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**State
Register**

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State Register

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

The *State Register* is the official publication of the State of Minnesota, containing executive and commissioners' orders, proposed and adopted rules, official and revenue notices, professional-technical-consulting contracts, non-state bids and public contracts and grants.

A *Contracts Supplement* is published Tuesday, Wednesday and Friday and contains bids and proposals for commodities, including printing bids.

Printing Schedule and Submission Deadlines

Vol. 20 Issue Number	PUBLISH DATE	Deadline for both Adopted and Proposed RULES	Deadline for: Emergency Rules, Executive and Commissioner's Orders, Revenue and Official Notices, State Grants, Professional-Technical-Consulting Contracts, Non-State Bids and Public Contracts
# 23	Monday 4 December	Friday 17 November	Monday 27 November
# 24	Monday 11 December	Monday 27 November	Monday 4 December
# 25	Monday 18 December	Monday 4 December	Monday 11 December
# 26	Tuesday 26 December	Monday 11 December	Monday 18 December

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

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

This Week—weekly interim bulletin of the House.

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

Contact: House Information Office (612) 296-2146
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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.

Department of Human Services

Proposed Permanent Rules Relating to Homemaker Services

Notice of Intent to Amend a Rule Without a Public Hearing

The Department of Human Services intends to amend a permanent rule without a public hearing following the procedures set forth in the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. You have 30 days to submit written comments on the proposed rule amendment and may also submit a written request that a hearing be held on the amendment.

Agency Contact Person. Please submit comments or questions on the proposed amendment and written requests for a public hearing on the proposed amendment to: Asha Sharma, Minnesota Department of Human Services, 444 Lafayette Rd., St. Paul, MN 55155-3816, telephone (612) 282-9850, fax number (612) 297-3173.

Subject of Rule and Statutory Authority. The proposed rule amendment reduces the number of hours of annual training required for persons who provide homemaking services from 24 hours to six hours. The statutory authority to amend this rule is *Minnesota Statutes*, section 256.01, subdivision 2 (1)(a), (b)(4), and 256E.05, subdivisions 1, 1a. A copy of the proposed amendment is published in the *State Register* and attached to this notice as mailed.

Comments. You have until 4:30 p.m., Thursday, January 4, 1996, to submit written comment in support of or in opposition to the proposed amendment and any part or subpart of the amendment. 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 amendment 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 proposed amendment. Your request for a public hearing must be in writing and must be received by Asha Sharma by 4:30 p.m. on Thursday, January 4, 1996. Your written request for a public hearing must include your name and address. You are encouraged to identify the portion of the proposed rule amendment which caused your request, the reason for the request, and any changes you want made to the proposed rule amendment. 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 agency will follow the procedures in *Minnesota Statutes*, sections 14.131 to 14.20.

Modifications. The department may modify the proposed amendment as a result of public comment. The modifications must be supported by data and views submitted to the agency and may not result in a substantial change in the proposed amendment as printed in the *State Register*. If the proposed amendment 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 amendment and identifies the data and information relied upon to support the proposed amendment.

Small Business Considerations. In preparing the amendment, the department considered the requirements of *Minnesota Statutes*, section 14.115 but believes that, under *Minnesota Statutes*, section 14.115, subdivision 7(2), this amendment does not directly affect small businesses.

Expenditure of Public Money by Local Public Bodies. The department estimates that the proposed amendment will require no additional expenditure of public money by local public bodies.

Impact on Agriculture Lands. Because the proposed amendment does not have direct and substantial adverse impact on agricultural land in Minnesota, *Minnesota Statutes*, section 14.11, subdivision 2, is not applicable.

Adoption and Review of Rule. If no hearing is required, after the end of the comment period the agency may amend the rule. The proposed amendment and supporting documents will then be submitted to the Attorney General for review as to legality and form. You may request to be notified of the date the amendment is submitted to the Attorney General or be notified of the Attorney General's decision on the amendment. If you wish to be so notified, or wish to receive a copy of the amended rule, submit your request to the agency contact person listed above.

Dated: 16 November 1995

Maria R. Gomez
Commissioner

9565.1200 STANDARDS OF SERVICES.

Subpart 1. **Availability of service.** Each local social service agency shall make homemaking services available to eligible families and adults, consistent with state and local social service plan requirements.

Subp. 2. **Qualified homemakers.** The local social service agency shall assure that each individual and family receiving home-making services is served by a qualified homemaker.

The local social service agency shall assure that the recruitment, selection, and duties of homemakers are consistent with merit system standards.

The local social service agency shall provide for training for homemakers and staff responsible for homemaking services.

Each homemaker shall have a minimum of 24 hours of training (~~initial and ongoing~~) the first year of the homemaker's employment, and 24 ~~six~~ hours training annually thereafter. ~~Such~~ The training shall include courses in homemaker skills, child and personal care, human growth and development, the aging process, nutrition and home management; and training in working with mentally retarded, mentally ill, chemically dependent, physically handicapped, and family malfunction.

The assignment of homemakers shall be made on the basis of the particular abilities and skills of the homemaker.

Subp. 3. **Use of homemaker.** A homemaker is to be utilized only as indicated by the service plan developed by the client, social worker, and homemaker. The service plan shall be managed by the social worker.

Subp. 4. **Role of homemaker.** The role of the homemaker shall be either that of a surrogate caretaker or that of a demonstrator or teacher working with individuals and families to help them achieve self-support; self-care; home-based care; or remedy of neglect, abuse, or exploitation of family members. The tasks shall include assisting with or giving child care, personal care, home management, food planning and preparation, laundering, and general household duties.

Subp. 5. **Guidelines.** The local agency shall develop guidelines for the use of the homemaking service to assure quality of practice. These guidelines shall include the following:

- A. client-social worker discussion of the case which suggests the need for a homemaker; and
- B. client participation in the decision to use homemaking services.

