (or in Book \_\_\_\_\_ of \_\_\_\_\_ Page \_\_\_\_\_), in the Office of the (County Recorder) (Registrar of Titles) of \_\_\_\_\_ County, Minnesota, is, with the indebtedness thereby secured, fully paid and satisfied.

The undersigned has changed its name or identity from \_\_\_\_\_ to \_\_\_\_\_ as a result of (check appropriate box [es])  merger  consolidation  amendment to charter or articles of incorporation  conversion of articles of incorporation or charter from federal to state, state to federal, or from one form of entity to another.

By \_\_\_\_\_  
Its \_\_\_\_\_  
By \_\_\_\_\_  
Its \_\_\_\_\_

STATE OF \_\_\_\_\_ }  
COUNTY OF \_\_\_\_\_ } ss.

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_, by \_\_\_\_\_ and \_\_\_\_\_, the \_\_\_\_\_ and \_\_\_\_\_ of \_\_\_\_\_, a \_\_\_\_\_ under the laws of \_\_\_\_\_, on behalf of the \_\_\_\_\_.

THIS INSTRUMENT WAS DRAFTED BY (NAME & ADDRESS):

SIGNATURE OF PERSON TAKING ACKNOWLEDGMENT  
NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR RANK)

**2820.4025 FORM 53 1/2-M: PARTIAL RELEASE OF MORTGAGE BY CORPORATION WITH CHANGE OF NAME OR IDENTITY.**

Subpart 1. **Recommended form.** The recommended form for a partial release of a mortgage by a corporation with a change of name or identity pursuant to *Minnesota Statutes*, section 507.411, is contained in subpart 2.

Subpart 2. **Contents.**

PARTIAL RELEASE OF MORTGAGE  
By Corporation with Change of Name or  
Identity Pursuant to Minn. Stat. § 507.411

Form No. 53 1/2-M

Minnesota Uniform Conveyancing Blanks (1993)

**Partial Release  
of Mortgage**

(reserved for recording data)

Date: \_\_\_\_\_, 19\_\_\_\_

FOR VALUABLE CONSIDERATION, the real property in \_\_\_\_\_ County,  
Minnesota, legally described as follows:

(If more space is needed continue on back)

is hereby released from the lien of the Mortgage, owned by the undersigned, dated \_\_\_\_\_, 19\_\_\_\_, executed by \_\_\_\_\_

\_\_\_\_\_, as Mortgagor, to

\_\_\_\_\_, as Mortgagee,  
and filed for record \_\_\_\_\_, 19\_\_\_\_, as Document Number \_\_\_\_\_ (or  
in Book \_\_\_\_\_ of \_\_\_\_\_ Page \_\_\_\_\_), in the Office of the (County Recorder)  
(Registrar of Titles) of \_\_\_\_\_ County, Minnesota.

The undersigned has changed its name or identity from \_\_\_\_\_  
to \_\_\_\_\_  
as a result of (check appropriate box (es))  merger  consolidation  amendment to charter or articles of incorporation  conversion of articles of incorporation or charter from federal to state, state to federal, or from one form of entity to another.

By \_\_\_\_\_  
Its \_\_\_\_\_

By \_\_\_\_\_  
Its \_\_\_\_\_

STATE OF \_\_\_\_\_ }  
COUNTY OF \_\_\_\_\_ } ss.

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_,  
by \_\_\_\_\_ and \_\_\_\_\_,  
the \_\_\_\_\_ and \_\_\_\_\_  
of \_\_\_\_\_, a \_\_\_\_\_  
under the laws of \_\_\_\_\_, on behalf of the \_\_\_\_\_.

THIS INSTRUMENT WAS DRAFTED BY (NAME & ADDRESS):

SIGNATURE OF PERSON TAKING ACKNOWLEDGMENT

NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR RANK)

## **Rule Errata**

### **Department of Revenue**

#### **Adopted Permanent Rules Relating to Computer Software**

The following modification should have appeared in *State Register*, Volume 18, Number 10, page 786, September 7, 1993.

#### **8130.9910 COMPUTER SOFTWARE.**

##### **Subp. 2. Tax applications.**

J. The temporary transfer of possession of a canned or prewritten computer program, for a consideration, for the purpose of direct use or to be recorded by the customer, is a lease or the granting of a license to use or consume tangible personal property and the tax does apply. Where the consideration consists of license fees or royalty payments for canned or prewritten computer programs, all license fees or royalty payments, present or future, whether for a minimum use or for extended periods, are not includable in the measure of tax.

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## **Executive Orders**

### **Executive Department**

#### **Emergency Executive Order 93-22: Authorizing the Board of Water and Soil Resources to Suspend Rim and Cost-Share Rules for Flooded Landowners**

**I, ARNE H. CARLSON, GOVERNOR OF THE STATE OF MINNESOTA, by virtue of the authority vested in me by the Constitution and applicable statutes, do hereby issue this Emergency Executive Order:**

**WHEREAS**, a State of Emergency has been declared in the State of Minnesota pursuant to Emergency Executive Orders 93-7, 93-12, 93-15, 93-16, 93-18 and 93-19 because of recent severe flooding throughout Minnesota; and

**WHEREAS**, the Reinvest in Minnesota Reserve Program ("RIM") under *Minnesota Statutes* 1992, Section 103F.515, the Permanent Wetland Preserve Program ("PWP") under *Minnesota Statutes* 1992, Section 103F.516 and the Cost-Share Program under *Minnesota Statutes* 1992, Section 103C.501, provide an opportunity for the State of Minnesota to financially assist landowners with their short-term economic problems and at the same time achieve natural resource benefits for the general public; and

**WHEREAS**, the Board of Water and Soil Resources ("BWSR") administers the RIM, PWP, and Cost-Share programs on behalf of the State of Minnesota;

**NOW, THEREFORE**, I hereby order that:

1. BWSR is authorized to make advance RIM and PWP payments to landowners determined by BWSR to be eligible for emergency payments, in an amount not to exceed \$15,000 or 50 percent of the total RIM or PWP payments, whichever is less, upon the execution of a recordable easement agreement. The easement agreement shall obligate the landowner to refund the advance payment in the event that a final conservation easement is not obtained by the state.