Department of Human Services

Proposed Permanent Rules Governing Administration of Community Social Services

Dual Notice: Notice of Intent to Adopt a Rule Without a Public Hearing Unless 25 or More Persons Request a Hearing, and Notice of Hearing if 25 or More Requests for Hearing are Received

Introduction. The Minnesota Department of Human Services intends to adopt amendments to a permanent rule without a public hearing following the procedures set forth in the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28. If, however, 25 or more persons submit a written request for a hearing on the rule within 30 days of the publication of this notice in the *State Register* (that is, by January 4, 1996) a public hearing will be held on Monday, January 29.

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

Proposed Rules

To find out whether the proposed amendments will be adopted without a hearing or if the hearing will be held, you should contact the agency contact person after January 4, 1996 and before January 29, 1996.

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

Alice Weck
Minnesota Department of Human Services
Appeals and Regulations Division
444 Lafayette Road
Saint Paul, Minnesota 55155-3816
(612) 297-4302
Fax (612) 297-3173

Subject of Rule and Statutory Authority. The proposed amendments are about counties' administration of community social services. Many of the amendments to Rule 160 as currently written are necessary to make the rule consistent with statutory changes. This is particularly true of the three rule parts where amendments are most extensive: part 9550.0030, Community Social Services Plan; part 9550.0040, Grants and Purchase of Service Contracts, including contracting within and across county lines; and part 9550.0060, Social Services Fees. The statutory authority to adopt the rule is *Minnesota Statutes*, section 256E.05, subdivision 1a. A copy of the proposed rule is published in the *State Register* and attached to this notice as mailed.

Copy of the Rule. A free copy of this rule is available upon request from the agency contact person listed above. A copy of the proposed rule may also be viewed at any of the county welfare or human service agencies in the State of Minnesota.

Comments. You have until 4:30 p.m. on January 4, 1996, to submit written comment in support of or in opposition to any part or subpart of the proposed amendments. Your comment must be in writing and received by the agency contact person by the due date. Comment is encouraged. Your comments 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 agency contact person by 4:30 p.m. on January 4, 1996. Your written request for a public hearing must include your name, address, and telephone number. 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.

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

Cancellation of Hearing. The hearing scheduled for January 29, 1996 will be canceled if the agency does not receive requests from 25 or more persons that a hearing be held on the rule. If you request a public hearing, the agency will notify you before the scheduled hearing whether or not the hearing will be held. You may also call Alice Weck at (612) 297-4302 after January 4, 1996 to find out whether the hearing will be held.

Notice of Hearing. If 25 or more persons submit written requests for public hearing on the rule, a hearing will be held following the procedures in *Minnesota Statutes*, sections 14.14 to 14.20. The hearing will be held on Monday, January 29, 1996 in the Auditorium of the Minnesota State Lottery Headquarters Building, 2645 Long Lake Road, Roseville, Minnesota. It will begin at 9 a.m. and will continue until all interested persons have been heard. The hearing will continue, if necessary, at additional times and places as determined during the hearing by the administrative law judge. The administrative law judge assigned to conduct the hearing is Barbara L. Neilson. Judge Neilson can be reached at the Office of Administrative Hearings, 100 Washington Square, #1700 100 Washington Avenue South, Minneapolis, Minnesota 55401-2138; telephone (612) 341-7604.

Hearing Procedure. If a hearing is held, you and all interested or affected persons, including representatives of associations or other interested groups, will have an opportunity to participate. You may present your views either orally at the hearing or in writing at any time prior to the close of the hearing record. All evidence presented should relate to the proposed rule. You may also mail written material to the administrative law judge to be recorded in the hearing record for five working days after the public hearing ends. This five-day comment period may be extended for a longer period not to exceed 20 calendar days if ordered by the administrative law judge at the hearing. Comments received during this period will be available for review at the Office of Administrative Hearings. You and the agency may respond in writing within five business days after the submission period ends to any new information submitted. All written materials and responses submitted to the administrative law judge must be received at the Office of Administrative Hearing no later than 4:30 p.m. on the due date. No additional evidence may be submitted during the

five-day period. This rule hearing procedure is governed by *Minnesota Rules*, part 1400.0200 to 1400.1200 and *Minnesota Statutes*, sections 14.14 to 14.20. Questions about procedure may be directed to the administrative law judge.

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. It also includes a summary of all the evidence and argument which the agency anticipates presenting at the hearing, if one is held. The statement may also be reviewed and copies obtained at the cost of reproduction from the Office of Administrative Hearings.

Small Business Considerations. The rulemaking considerations required by *Minnesota Statutes*, section 14.115, subdivision 2 do not apply because the proposed amendments do not affect small businesses directly.

Expenditure of Public Money by Local Public Bodies. A copy of the neutral fiscal impact statement is available from the agency contact person at the address and telephone number listed above. The department estimates that the proposed amendments will not result in additional state or local costs because they reduce administrative requirements, drop or reduce requirements related to process and procedure whenever possible, and enhance county flexibility.

Impact on Agricultural Lands. The agency has determined in the review required under *Minnesota Statutes*, section 14.11, subdivision 2, that the proposed rules do not have a direct and substantial adverse impact on agricultural land in Minnesota.

Lobbyist Registration. *Minnesota Statutes*, chapter 10A requires each lobbyist to register with the Ethical Practices Board. Questions regarding this requirement may be directed to the Ethical Practices Board at 1st Floor, Centennial Office Building, 658 Cedar Street, Saint Paul, Minnesota 55155; telephone (612) 296-5148.

Adoption Procedure if No Hearing. If no hearing is required, the agency may adopt the rule after the end of the comment period. The rule and supporting documents will then be submitted to the Attorney General to be reviewed for legality. You may ask to be notified of the date the rule is submitted to the Attorney General. If you want to be so notified, or want to receive a copy of the adopted rule, or want to register with the agency to receive notice of future rule proceedings, submit your request to the agency contact person listed above.