2. For cost-share projects throughout the state which have been approved as of the date of this Order but which have not been started or completed due to flooding conditions, BWSR is authorized to suspend *Minnesota Rules* Part 8400.1405 to permit soil and water conservation districts to extend the completion dates of conservation practices to December 31, 1995, and to extend the applicable cost-share grant agreements with soil and water conservation districts to December 31, 1995.

3. For cost-share projects throughout the state which have approved with state funds prior to the date of this

## Executive Orders

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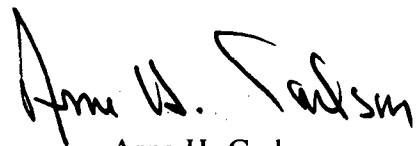
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Order, BWSR is authorized to suspend *Minnesota Rules* Part 8400.1400 to permit soil and water conservation districts to modify the location or type of conservation practices to address more critical conservation problems resulting from flooding.

4. For cost-share projects throughout the state which have been funded in whole or in part with state funds prior to the date of this Order, BWSR is authorized to suspend *Minnesota Rules* Part 8400.2800 to permit soil and water conservation districts to cost-share up to 100 percent on conservation practices necessary to repair conservation practices that have been damaged by the flooding. In no case shall combined state and federal funding exceed 100 percent.

Pursuant to *Minnesota Statutes* 1992, Section 4.035, subd. 2, this Order is effective immediately and shall remain in effect until January 1, 1994.

IN TESTIMONY WHEREOF, I have set my hand this second day of September, 1993.



Arne H. Carlson  
Governor

## Official Notices

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

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

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### Department of Agriculture

#### Agronomy Services Division

#### Notice of Solicitation of Outside Information or Opinions Regarding Proposed Rules Governing Local Control of Pesticides

**NOTICE IS HEREBY GIVEN** that the State Department of Agriculture is seeking information or opinions from sources outside the department in preparing to propose adoption of the rule governing local control of pesticides. The adoption is authorized by *Minnesota Statutes*, section 18B.06, which requires the commissioner to adopt the rules which address local control of pesticide regulation.

The State Department of Agriculture 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: Carol Milligan, Agriculture Planning Division, Minnesota Department of Agriculture, 90 West Plato Blvd., St. Paul, MN 55107. Oral statements will be received during regular business hours over the telephone by Mark Zabel at (612) 297-3491 and in person at the above address.

All statements of information and opinions shall be accepted until October 15, 1993. Any written material received by the department will become part of the rulemaking record to be submitted to the attorney general in the event that the rule is adopted.

Dated: 12 August 1993

Elton Redalen  
Commissioner



## **Department of Corrections**

### **Community Services Division**

#### **Notice of Solicitation of Outside Information or Opinions Regarding Proposed Rule Governing Juvenile Temporary Holdover Facilities**

**NOTICE IS HEREBY GIVEN** that the State Department of Corrections is seeking information or opinions from sources outside the agency in preparing to propose the adoption of the rule governing juvenile temporary holdover facilities. The adoption of the rule is authorized by *Minnesota Statutes*, section 241.021, which requires the agency to promulgate rules governing correctional facilities.

The State Department of Corrections 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: David A. Johnson, Director Juvenile Detention Services, Minnesota Department of Corrections, 300 Bigelow Building, 450 North Syndicate Street, St. Paul, Minnesota 55104. Oral statements will be received during regular business hours over the telephone at 612/642-0334 and in person at the above address.

All statements of information and opinion shall be accepted until October 15, 1993. Any written material received by the State Department of Corrections 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 September 1993

Frank W. Wood  
Commissioner  
Department of Corrections

## **Ethical Practices Board**

### **Request for Advisory Opinion Re: Campaign Finance**

The Ethical Practices Board solicits comments regarding the following request for an advisory opinion received from Kathleen H. Corley. Written comments should arrive at the Board office, 1st Floor South, Centennial Building, 658 Cedar Street, St. Paul, MN 55155-1603, prior to September 28, 1993, for consideration at the Board's meeting of October 14, 1993. August 30, 1993—I am writing on behalf of the Minnesota Women's Political Caucus with a request for clarification and/or further definition to Section 9 of the 1993 Campaign Finance Reform Act.

That section of the Act amends *Minnesota Statutes* 1992, section 10A.14 by adding a subdivision that allows individuals, associations, political committees, or political funds to establish, finance, maintain, or control a political committee or political fund. The organizations participating in this action are identified in Section 9 as either a "parent" or a "subsidiary."

The Minnesota Women's Political Caucus ("MWPC") encourages the growth and development of chapters of the MWPC throughout the State of Minnesota. It is itself a chapter of the National Women's Political Caucus.

However, the MWPC does not finance, maintain or control these statewide chapters. Each chapter raises and spends its own income, and reports that income to the appropriate state and federal agencies. Each chapter governs and manages its own mission and membership, and develops its own internal policies and systems including those for screening candidates for political offices in their individual geographic area.

We ask that you clarify the meaning behind the words in Section 9, allowing us to make an informed judgement about the status of the relationship between the MWPC and the various state-wide chapters of the MWPC.

## **Department of Human Services**

### **Family and Children's Services Division**

#### **Notice of Solicitation of Outside Information or Opinions Regarding Proposed Adoption of Rules Establishing Criteria for Removal of Children from Their Homes and Return of Children to Their Homes**

**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 rules establishing criteria for removal of children from their homes and

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return of children to their homes. The adoption of the proposed rules is authorized by *Minnesota Statutes*, section 257.071, subdivision 8.