Adoption Procedure After the Hearing. If a hearing is held, after the close of the hearing record, the Administrative Law Judge will issue a report on the proposed rule. You may ask to be notified of the date on which the judge's report will become available, and can make this request at the hearing or in writing to the Administrative Law Judge. You may also ask to be notified of the date on which the agency adopts the rule and files it with the Secretary of State and can make this request at the hearing or in writing to the agency contact person stated above.

Dated: 17 November 1995

Maria R. Gomez
Commissioner

Rules as Proposed

9550.0010 DEFINITIONS.

Subpart 1. **Scope.** For the purposes of parts 9550.0010 to ~~9550.0092~~ 9550.0093, the following terms have the meanings given them.

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

Subp. 2a. **Authorized representative.** Authorized representative" means a parent of a minor child, a guardian, a person who is authorized by power of attorney under Minnesota Statutes, section 523.01, a person who is appointed by the applicant or client, or a person who is authorized by a court of law to act on the applicant's or client's behalf in matters involving community social services. The case record must document the name of the person appointed and the reasons for the appointment.

Subp. 3. **Commissioner.** "Commissioner" means the commissioner of the Minnesota Department of Human Services or ~~his or her~~ the commissioner's designee.

Subp. 4. **Community social services.** "Community social services" means the services included in a county's community social services plan in order to fulfill the county responsibility, as prescribed in *Minnesota Statutes*, section 256E.08, subdivision 1, to ~~target populations groups or subgroups~~ specified in *Minnesota Statutes*, section 256E.03, subdivision 2, paragraph (a). These services are administered by county boards and provided or arranged for the ~~target populations groups or subgroups~~ according to the county board's community social services plan.

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

Subp. 7. **County of financial responsibility.** "County of financial responsibility" means the county responsible for the payment of individual client social services ~~under as specified in Minnesota Statutes, section 256E.08~~ 256G.02, subdivision 7 4.

Subp. 8. **County of service.** "County of service" means the county arranging for or providing community social services to individual clients at the request of the client, the client's authorized representative, or the county of financial responsibility.

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

Subp. 10. [See repealer.]

Subp. 11. [See repealer.]

Subp. 12. **Goal.** "Goal" means the ~~desired outcome of an activity~~ intended outcome for a client.

Subp. 13. [See repealer.]

Subp. 13a. **Indicator.** "Indicator" means the measure to be used to determine outcome attainment.

Subp. 14. **Individual service plan.** "Individual service plan" means the plan agreed upon between the local agency and the client or the client's authorized representative for the provision of social services to the client by the local agency.

Subp. 14a. **Lead county.** "Lead county" means a county that negotiates and administers a contract with an approved vendor on behalf of itself and other local agencies requesting to purchase social services from that vendor.

[For text of subp 15, see M.R.]

Subp. 16. [See repealer.]

Subp. 17. **Outcome.** "Outcome" means the ~~measure of change or the degree of attainment of specified goals and objectives resulting from the provision of service to a client or clients~~ difference for a client in terms of the client's condition, behavior, knowledge, or skills and abilities during the provision of services.

[For text of subps 18 and 19, see M.R.]

Subp. 20. [See repealer.]

Subp. 21. [See repealer.]

9550.0020 COUNTY RESPONSIBILITY FOR COMMUNITY SOCIAL SERVICES.

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

Subp. 2. **Recipients of Social services clients.** A county board ~~shall~~ must provide community social services in accordance with *Minnesota Statutes*, section 256E.08, subdivision 1, to groups of persons identified in *Minnesota Statutes*, section 256E.03, subdivision 2, paragraph (a).

Subp. 3. **Methods of providing services.** A county board ~~shall~~ must provide community social services directly through the local agency, by contracting with or ~~through~~ making grants to approved vendors, or by arranging for the voluntary provision of services at no cost to the county board.

Subp. 4. **Eligibility policy and criteria.** The county board ~~shall~~ must establish eligibility policies and criteria for community social services. ~~The eligibility policies and criteria established by the county board must be described~~ describe them in the county's biennial community social services plan. ~~The inclusion of the county board's eligibility policies and criteria shall be one condition of the department's approval of the county's community social services plan as provided under part 9550.0030, subpart 4, item C.~~

Subp. 5. **Annual effectiveness report.** The county board ~~shall~~ must submit an annual effectiveness report to the commissioner pursuant to *Minnesota Statutes*, section 256E.10, subdivision 1. The report must include an evaluation of the outcomes ~~of each service based on the achievement of measurable goals and objectives~~ as stated in the county's community social services plan.

9550.0030 COMMUNITY SOCIAL SERVICES PLAN.

Subpart 1. **County board responsibility.** ~~No later than 120 calendar days after receipt of plan format and instructions from the department, the~~ A county board shall ~~must~~ must submit biennially a proposed ~~biennial~~ and a final community social services plan for the next two calendar years to the commissioner for certification.

If the commissioner does not approve a proposed plan or if a county wishes to change its proposed plan, the county must submit a revised plan. If the commissioner approves a proposed plan and the county does not wish to change the plan, the county must notify the commissioner that it will adopt the proposed plan as a final plan.

A county's revised plan or notice of intent to adopt a proposed plan as a final plan must be received by the commissioner no later than 30 calendar days after final adoption of the county's budget by the county board. If the final plan submitted by a county is not

approved, the commissioner must notify the county in writing of the reasons for not approving the plan. The county has 30 days from receiving the commissioner's notice to submit a plan that will comply with the requirements cited by the commissioner. If the county fails within the 30-day period to submit a plan that complies, the payment reduction specified in Minnesota Statutes, section 256E.05, subdivision 2, applies.

If the commissioner's certification of a county's final plan is delayed beyond January 1 of the first year of the plan, the community social services plan in effect on December 31 of the year immediately preceding the first year of the plan shall remain in effect until the final plan is certified.