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

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

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

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

Dated: 2 September 1993

Eleanor Weber  
Rules and Bulletins

## Department of Human Services

### Family and Children's Services Division

#### **Notice of Solicitation of Outside Information or Opinions Regarding Proposed Adoption of Rules Establishing Standards for Foster Care Placement of Children with Relatives or Families of Same Ethnic or Racial Heritage**

**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 rules establishing standards for relative foster care placement, conducting relative searches, and recruiting foster and adoptive families of the same racial or ethnic heritage as the child. The adoption of the proposed rules is authorized by *Minnesota Statutes*, section 257.072, subdivision 9.

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

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

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

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

Dated: 2 September 1993

Eleanor Weber  
Rules and Bulletins

## Minnesota Early Childhood Care and Education Council

### **Notice is Hereby Given that the Minnesota Early Childhood Care and Education Council (ECCE) has Scheduled the Following Fall Regional Meetings**

The purpose of these meetings is to gather input from individuals involved in early childhood care and education. This information

will be used by the Council in its attempt to improve the quality of services for young children throughout Minnesota. Direct inquiries to: Executive Director, Minnesota Early Childhood Care and Education Council, Third Floor, Ford Building, 117 University Avenue, St. Paul, MN 55155; Phone: 612/296-1400; TDD MRS 612/297-5353 (Metro) or TDD MRS 800/627-3529 (Greater Minnesota).

**METRO AREA REGIONAL MEETING**—October 12, 7-9 p.m., registration 6:30, Fairview Community Center, 1910 West County Road B, Roseville, MN.

**SOUTHEASTERN REGIONAL MEETING**—October 14, 7-9 p.m., registration 6:30. S.C.O.P.E. Resource Center, 122 East McKinley, Owatonna, MN.

**RURAL WEST CENTRAL REGIONAL MEETING**—October 26, 7:30-9:30 p.m., registration 7:00, Minnesota Room, Ottertail Power and Light Company, 216 S. Cascade, Fergus Falls, MN.

Contact the Council for specific meeting details.

## **Labor & Industry Department**

### **Labor Standards Division**

#### **Notice of Prevailing Wage Certifications for Commercial Construction Projects**

Effective September 13, 1993 prevailing wage rates are certified for commercial construction projects in: Anoka county: Anoka County Library Crooked Lake Branch-Coon Rapids and Storm Drainage in Blaine. Brown county: Flandrau State Park Contact Station-New Ulm. Carlton county: Moose Lake Correctional Facility Industrial Building-Moose Lake. Dakota county: Hastings Fire Station Addition and Remodeling-Hastings. Hennepin county: U of M Hospital Unit "J" O.R. Addition-Minneapolis, Hennepin County Adult Corrections Facility Main Building Fire Alarm System-Plymouth. Itasca county: Laurentian Divide Wayside Rest, Arrowhead Transit Facility-Grand Rapids.

Copies of the certified wage rates for these projects may be obtained by writing the Minnesota Department of Labor and Industry, Prevailing Wage Section, 443 Lafayette Road, St. Paul, Minnesota 55155-4306. The charge for the cost of copying and mailing are \$1.36 per project. Make check or money order payable to the State of Minnesota.

John B. Lennes, Jr.  
Commissioner

## **Minnesota Comprehensive Health Association**

### **Notice of Meeting of the Board of Directors**

**NOTICE IS HEREBY GIVEN** that the Minnesota Comprehensive Health Association (MCHA) Board of Directors will meet on Tuesday, September 28, 1993 at 9:00 a.m. at Northwestern National Life Insurance Company, 100 Washington Avenue South, Minneapolis, Minnesota. The meeting will be in rooms "Mississippi A & B."

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

## **Minnesota Comprehensive Health Association**

### **Notice of Meeting of the Enrollee Appeal Committee**

**NOTICE IS HEREBY GIVEN** that a meeting of the Minnesota Comprehensive Health Association (MCHA), Enrollee Appeal Committee will be held at 2:00 p.m. on Tuesday, September 21, 1993 at Park Place Center, 5775 Wayzata Boulevard, Suite 746, St. Louis Park, Minnesota.

Portions of this meeting may be closed to the public.

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

## **Minnesota Comprehensive Health Association**

### **Notice of Meeting of the Ad Hoc Work Group on MCHA Premiums**

**NOTICE IS HEREBY GIVEN** that a meeting of the Minnesota Comprehensive Health Association (MCHA), Ad Hoc Work Group on MCHA Premiums will be held at 3:00 p.m. on Thursday, September 16, 1993 at Prudential Insurance Company of America, 3701 South Wayzata Boulevard, Minneapolis, Minnesota, in the 8th floor board room.

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

## Minnesota Comprehensive Health Association

### Notice of Meeting of the Research Committee

NOTICE IS HEREBY GIVEN that a meeting of the Minnesota Comprehensive Health Association (MCHA), Research Committee will be held at 8:00 a.m. on Tuesday, September 14, 1993 at HealthPartners, 2829 University Avenue SE, Minneapolis, Minnesota. The meeting will be in the Continuing Care Conference Room located on the second floor.

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

## Minnesota Sentencing Guidelines Commission

### Notice of Public Hearing to Consider Modifications to the Sentencing Guidelines

The Minnesota Sentencing Guidelines Commission will hold a public hearing on Thursday, October 14, 1993, at 5:30 p.m. in Room 15, Ground Floor, State Capitol Building, St. Paul, Minnesota. The purpose of the public hearing is to take testimony regarding the severity level ranking for the felony level Harassment/Stalking crimes under *Minnesota Statutes* § 609.749, subd. 3, 4 & 5. The Commission will also consider adding the following crimes to the *Misdemeanor and Gross Misdemeanor Offense List*:

Harassment/Stalking—609.749, subd. 2

- Harassment; Enhanced Penalties—609.747
- Violation of Harassment Restraining Order—609.748
- Obscene or Harassing Telephone Calls—609.79
- Letter, Telegram, or Package; Opening; Harassment—609.795

Additional copies of the public hearing notice are available, free of charge, by contacting the Minnesota Sentencing Guidelines Commission at Meridian National Bank Building, 205 Aurora Ave., Suite 205, St. Paul, MN 55103, or by calling Voice: (612) 296-0144. Deaf/Hard of Hearing/Speech Impaired Only TDD users may call this agency through the MN Relay Service: Twin Cities (612) 297-5353 or Greater Minnesota 1 (800) 627-3529; ask for (612) 296-0144. If you need special accommodations to attend, please contact the Minnesota Sentencing Guidelines Commission as soon as possible. This notice is available in alternate formats upon request.

All interested persons are encouraged to attend the hearing and offer comments. Persons wishing to speak may register in advance by contacting the Commission staff at the above address/telephone number.

The Commission will hold the record open for five days after the public hearing to accept additional written comment on the proposed modifications. On October 21, 1993, the Commission will meet at 3:00 p.m. at the Commodore Hotel, 79 North Western, St. Paul, Minnesota to decide whether to adopt any modifications to the severity level rankings for Harassment/Stalking crimes and whether to add any crimes to the *Misdemeanor and Gross Misdemeanor Offense List*. **If modifications are adopted, the modifications will become effective January 1, 1994. If the Commission decides to add the crimes marked by an asterisk (\*) to the *Misdemeanor and Gross Misdemeanor Offense List*, these modifications require legislative review and will not go into effect until August 1, 1994.**

## Minnesota State Retirement System

### Board of Directors, Regular Meeting

The regular meeting of the Board of Directors, Minnesota State Retirement System, will be held on Friday, September 17, 1993 at 9:00 a.m. in the office of the System, 175 W. Lafayette Frontage Road, St. Paul, Minnesota.

## Department of Trade and Economic Development

### Bylaws of Minnesota Business Finance, Inc.

#### ARTICLE ONE: NAME, LOCATION AND PURPOSE

1.01 **Name.** The name of the corporation shall be Minnesota Business Finance, Inc.

1.02 **Office.** The principal office shall be 500 Metro Square, 121 7th Place East, St. Paul, Minnesota 55101-2146, or the then current principal office of the Minnesota Department of Trade and Economic Development.

1.03 **Purpose.** The purpose of the corporation is to engage in economic development activities throughout Minnesota and to provide access to capital for commercial borrowers throughout Minnesota primarily through the Small Business Administration section 503 program, *United States Code*, title, section 697, as amended.

## **ARTICLE TWO: MEMBERSHIP**

2.01 **Qualification for Membership.** The governor shall appoint at least 25 members of the corporation, who must be representative of government, private-sector lending institutions, community organizations, and business organizations, as described in *Code of Federal Regulations*, title 13, section 108.503-1(d), as amended.

2.02 **Term of Membership.** The membership term shall be perpetual and will commence upon appointment except that a member may be removed by the majority vote of the Board of Directors. A member may be removed for, among other reasons, failing to attend two or more consecutive annual meetings of the membership if that member had received proper notice of such meetings.

2.03 **Annual Meetings.** The annual meeting of the membership of the corporation shall be held during the month of July at a date specified by the Board of Directors each year.

2.04 **Special Meetings.** Special meetings of the membership may be called by the President, by any three Directors or by any five members.

### **2.05 Notice of Meetings.**

(a) For annual meetings of the membership, at least 14 days prior of any annual meeting of the membership, the Secretary shall cause to be mailed to all members in good standing, at their addresses as they appear on the membership roll book of the corporation, a notice stating the time and place of the annual meeting and including information in written form in or with the notice concerning the matters which management wishes discussed at the meeting.

(b) For special meetings of the membership, within 30 days of receiving a call for a special meeting, the Secretary shall cause a notice of such meeting to be mailed to all members at their addresses as they appear in the membership roll book at least five days, but not more than sixty days, before the scheduled date of such meeting. Such notice shall state the date, time, place and purpose of the special meeting and by whom called. No other business but that specified in the notice may be transacted at such special meeting without the unanimous consent of all present at such meeting.

2.06 **Quorum.** The presence at any meeting of the membership of not less than ten percent of the members entitled to vote at the meeting shall constitute a quorum and shall be necessary to conduct the business of the corporation; however, a lesser number may adjourn the meeting for a period of not more than four weeks from the date scheduled by the Bylaws and the Secretary shall cause a notice of the rescheduled date of the meeting originally called to be mailed to all members. A quorum as hereinbefore set forth shall be required at any adjourned meeting.

2.07 **Verification of Membership.** A membership roll showing the list of members as of the record date, certified by the Secretary of the corporation, shall be produced at any meeting of members upon the request thereof by any member who has given notice to the corporation and such request shall be made at least ten days prior to such meeting. All persons appearing on such membership roll shall be entitled to vote at the meeting.

2.08 **Fixing Record Date.** For the purpose of determining the members entitled to notice of or to vote at any meeting of members or any adjournment thereof, the Board shall fix, in advance, a date as the record date for any such determination of members. Such date shall not be more than sixty, nor less than fourteen days before any such meeting.

### **2.09 Order of Business.** The order of business at all meetings of members shall be as follows:

- (a) Roll call
- (b) Reading of the minutes of the preceding meeting
- (c) Reports of committees
- (d) Reports of officers
- (e) Old and unfinished business
- (f) New Business
- (g) Adjournment

## **ARTICLE THREE: DIRECTORS**

3.01 **Number and Qualifications.** The business and affairs of the corporation shall be managed by a Board of Directors of fourteen members consisting of the Commissioner of Trade and Economic Development (or such Commissioner's designee) and thirteen individuals who are members of the corporation and are:

- (a) Involved in economic development within the State of Minnesota;

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(b) Selected by the membership; and

(c) Representative of government, private-sector lending institutions, community organizations, and business organizations as described in *Code of Federal Regulation*, title 13, section 108.503-1(b)(2), as amended.

3.02 **Election and Term of Directors.** The members of the corporation shall elect the Board of Directors. The terms of individual elected to the initial Board of Directors shall end on the first Monday in January, 1997. The term, removal and filling vacancies of the public members of the Board of Directors is governed by *Minnesota Statutes* section 15.0575.