Subp. 2. **Notice of opportunity for citizen participation.** The county board ~~shall~~ must provide opportunities and publicize an opportunity for county citizens, including representatives of service users and approved vendors, to participate in the development of developing the proposed community social services plan. The notice of an opportunity for citizen participation must also indicate when a copy of the proposed community social services plan will be available to county residents upon request. Consistent with subpart 4, item A, the notice of opportunity for citizen participation must be published at least 60 calendar days before the date when the proposed plan becomes available for public distribution.

Subp. 3. **Publication of Plan availability.** ~~Upon submission of the~~ After submitting its proposed plan to the commissioner, the county board ~~shall~~ must publish notice of the availability of their proposed community social services plan and make the proposed plan available to residents of the county upon request. The plan made available to the public must be the proposed plan or a summary of the proposed plan that the county board considers in its budget deliberations. Summaries must include approximate levels of budgeting. Summaries must also include a prominent notice that the complete proposed plan to be considered by the county board is also available upon request.

Subp. 4. **Minimum Certification standards.** ~~The plan approved by the county board shall~~ must comply with the following minimum standards in order items A to I in order to obtain certification ~~from have~~ the commissioner certify that the county's community social services plan fulfills the purposes and requirements of Minnesota Statutes, section 256E.09, other state and federal law, and the rules of the department. Compliance with items A to I does not exempt a county from meeting the requirements of other categorical grant applications and plans that have been included as part of the community social services plan.

A. The proposed community social services plan must provide the following documentation of document the county's efforts to obtain citizen participation in the plan development of the plan by:

(1) ~~documentation showing~~ documentation showing that notice of opportunities opportunity for citizen participation in plan development was published at least 60 calendar days prior to the publication of before the proposed plan became available to the public;

(2) ~~documentation of the describing~~ documentation of the describing methods and timetables chosen used by the county board in order to achieve citizen participation; and

(3) ~~a summary of the content and source of summarizing~~ a summary of the content and source of summarizing public comments; and by content, source, and effect on determining priorities within and services to be offered to each group identified in Minnesota Statutes, section 256E.03, subdivision 2, paragraph (a).

(4) ~~documentation of the effect which public comments had on needs assessment; on selection of priorities within and services to be offered for each target population; and on the allocation of money for those services.~~

B. The plan must specify each target population group or subgroup identified in Minnesota Statutes, section 256E.03, subdivision 2, paragraph (a). ~~Target populations included under~~ When a plan addresses the needs of other groups pursuant to Minnesota Statutes, section 256E.03, subdivision 2, paragraph (a), clause (4) (9), the county must define or describe each group and the services proposed must be consistent with the overall purpose of Minnesota Statutes, chapter 256E.

C. The plan must include eligibility policies and criteria and client fee policies and schedules.

D. The plan must include the methods used to assess the needs of each target population group or subgroup for community social services; and the information obtained through the needs assessment process. The plan must contain information which indicates: in item B.

(1) total county population for each target population;

(2) availability and capacity of community resources, both public and private, including associations of volunteers;

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- (3) needed but unavailable resources;
- (4) new resources to be developed during the biennium;
- (5) for persons from each target population:
 - (a) the number of persons currently residing in a state facility;
 - (b) the number of persons currently residing in a state facility for whom available community resources exist;
 - (c) service development needed to move additional persons out of state facilities;
 - (d) the estimated number of current state facility residents who will continue to need state facility services; and
 - (e) the estimated number of new state facility admissions;
- (6) the priorities for meeting the needs of each target population;
- (7) the methods used for setting these priorities; and
- (8) the unmet needs of each target population.

E. The plan must include For each target population group or subgroup at least one biennial goal that reflects the needs assessment for that target population. For each goal, specified in item B, the plan must include at least one specific objective for each calendar year in the biennium. state:

- (1) at least one client-focused goal and outcome indicator; and
- (2) a description of how the service system will be coordinated.

F. The plan must include strategies for early intervention, prevention, and education designed to reduce or eliminate the need for services for each target population.

G. The plan must specify how the county board plans to make the following services available for persons identified by the county as in need of these services:

- (1) developmental achievement services;
- (2) subacute detoxification services;
- (3) residential services; and
- (4) nonresidential social support services.

H. F. Using codes from the current statewide reporting system for community social services, the plan must identify for each target population describe all services the county board proposes to provide; who the service providers shall be for each group or subgroup in item B, and the planned expenditures for each service group.

G. The plan must specify how the county board plans to facilitate access of physically handicapped or impaired persons to the services the county board proposes to provide to services for persons with mental or physical disabilities.

H. The plan must include an analysis of the adequacy of resources available to support the proposed plan and an estimate of unmet needs.

I. The plan must contain evidence that serious consideration was given to the purchase of services from both private and public agencies; a statement of the county board's policies on purchase of service contracts; and local agency criteria for approval of vendors established under part 9550.0040, subpart 4.

J. The plan must identify include estimates of the amount and source of all anticipated federal, state, and local funding sources; and all anticipated expenditures for community social services. The planned expenditures must reflect the assessed needs of each target population and must support the implementation of the services designed to meet the stated goals and objectives for each target population revenues.

K. The plan must describe the methods that the county board plans to use for monitoring and evaluating community social services during the biennium.

Subp. 5. **Publication Availability of final plan.** The county board ~~shall publish a~~ must make copies of the final community social services plan, or a summary of the plan that includes actual levels of funding, available to county residents on request no later than 60 days following certification of the final plan by after the commissioner; and make certifies the plan available to residents of the county upon request.

Subp. 6. **Duration of plan.** The community social services plan shall be in effect from January 1 of each ~~odd-numbered even-~~ numbered year through December 31 of the following year except when a new final plan has not been certified and subpart 1 applies.

Subp. 7. **Amendment to plan.** The county board ~~shall~~ must amend its community social services plan pursuant to *Minnesota Statutes*, section 256E.09, subdivision 6, and this subpart when the county proposes to:

- A. add, reduce, or delete a service;
- B. change eligibility categories, including expansion, restriction, or deletion of a category; ~~or~~
- C. change fee policies or schedules; or
- D. exercise the fiscal limitations provisions in Minnesota Statutes, section 256E.081.