3.03 **Resignation.** An elected Director may resign at any time by giving written notice to the Board, the President or the Secretary of the corporation. Unless otherwise specified in the notice, the resignation shall take effect upon receipt thereof by the Board or such officer, and the acceptance of the resignation shall not be necessary to make it effective.

3.04 **Quorum of Directors.** The presence at any meeting of the Board of Director of not less than five Directors shall constitute a quorum and shall be necessary to conduct the meeting of the Directors.

3.05 **Place and Time of Board Meetings.** The Board shall hold its meeting at least quarterly of the office of the corporation or at any such other more frequent intervals or other places, within or without the State of Minnesota, as it may from time to time determine.

3.06 **Annual Meeting.** An annual meeting of the Board shall be held immediately following the annual July meeting of the membership at the place of such membership meeting.

3.07 **Notice of Meeting of the Board, Adjournment.** Regular meetings of the Board may be held at such time and place as it shall from time to time determine. Special meetings of the Board may be called by the President or by the Secretary or upon the written request of two Directors. Notice of a meeting, whether regular or special, shall be sent to every Board member personally, by mail, by wire or facsimile transmission, at least three days in advance of the meeting and shall include the date, time and place of the meeting. A Director may waive notice of a meeting of the Board. A waiver of notice by a Director is effective whether given before, at, or after the meeting, and whether given in writing, orally, or by attendance. Attendance by a Director at a meeting is a waiver of the notice of that meeting, unless the Director objects at the beginning of the meeting to the transaction of business because the meeting is not properly called or convened and does not participate in the meeting. Public notice of Board meetings shall be provided in accordance with *Minnesota Statutes* section 471.705.

A majority of the Directors present, whether or not a quorum is present, may adjourn any meeting to another time and place. Notice of the adjournment shall be given to all Directors who were absent at the time of adjournment and, unless such time and place are announced at the meeting, also to all other Directors.

3.08 **Chair.** The President shall be Chairperson at all meetings of the Board and in absence of the Chairperson, a Vice-Chair chosen by the Board, shall preside. In the event of the absence at any meeting of both the Chairperson and the Vice-Chair, the Directors present at such meeting may elect another of their members to preside.

3.09 **Committees.** A resolution approved by the affirmative vote of the majority of the Board may establish committees having the authority of the Board in the management of the business of the corporation to the extent provided in the resolution. Committees are subject at all times to the direction and control of the Board. Committees shall prepare minutes of their meetings and such minutes shall be available at all times to the members of the committee and to the Directors.

3.10 **Closed Meetings.** The Board may by majority vote in a public meeting decide to hold a closed meeting for purposes of discussing financial data and other information furnished to the corporation in connection with assistance, security information, trade secret information or labor relations information. The time and place of the closed meeting must be announced at the public meeting. A written roll of members present at the closed meeting must be made available to the public after the closed meeting. The proceedings of a closed meeting must be tape recorded. The data on the tape are nonpublic data or private data on individuals, whichever is applicable.

3.11 **Meetings by Electronic Communication.** A meeting among Directors by a means of communication through which the participants may simultaneously hear each other during the meeting is a meeting of the Directors, if the same notice is given of the meeting as would be required for a meeting and if the number of persons participating in the meeting is a quorum. Participation in a meeting by this means is personal presence at the meeting. A Director may participate in a meeting of the Board of Directors by a means of communication through which the Director, other persons participating, and all persons physically present at the meeting may simultaneously hear each other during the meeting.

### ARTICLE FOUR: OFFICERS

4.01 **Officers.** The officers of the corporation shall be elected by the Directors. The officers shall consist of a President, Secretary, and Treasurer, and such other officers, including additional vice-presidents, as it may determine, who shall have such duties, powers and functions as hereinafter provided. The officers shall serve a term of one year, or until his or her successor is fully appointed and qualified. Any officer elected by the Board may be removed by the Board with or without cause. In the event of the death, resignation, or removal of an officer, the Board in its discretion may elect a successor to fill the unexpired term. Any two or more offices may be held by the same person, except the offices of President and Secretary.

4.02 **President.** The President shall:

- (a) Preside at all meetings of the members and the Directors;
- (b) Have general active management of the business of the corporation;
- (c) See that all orders and resolutions of the Board are carried into effect;
- (d) Sign and deliver in the name of the corporation deeds, mortgages, bonds, contracts or other instruments pertaining to the business of the corporation, except in cases in which the authority to sign and deliver is required by law to be exercised by another person or is expressly delegated in the Article or Bylaws or by the Board to another officer or agent of the corporation; and
- (e) Perform other duties prescribed by the Board.

4.03 **Vice-President.** If appointed, the Vice-President shall:

- (a) Perform the duties of the President if the President is absent or unable to perform those duties; and
- (b) Perform other duties prescribed by the Board.

4.04 **Treasurer.** The Treasurer shall:

- (a) Keep accurate financial records for the corporation;
- (b) Deposit money, drafts, and checks in the name of and to the credit of the corporation in the banks and depositories designated by the Board;
- (c) Endorse for deposit notes, checks, and drafts received by the corporation as ordered by the Board, making proper vouchers for the deposit;
- (d) Disburse corporate funds and issue checks and drafts in the name of the corporation, as ordered by the Board;
- (e) Upon request, provide the President and the Board an account of transactions and of the financial condition of the corporation; and
- (f) Perform other duties prescribed by the Board or by the President.

4.04 **Secretary.** The Secretary shall:

- (a) Maintain records of and, when necessary, certify proceedings of the Board and the members;
- (b) Provide notices to all meetings of the Board and members;
- (c) Maintain a membership roll; and
- (d) Perform other duties prescribed by the Board or by the President.

#### **ARTICLE FIVE: MISCELLANEOUS**

5.01 **Duties.** The corporation must qualify as a state development company for purposes of *United States Code*, title 15, section 697, as amended, and must comply with applicable Small Business Administration organizational, operational, regulatory, and reporting requirements. In addition, the corporation must comply with the requirements of the Small Business Administration's section 504 loan program, *United States Code*, title 15, section 697a, as amended.