The county board ~~shall~~ must publish notice of the proposed amendment and make it available to county residents upon request. The county board ~~shall~~ must permit the public to review and comment on the proposed amendment for a minimum of 30 calendar days following notice of the proposed amendment. If the county board approves the proposed amendment following the period for public comment, it ~~shall~~ must submit the amendment to the commissioner unless the amendment concerns fee schedules.

All provisions of the current approved plan must remain in effect until the proposed amendment becomes final. The proposed amendment becomes final when the commissioner certifies ~~that the amended plan fulfills the purpose and requirements of the law and rules of the department amendment or, in the case of an amendment concerning fee schedules, when the county board approves the amendment.~~

[For text of subps 8 and 9, see M.R.]

9550.0040 GRANTS AND PURCHASE OF SERVICE CONTRACTS.

Subpart 1. **Authority.** The local agency may purchase community social services by grant or purchase of service contract from public, nonprofit, or proprietary agencies or from individuals approved as vendors. ~~Services purchased in this manner must be identified in the biennial community social services plan and must conform to the standard contract procedures established by this part.~~

Subp. 2. **Grant and contract requirements.** Grants and purchase of service contracts for the ~~purchase of~~ community social services must contain the following:

- A. the beginning and ending dates of the grant or contract;
- B. an explicit description of the service or services ~~to be purchased as defined in the community social services plan;~~
- C. the total dollar amount of the grant or ~~contract~~ the unit cost of each service for a purchase of service contract;
- D. ~~the unit cost of the services provided, either by hour, day, week, or month;~~
- E. ~~a statement affixing responsibility for making a preliminary determination of client eligibility in accordance with the criteria established by the community social services plan;~~
- F. ~~a statement that the amount, frequency, and duration of purchased services will be provided in accordance with the client's individual service plan and, where applicable, the individual program plan, and shall be directed toward clients' achievement of goals and objectives;~~
- G. ~~procedures for E.~~ a statement that the provider must notify the client and the local agency, in writing, before discharge or termination of services to an individual client;
- H. ~~the site where the services will be provided;~~
- I. ~~procedures for certification of expenditures;~~
- J. ~~procedures for reimbursement;~~
- K. ~~F.~~ an itemized list of program and fiscal records to be maintained by the approved vendor;
- L. ~~G.~~ a retention schedule for program and fiscal records;
- M. ~~local agency procedures for monitoring and evaluation of the grant or contract, including monitoring and evaluating clients' achievement of goals and objectives identified on individual service plans;~~
- N. ~~H.~~ statement of compliance with the Minnesota Government Data Practices Act, Minnesota Statutes, chapter 13, and identification of the person responsible for compliance with data practices;
- O. ~~I.~~ provisions for bonding, indemnification, auditing, and insurance addressing liability; and

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Proposed Rules

~~P. grounds~~ I. provisions for termination of the grant or contract; and

~~Q. provisions, consistent with Minnesota Statutes, chapter 13, permitting the local agency, the department, and the Department of Health and Human Services access to and authority to copy program and fiscal records.~~

~~In addition, if proof of applicable licensure or certification and an exposition of staffing, including job descriptions and professional qualifications of personnel, are not contained in the body of the grant or contract, the grant or contract must have them attached to it.~~

Subp. 3. **Duties of local agency.** The local agency shall must:

A. use a written grant or purchase of service contract containing all provisions specified in subpart 2 when purchasing community social services. Every grant and purchase of service contract shall must be completed, signed, and approved by all parties to the agreement, including the county board. ~~Grants and contracts with individual approved vendors for an amount not to exceed \$10,000 in a calendar year need not be signed by the county board if unless~~ the county board has designated the local agency to sign on its behalf. No service shall be provided before the effective date of the grant or purchase of service contract;

B. determine client's eligibility for purchased services, or delegate the responsibility for making the preliminary determination to the approved vendor under the terms of the grant or purchase of service contract;

C. ~~Develop~~ ensure the development of an individual social service plan based on the needs of the individual client;

D. ~~Provide services required in accordance with individual service plans;~~

E. monitor purchased services and evaluate grants and contracts on the basis of client outcomes; and

F. ~~E.~~ purchase only from approved vendors.

Subp. 4. **Local agency criteria.** When the local agency chooses to purchase community social services from a vendor that is not subject to state licensing laws or department rules, the local agency shall must establish written criteria for vendor approval ~~which will to ensure the health, safety, and well-being of service recipients. The local agency criteria must be included in the community social services plan~~ clients.

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

Subp. 6. **Files.** The local agency shall must keep an administrative file for each grant and contract. The file must contain:

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

F. financial, statistical, ~~social services~~, and any other reports specified in the grant or contract.

Subp. 7. [See repealer.]

Subp. 7a. Contracting within and across county lines; lead county contracts. Items A to E govern contracting within and across county lines and lead county contracts.

A. Once a local agency and an approved vendor execute a contract that meets the requirements of this part, that contract governs all other purchases of service from that vendor by all other local agencies for the term of the contract. The local agency that negotiated and entered into the contract becomes the lead county for that contract.

(1) Terms of a contract negotiated under this subpart may be renegotiated by the parties to the contract with the concurrence of all agencies purchasing services under the contract.

(2) If, at the time the contract expires, one or more agencies want to continue purchasing from the vendor, the new contract must be negotiated according to the terms of this subpart.

B. When the local agency in the county where a vendor is located wants to purchase services from that vendor and the vendor has no contract with the local agency or any other county, the local agency must negotiate and execute a contract with the vendor.