5.02 **Amendment.** The Board shall adopt the original bylaws and amendments to the bylaws and publish the Bylaws and amendment to Bylaws in the *State Register*.

5.03 **Conflict of Interest.** A Director, employee, or officer of the corporation may not participate in or vote on a decision of the Board relating to an organization in which the Director has either a direct or indirect financial interest or a conflict of interest.

5.04 **Construction.** If there is any conflict between the provisions of the Articles and these Bylaws, the provisions of the Articles shall govern.

5.05 **Professional staff.** The corporation shall have a full-time professional staff with the capability to package, process, close and service its loans. The corporation also shall have professional management ability, including adequate accounting and legal abilities. The corporation also shall have the ability to provide management advice and services to small business concerns. These capabilities may be drawn from the staff, the Board, or the membership of the corporation, or acquired on a contractual basis from qualified individuals or organizations residing or doing business in the State of Minnesota. To conduct its business, the corporation shall maintain an accessible place of business open to the public during normal business hours with a separately listed telephone number and at least one individual to meet with visitors or respond to business matters over the telephone.

#### **CERTIFICATION**

I hereby certify that the foregoing is a true and correct copy of Bylaws of the corporation which were regularly presented to and adopted by the Board of Directors of Minnesota Business Finance, Inc. at a meeting duly called and held in St. Cloud, Minnesota on

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the 12th day of August, 1993, at which a quorum was present and voted, and that a copy of such Bylaws are duly recorded in the minute book of this corporation.

/s/ Barbara Grove

Secretary of Minnesota Business  
Finance, Inc.

## Department of Transportation

### State Aid Variance Committee Meeting

**NOTICE IS HEREBY GIVEN** that the Commissioner of Transportation has appointed a State Aid Variance Committee who will conduct a meeting on Wednesday, September 15, 1993 at 9:30 a.m. in 42 Water's Edge Building, 1500 West County Road B-2, Roseville, Minnesota 55113.

This notice is given pursuant to *Minnesota Statute 47k.705*.

The purpose of this open meeting is to investigate and determine recommendations for variances from minimum State Aid roadway standards and administrative procedures as governed by *Minnesota Rules* for State Aid Operations 8820.3300 adopted pursuant to *Minnesota Statutes* 161 and 162.

The agenda will be limited to these questions:

1. Petition of the City of Anoka for a variance from minimum standards as they apply to a proposed reconstruction project on CSAH 7 (Seventh Avenue) from Van Buren Street to Trunk Highway 10, to allow the construction of a 5 foot wide sidewalk along a 44 foot curb to curb street width; in lieu of the 48 foot curb to curb street width required.

2. Petition of the City of St. Paul for a variance from minimum standards as they apply to the proposed reconstruction project on MSAS 210 (Victoria Street) from West Seventh Street to Jefferson Avenue to allow the construction of a 36 foot wide street with parking on both sides between 7:00 a.m. and 7:00 p.m. on Saturdays and Sundays, and parking on one side at all other times; in lieu of the required 38 foot street minimum street width with parking allowed on both sides of the street.

3. Petition of the City of South St. Paul for a variance from minimum standards as they apply to the proposed reconstruction of Verderosa Avenue, to allow the construction of three horizontal and one vertical curves to a design speed of 20 m.p.h., in lieu of the required 30 m.p.h., and to permit construction of a portion of Verderosa Avenue to 25 feet wide with no parking allowed on both sides of the street, in lieu of the required 25 feet.

4. Petition of the County of Mower for a variance from state aid rules as they apply to CSAH 107 (Cabot Street) from 0.13 miles east of CSAH 14 to CSAH 12 in Leroy, Minnesota, to allow the construction of a 37.5 foot wide roadway with two parking lanes; in lieu of the required 38 foot wide street width with two parking lanes.

The cities and counties previously listed are requested to follow the following time schedule when appearing before the Variance Committee:

9:30 a.m. City of Anoka  
9:50 a.m. City of St. Paul  
10:15 a.m. City of South St. Paul  
10:45 a.m. County of Mower

Dennis C. Carlson  
Division Director  
State Aid for Local Transportation

### Petition of the City of Anoka for a Variance from State Aid Requirements for SIDEWALK CONSTRUCTION

**NOTICE IS HEREBY GIVEN** that the City Council of the City of Anoka has made written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3300 for a variance from rules as they apply to a proposed reconstruction project on CSAH 7 (Seventh Avenue) from Van Buren Street to Trunk Highway 10.

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.3100, adopted pursuant to *Minnesota Statutes* Chapter 161 and 162, so as to permit construction of a 5 foot wide sidewalk along a 44 foot curb to curb street width, in lieu of the 48 foot curb to curb street width required.



Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dennis C. Carlson  
Division Director  
State Aid for Local Transportation

### **Petition of the City of St. Paul for a Variance from State Aid Requirements for STREET WIDTH**

**NOTICE IS HEREBY GIVEN** that the City Council of the City of St. Paul has made written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3300 for a variance from rules as they apply to a proposed reconstruction project on MSAS 210 (Victoria Street) from West Seventh Street to Jefferson Avenue.

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.9935, adopted pursuant to *Minnesota Statutes* Chapter 161 and 162, so as to permit construction of a 36 foot width street with parking on both sides of the street between 7:00 a.m. and 7:00 p.m. on Saturdays and Sundays, and parking on one side of the street at all other times, in lieu of the required 38 foot street with parking on both sides.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dennis C. Carlson  
Division Director  
State Aid for Local Transportation

### **Petition of the City of South St. Paul for a Variance from State Aid Requirements for STREET WIDTH and DESIGN SPEED**

**NOTICE IS HEREBY GIVEN** that the City Council of the City of South St. Paul has made written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3300 for a variance from rules as they apply to a proposed reconstruction project on Verderosa Avenue.