C. When a local agency in one county wants to purchase services from a vendor located in another county, it must notify the local agency in the county where the vendor is located. Within 30 days of being notified, the local agency in the vendor's county must:

(1) if it has a contract with the vendor, send a copy to the inquiring agency;

(2) if there is a contract with the vendor for which another local agency is the lead county, identify the lead county to the inquiring agency; or

(3) if no local agency has a contract with the vendor, inform the inquiring agency whether it will negotiate a contract and become the lead county. If the agency where the vendor is located will not negotiate a contract with the vendor because of concerns related to clients' health and safety, the agency must share those concerns with the inquiring agency.

D. If the local agency in the county where the vendor is located declines to negotiate a contract with the vendor or fails to

respond within 30 days of receiving the notification in item C, the inquiring agency is authorized to negotiate a contract and must notify the local agency that declined or failed to respond.

E. When the inquiring county in item D becomes the lead county for a contract and the contract expires and needs to be renegotiated, that county must again follow the requirements of item C and notify the local agency where the vendor is located. The local agency where the vendor is located again has the option of becoming the lead county for the new contract. If the local agency does not exercise the option, item D again applies.

F. This subpart does not affect the requirement to seek county concurrence under Minnesota Statutes, section 256B.092, subdivision 8a, when the services are to be purchased for a person with mental retardation or a related condition or under Minnesota Statutes, section 245.4711, subdivision 3, when the services to be purchased are for an adult with serious and persistent mental illness.

Subp. 8. Exceptions to host county Contracts with community mental health boards. Host county contracting is not required where the following exceptions apply:

A. The local agency of the county where an approved vendor is located shall not negotiate a host county contract unless asked to do so by another local agency wishing to purchase from that approved vendor.

B. A local agency may refuse to act as the host county in situations where the prospective vendor has failed to comply with the terms of a past contract or has had a prior contract terminated within the last 12 months for failure to provide adequate services. A county of financial responsibility may not contract directly with an approved vendor located in another county when the exception in this item applies.

C. Notwithstanding subpart 7a, a local agency within the geographic area served by a community mental health board authorized by Minnesota Statutes, sections 245.61 to 245.69, may contract directly with that community mental health board. However, if a local agency outside of the geographic area served by a community mental health board wishes to purchase services from the board, the local agency shall must follow the requirements in subpart 7 7a.

Subp. 9. Placement agreements. A placement agreement must be used for residential services. Placement agreements are valid when signed by authorized representatives of the facility and the county of financial responsibility. If the county of financial responsibility is ~~other than~~ and the county where the approved vendor is located are not the same, the county of financial responsibility must, if requested, mail a copy of the placement agreement to the county ~~of~~ where the approved vendor is providing the service and to the lead county within ten calendar days ~~of after the date on which the placement agreement is signed.~~ The placement agreement must specify that the service provided shall will be provided in accordance with the individual service plan as required under part 9550.0090, subpart 2, and must specify the unit cost, the date of placement, and the date for the review of the placement. A placement agreement may also be used for nonresidential services.

9550.0050 AGREEMENTS BETWEEN PROCEDURES WHEN THE COUNTY OF SERVICE AND THE COUNTY OF FINANCIAL RESPONSIBILITY ARE NOT THE SAME.

Subpart 1. Agreement required Establishing financial responsibility. When a local agency takes an application from a client ~~who is person the local agency believes is~~ the financial responsibility of another county, the local agency in the county of service shall obtain a written agreement to the individual service plan and assurance of reimbursement from the county of financial responsibility before providing services to the client. When emergency social services are necessary, this prior agreement is not required procedures in Minnesota Statutes, section 256G.09, apply.

Subp. 2. Client information for county of financial responsibility. Within 60 calendar days after the approval date of an application, the county of service shall must send the county of ~~financial~~ responsibility it believes is financially responsible copies of the client's:

A. application;

B. eligibility documents; and

C. individual service plan. These documents must be sent within five calendar days of the date the application process has been completed.

Subp. 3. Disapproval of an individual service plan by county of financial responsibility. The county of financial responsibility may disapprove an individual service plan for ~~one or more~~ either of the following reasons:

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A. the proposed service or eligibility category does not appear in the county of financial responsibility's community social services plan;

B. the client's need for service is not established to the satisfaction of the county of financial responsibility; or

C. ~~B.~~ the county of financial responsibility makes an alternative offer of service ~~within its own county~~ that meets the needs of the client.

When the county of financial responsibility disapproves an individual service plan, the county ~~shall~~ must document the reasons for the decision and ~~shall~~ send this information to be received by the client and the county of service ~~no later than 25~~ within 30 calendar days after receiving the client's application, eligibility documents, and the individual service plan.

Subp. 4. [See repealer.]

Subp. 5. **Notice to client.** Within 15 calendar days of receipt after receiving the decision of the county of financial responsibility's decision responsibility, the county of service ~~shall~~ must notify the client in writing that the county of financial responsibility approves or disapproves the individual service plan. If the county of financial responsibility disapproves the individual service plan, the county of service ~~shall~~ must advise the client in writing that he or she has of the right and the procedures to appeal this the decision as provided by Minnesota Statutes, section 256.045, subdivision 3. The county of service ~~shall~~ at the same time provide written information describing the appeal procedure.

Subp. 6. **Emergency social services.** The county of service ~~shall~~ must provide emergency social services when necessary. The county of financial responsibility ~~shall~~ must fully reimburse the county of service for emergency social services for up to 30 calendar days for each client in need of these services.

When a service initiated as an emergency social service ~~must be~~ is extended beyond 30 calendar days, the county of service ~~shall~~ must obtain the prior approval of the county of financial responsibility as prescribed in subpart 1.

Subp. 7. [See repealer.]

9550.0060 SOCIAL SERVICES FEES.

Subpart 1. **Fee schedule** County's option to set fees. The county board may establish a fee policy and schedule for any or all community social services, subject to the approval of the commissioner. Fee policies ~~must be included in the community social services plan.~~ A county board may set fees for any community social service for which a fee or fee schedule is not specified by Minnesota Statutes. County-established fees and fee schedules must be included in the county's community social services plan.

A written copy of the applicable fee schedule must be made available to the client upon request. Fees charged must not exceed the actual cost of the service.

Subp. 2. **Criteria for approval** Ability to pay. County-established fees and fee schedules must be based upon the a client's ability to pay, as determined by considering family size, income, and other resources. Fees and fee schedules must reflect a sliding scale in which the fee charged varies in accordance with factors that would affect the amount a client is able to pay. Counties may consider family size, income, and other resources affecting ability to pay if they are defined in the fee schedule and approved by the commissioner.

Fees must not be based upon a minimum charge to all clients or solely upon a percentage of the cost of service. Fees charged ~~must not exceed the actual cost of the service.~~ A written copy of the fee schedule must be made available to the client upon request.

Subp. 3. **Exceptions.** The A county board ~~shall~~ must not charge a fee to recipients of public assistance maintenance grants, or to persons wishing to adopt a hard-to-place or special needs child as defined by Minnesota Statutes, section 259.40, subdivisions 1, 2, and 4 when a condition specified in items A to E applies.

A. The client is a person or family whose adjusted gross household income is at or below 100 percent of the federal poverty guidelines as determined and published annually by the United States Department of Health and Human Services. For purposes of this part, "adjusted gross household income" means the person's or family's adjusted gross income as determined by following federal income tax guidelines for calculating adjusted gross income.

If the client is a minor child, "family" includes the following persons living in the same dwelling unit: the client; the client's birth or adoptive parents; and the client's siblings who are minors. If the client is an adult, "family" includes the following persons living in the same dwelling unit: the client; the client's spouse; the client's minor children; and the client's spouse's minor children.

B. The client receives Aid to Families with Dependent Children, Minnesota Supplemental Assistance, or General Assistance, or participates in the Minnesota Family Investment Program.

C. The service provided is related to adopting a hard-to-place or special needs child as defined by Minnesota Statutes, section 259.67, subdivision 1 or 4.

D. The services provided are family preservation services as described in Minnesota Statutes, section 256.8711 or sections 256F.01 to 256F.07 and 256F.11, subdivisions 1 and 2.

E. The client is affected by the requirement in Minnesota Statutes, section 120.1701, subdivision 10, governing the inter-agency early childhood intervention system.

9550.0070 APPLICATION FOR SOCIAL SERVICES.

Subpart 1. **Right to apply.** The local agency ~~shall~~ must post a notice in a prominent place within the local agency advising individuals of their right to apply for social services ~~and shall~~. The local agency must advise all individuals who ask about or request social services of their right to sign an application form for social services without delay during normal business hours and that the application form will be processed after it is signed and completed.

Subp. 2. **Information about available services.** The local social services agency must give prospective applicants or their authorized representatives a written list of the services available according to the county's community social services plan.

Subp. 3. **Application requirement.** Except for information and referral services, an individual must make written application prior to receiving community social services. A local agency may provide emergency social services ~~may be provided~~ to an individual who has not signed an application form by following the procedure in subpart 5.

Subp. 4. **Statement of applicant rights and responsibilities.** Before the applicant or the applicant's authorized representative signs the application form, the local agency ~~shall~~ must provide to the applicant or the applicant's authorized representative, on a form prescribed or approved by the ~~department commissioner~~, a written statement ~~containing information on that explains~~ the applicant's rights; ~~the applicant's and~~ responsibilities; and how data collected about the applicant will be used. If for any reason an applicant or the applicant's authorized representative does not understand the written statement, an agency ~~representative shall~~ worker must read the written statement aloud and explain the written statement to the applicant or the applicant's authorized representative. The local agency ~~shall~~ must provide interpreters for ~~hearing impaired~~ hearing-impaired persons; and foreign language interpretive services if necessary. The ~~agency's representative shall~~ agency worker must answer ~~any~~ questions that the applicant or the applicant's authorized representative asks regarding about the application process.

Subp. 5. **Filling out application form.** The applicant or the applicant's authorized representative ~~shall~~ must complete, sign, and date the application form ~~prescribed or approved by the department~~. If the applicant cannot or does not sign the application form, the following persons in descending order of priority may sign the application form: the applicant's legal guardian or representative; or the agency representative applicant's authorized representative or the agency worker may sign the form. The reasons why the applicant or the applicant's authorized representative did not sign the application form must be recorded in the case record.

Subp. 6. **Eligibility.** In addition to submitting the application form, the applicant or the applicant's authorized representative ~~shall~~ must provide information about the applicant's eligibility on forms made available by the local agency and approved by the ~~department commissioner~~. The forms must be signed and dated by the applicant or the applicant's authorized representative and copies of both the application and the eligibility forms must be given to the applicant or the applicant's authorized representative.

Subp. 7. **Local agency decision about eligibility and notification to applicant.** The ~~county of financial responsibility shall~~ local agency must determine the applicant's eligibility within 30 calendar days after the date on which the application and eligibility forms are completed ~~and, signed, and received by the agency or as otherwise required under applicable program rules.~~ Within 15 calendar days after determining eligibility, the local agency ~~shall~~ must notify the applicant or the applicant's authorized representative in writing that the application has been approved or denied or whether the client has been placed on a waiting list unless the ~~community~~ social services are initiated prior to the end of the 15 calendar day notice period.

Subp. 8. **Denial of application.** If the application is denied, the local agency ~~shall record the notification date and the reason for denial.~~ The local agency shall also notify the applicant in writing within 15 calendar days after denying eligibility. The notice shall contain the following information:

- A. ~~the reason for denial;~~
- B. ~~a reference to the specific rule or approved community social services plan provision which is the basis for denial;~~
- C. ~~an explanation of the applicant's right to appeal the decision to the department; and~~
- D. ~~a description of the appeal procedure~~ must follow the procedures for client notification in part 9550.0092, subpart 1a.