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.9935, adopted pursuant to *Minnesota Statutes* Chapter 161 and 162, so as to permit construction of three horizontal and one vertical curves to a design speed of 20 m.p.h., in lieu of the required 30 m.p.h., and to permit construction of a portion of Verderosa Avenue to 25 feet wide with no parking allowed on both sides of the street, in lieu of the required 26 feet.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dennis C. Carlson  
Division Director  
State Aid for Local Transportation

### **Petition of the County of Mower for a Variance from State Aid Requirements for STREET WIDTH**

**NOTICE IS HEREBY GIVEN** that the County Board of Mower County has made written request to the Commissioner of Transportation pursuant to *Minnesota Rules* 8820.3300 for a variance from rules as they apply to a proposed reconstruction project on CSAH 107 (Cabot Street) from 0.13 miles east of CSAH 14 to CSAH 12 in Leroy, Minnesota.

The request is for a variance from *Minnesota Rules* for State Aid Operations 8820.9935, adopted pursuant to *Minnesota Statutes* Chapter 161 and 162, so as to permit construction of a 37.5 foot width street with parking on both sides of the street, in lieu of the required 38 foot street with parking on both sides.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

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If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dennis C. Carlson  
Division Director  
State Aid for Local Transportation

## State Grants

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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.

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## Department of Education

### Request for Proposals (RFP)—Minnesota Comprehensive Youth Apprenticeship Program

The Minnesota Department of Education announces the availability of funds under the Comprehensive Youth Apprenticeship program (Authorized by *Minnesota Law*, 126B). The request for proposal is for the planning and/or implementation of a local Comprehensive Youth Apprenticeship program that will integrate academic and occupational, secondary and post-secondary education, and school-based and work-based learning. The program is to provide the successful completer with the attainment of high school graduation standards, a certificate or diploma from a one or two year post-secondary education and a recognized skills certificate. The total amount of funding available for FY 1993-1995 is \$900,000. Applicants are required to match grant funds with an equal amount of non-state funds. Applicants must represent secondary and post-secondary school systems and should include representatives of affected local business, labor and industries, as well as the local community. A copy of the complete "Request for Proposal" will be released September 15, 1993, and may be obtained from:

Minnesota Department of Education  
Youth Apprenticeship  
626 Capitol Square Building  
550 Cedar Street  
St. Paul, MN 55101

Proposal deadline: 4:00 p.m., November 30, 1993.

## Department of Human Services

### Office of Child Support Enforcement

### Request for Proposals to Secure Under Contracts, the Services of Qualified Paternity Blood Testing Laboratories

#### I. Introduction

The Minnesota Department of Human Services, Office of Child Support Enforcement is soliciting proposals from qualified paternity testing laboratories to provide paternity testing for the 83-Minnesota County child support offices at fixed rates.

Upon review of the proposals by an evaluation committee, three to five laboratories will be selected to perform testing for the Minnesota child support program. A list of the successful bidders will be provided to the 83 local offices who will have the sole discretion as to which laboratory or laboratories they will utilize.

Approximately \$1,000,110 per year is expended by the county child support offices for paternity blood testing, however, there will be no guarantee of the amount of work for any particular laboratory.

#### II. Qualifications

Responders must demonstrate experience and expertise in the field of paternity blood testing and must be AABB certified.

### III. Proposal Content

A complete Request for Proposal is available from the Minnesota Office of Child Support Enforcement. Contained within the Request for Proposal is an extensive outline of the work to be performed, the required information to be submitted in the proposal, the evaluation methodology, and the necessary bidding forms. Those firms wishing for a copy of the proposal should contact either by mail or phone the

Minnesota Department of Human Services  
Office of Child Support Enforcement  
444 Lafayette Road  
St. Paul, MN 55155-3846  
(612) 296-1397

Proposals must be sent to and received by Anne Martineau at the above address by 4:30 p.m. Friday, October 8, 1993. Late proposals will not be accepted.

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## 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.

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 Helpline (612) 296-2600 or [TDD (612) 297-5353 and ask for 296-2600].

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## Minnesota Office of Waste Management

### Notice of Request for Letters of Interest

The Minnesota Office of Waste Management (OWM) is a state agency established by the Minnesota Legislature to provide financial and technical assistance to industry and local governments to encourage the proper management of solid waste. The OWM's Recycling Market Development program works to create remanufacturing and other end markets for recyclable materials, and to encourage the purchase of products made with post-consumer recycled content.

This notice is issued by the Director of the OWM (Director) under authority provided in *Minnesota Rules* parts 9210.0600 to 9210.0645. Under this authority, the OWM established the Recyclable Materials Market Development Grant and Loan Program.

**The purpose of this notice is to solicit letters of interest on potential projects seeking financial assistance from the OWM's County Grant and Loan Program. In addition, funds may be available for market development projects located in the seven county metro area of St. Paul and Minneapolis through the Metropolitan Council's Request for Proposals Grant Program.**

The intent of the OWM's County Grant and Loan Program is to support county and local efforts to develop markets for recyclable materials. A Minnesota business or non-profit organization may apply in cooperation with a Minnesota county. County cooperation can range from full county involvement to simple county sponsorship for the project; a resolution of support from a Minnesota county will be required for all projects. An individual county or group of counties may apply on their own behalf. Projects should focus on the expansion or creation of remanufacturing capacity or high value-added processing of recyclables or an innovative demonstration project that seeks to establish the feasibility and performance of one or more recycled-content products.

Under this program, grant funds may be awarded for:

- Up to 25% of the capital costs for local government or nonprofit organization projects. Grant funds may not exceed \$100,000 per project.
- Up to 75% of the first two years of project costs of non-capital related projects to be undertaken by local government, nonprofit or for-profit businesses. Grant funds may not exceed \$100,000 per project.

Loan funds may be awarded for:

- Up to 50% of the capital costs of projects to be undertaken by for-profit businesses. Loan funds may not exceed \$500,000 per project.

All projects require a match of the remaining project funds.

Under the Metropolitan Council's Request for Proposals Grant Program, grants up to \$75,000 may be awarded for non-capital costs

## Professional, Technical & Consulting Contracts

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including: staff salaries and fringe benefits, contracts with service providers to assist with project activities, and other special costs associated with the proposed market development activities. Eligible project applicants are applicants that are also eligible under OWM's program whose projects will be implemented in the seven-county Metropolitan Area of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington counties.

### Letters of Interest should provide the following:

- A brief description of the project and the status of its development.
- The type and estimated amounts of recyclable materials and/or recycled products to be utilized.
- A description of the organization that will undertake the project including a status of county involvement.
- An estimate of total project costs and grant/loan funds needed.
- The name, phone number, and address of a contact for the project.

Projects involving incineration and capital costs of resource recovery projects are not eligible for funding.

Letters of Interest should be sent or faxed to:

Mr. Timothy Nolan  
Minnesota Office of Waste Management  
1350 Energy Lane  
St. Paul, MN 55108  
(612) 649-5750 or 1-800-657-3843 (toll-free in Minnesota)  
(612) 649-5749 (fax)

Letters should be sent to the OWM at the above address by 5:00 p.m. CST on Friday, October 1, 1993.

Based on the response to this Request for Interest, the OWM may choose to develop and issue a Request for Proposals under the County Grant and Loan Program in cooperation with the Metropolitan Council in their Request for Proposal process.

John Chell, Director

## Department of Public Safety

### Office of the Commissioner

### Request for Proposals for Pilot Program: Peace Officer Career Opportunity Program

The Department of Public Safety is requesting proposals from Post Secondary Education Institutions, which are accredited by one of the six Regional Accrediting Associations to provide post secondary education that includes instruction as specified in Part 6700.0300, Subpart 1 of Chapter 6700, Board of Peace Officer Standards and Training Rules.

The goal is to provide academic and clinical skills courses for selected students and accommodate a range of 35 to 70 students. Class sizes shall not exceed a maximum of 35 students. Upon successful completion of the courses the students shall be POST License eligible.

Details are contained in a Request for Proposal which may be obtained by calling or writing:

John F. Edwards II, Special Agent  
Minnesota Department of Public Safety  
395 John Ireland Boulevard  
211 Transportation Building  
St. Paul, Minnesota 55155-1889  
(612) 296-6642

The estimated total cost of the professional/technical component of this program is \$150,000. Final date for submitting proposals is September 27, 1993.

## Department of Public Safety

### Driver and Vehicle Services Division

### Request for Proposals for Management and Prevention of Work Place Injuries

The Department of Public Safety, Driver and Vehicle Services Division is seeking proposals for the management and prevention of

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## Non-State Public Bids and Contracts

cumulative trauma injuries in the work place. Driver and Vehicle Services has a staff of over 600, with about 400 employees located at the Transportation Building in St. Paul. The majority of positions are clerical in nature. The use of computers, the entry of data, and the completion of handwritten forms are common tasks in all eight sections of the division.

The proposal requires an evaluation of work place procedures and equipment use, recommendations for corrective measures, and training for supervisors and employees with respect to cumulative trauma injuries. The goal is to create an ongoing, internal program of injury management and prevention without continued outside support.

Details are contained in a request for proposals which may be obtained by calling or writing:

Ronald Spika  
Driver and Vehicle Services  
Department of Public Safety  
120 Transportation Bldg.  
395 John Ireland Blvd.  
St. Paul, MN 55155  
Voice: (612) 296-9524 TDD: (612) 297-2100

The estimated cost of the contract is \$5,000.00, and could possibly be renewed for two years at the cost of an additional \$5,000.00. Final date for submitting proposals is October 4, 1993.

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## Non-State Public Bids and Contracts

The *State Register* also serves as a central marketplace for contracts let out on bid by the public sector. The *Register* meets state and federal guidelines for statewide circulation of public notices. Any tax-supported institution or government jurisdiction may advertise contracts and requests for proposals from the private sector.

It is recommended that contracts and RFPs include the following: 1) name of contact person; 2) institution name, address, and telephone number; 3) brief description of project and tasks; 4) cost estimate; and 5) final submission date of completed contract proposal. Allow at least three weeks from publication date (four weeks from date article is submitted for publication). Surveys show that subscribers are interested in hearing about contracts for estimates as low as \$1,000. Contact the editor for further details.

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## Vadnais Lake Area Watershed Management Organization

### Notice of Request for Proposals to Provide Engineering Services for the Design and Construction of Water Control Structures in the Vadnais Lake Watershed Located North of St. Paul

Services required include the hydraulic and structural design of a water control structure for Rice Lake; and the hydraulic and structural design, plans and specifications, construction contract, and construction inspection for a water control structure for Grass Lake.

Proposals are to be submitted by 1:00 p.m. October 26, 1993.

A complete copy of the request for proposals can be obtained by contacting:

Stephanie McNamara, Administrative Secretary  
Vadnais Lake Area Watershed Management Organization  
4701 Highway 61, White Bear Lake, MN 55110  
Phone: (612) 429-8522

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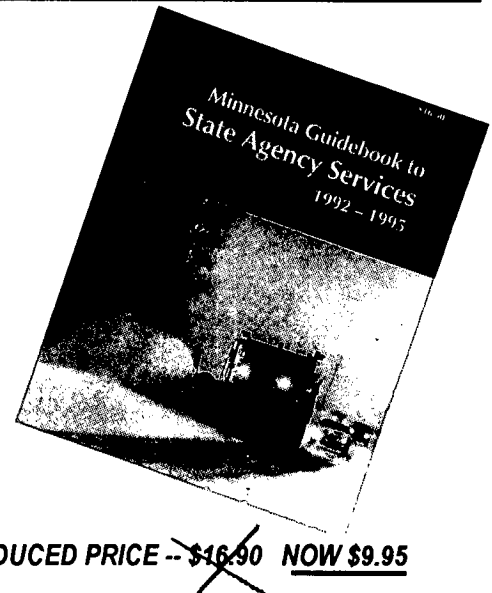
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Department of Administration

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