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

Proposed Rules

Subp. 9. **Approval of application.** ~~If the~~ When an application is approved, the local agency ~~shall provide the~~ must authorize social services within 15 calendar days after the applicant has been notified of ~~his or her~~ eligibility or at an appropriate later date which has been mutually agreed upon by the local agency and the applicant ~~or the applicant's authorized representative.~~

9550.0080 INFORMATION ABOUT CLIENTS.

Subpart 1. **Client data.** All data collected, stored, used, and disseminated about an applicant or client by the local agency ~~shall be is~~ governed by the ~~Minnesota Government Data Practices Act, Minnesota Statutes, chapter 13.~~

Subp. 2. **Contracts and grants.** When a contract or grant administered by the local agency requires that data on applicants or clients be made available to the contracting parties, access to that data ~~shall be is~~ governed by *Minnesota Statutes*, chapter 13; ~~except that access to medical data shall also be subject to provisions of Minnesota Statutes, section 144.335.~~

9550.0090 INDIVIDUAL SERVICE PLAN.

Subpart 1. **Agreement upon on plan.** The local agency and the ~~recipient client~~ or ~~recipient's~~ client's authorized representative ~~shall must agree upon on~~ a plan for the ~~provision of~~ providing community social services other than emergency social services to attain identified client-focused goals.

Subp. 2. **Requirements.** The individual service plan must be in writing and must:

- A. be developed with the ~~recipient of the service client~~ or the ~~recipient's client's~~ authorized representative;
- B. state the goals to be achieved based ~~upon on~~ an assessment of the ~~recipient's client's~~ individual service needs;
- C. state the reasons basis for the local agency ~~agency's~~ involvement; the specific services to be provided; the amount, frequency, and duration of service; the service provider; how the services will assist the individual in attaining the highest level of independent functioning appropriate to the individual; and the goals and objectives to be achieved;
- D. specify the purpose of contacts between the local agency and the client and the frequency of the contacts state the indicators that will be used to measure attainment of the goals;
- E. state the anticipated time necessary to accomplish the identified goals and objectives specific services to be provided in terms of the amount, frequency, duration, and provider of each service; and
- F. specify agreed upon agreed-upon times to review the plan with the client or the client's authorized representative, to address the client's progress toward achieving goals and objectives attaining outcomes based on the selected indicators, and to revise the plan as necessary. The plan must be reviewed at least annually. The review and assessment requirements of this part do not negate the requirements of other laws or department rules.

The plan must be signed by the client or the client's authorized representative and by a person authorized to sign for the local agency. The local agency must give a copy of the plan to the client or the client's authorized representative.

9550.0091 CLIENT'S RIGHT TO ACCEPT OR REJECT SERVICES.

An applicant or client ~~or the applicant's or client's authorized representative~~ may accept or reject a local agency assessment of a need for community social services or an offer of community social services aimed at attaining specified goals. When a social service is rejected ~~by a client,~~ the local agency ~~shall must~~ give a clear explanation of the possible consequences of ~~that choice the rejection~~ to the applicant ~~or,~~ client, or his or her caretaker ~~or guardian~~ the applicant's or client's authorized representative. A ~~person's~~ refusal to accept community social services ~~shall must~~ not affect payment of grants payments to the person under public assistance ~~grants~~ maintenance programs ~~except in the Work Incentive Program unless a statute or rule governing a specific program directs otherwise.~~

Local agencies are required to offer and provide protective services under *Minnesota Statutes*, sections 626.556 and 626.557. When an individual who needs protective services or a person acting on the individual's behalf rejects those services, the local agency shall follow the procedures established under parts 9555.7600 ~~and 9560.0280,~~ 9560.0220, and 9560.0228.

9550.0092 RIGHT TO A FAIR HEARING.

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

Subp. 1a. **Notice that application has been denied.** The local agency must notify the applicant and the applicant's authorized representative in writing within 15 calendar days after denying eligibility. A copy of the notice mailed or given to the applicant and the applicant's authorized representative must be filed at the agency. The notice must contain the following information:

- A. the reason for denial;
- B. a reference to the specific rule or approved community social services plan provision which is the basis for denial;
- C. an explanation of the applicant's right to appeal the decision to the department; and

D. a description of the appeal procedure.

Subp. 2. ~~Notice of adverse action that services will be reduced, suspended, or terminated.~~ The local agency ~~shall~~ must notify the ~~recipient of community social services client or the client's authorized representative~~ ten calendar days before taking action to ~~deny~~, reduce, suspend, or terminate services to the ~~recipient client~~. The notice must be in writing; and must be mailed or given to the ~~recipient~~, client and the client's authorized representative. The notice must inform the recipient of state the client's right to appeal the action; the right and to be represented by an attorney or other interested party person of the client's choice at the hearing; and. The notice must also state that community social services shall will be continued if the appeal is filed prior to the reduction, suspension, or termination date specified in the notice. The notice must also state the specific reason for the reduction, suspension, or termination of services and cite the specific rule or approved community social services plan amendment upon which the reduction, suspension, or termination of services is based.

Subp. 3. **Appealable actions.** The applicant, client, or recipient the applicant's or client's authorized representative may appeal if:

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

F. the applicant or ~~recipient client or the applicant's or client's authorized representative~~ fails to agree with the services identified in the individual service plan developed between the applicant or recipient the client or the applicant's or client's authorized representative and the local agency.

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

Subp. 5. **Notice in suspected fraud cases.** If the local agency obtains information indicating that social services should be discontinued, reduced, or terminated because of suspected fraud on the part of the recipient client, and, where possible, evidence of fraud has been verified through collateral sources, then notice of agency action is timely if it is mailed at least five calendar days before the action becomes effective.

9550.0093 COUNTY COMPLIANCE AND APPEAL RIGHTS.

County boards must comply with parts 9550.0010 to 9550.0092. If the commissioner determines that a county board has failed to comply with parts 9550.0010 to 9550.0092 or other applicable state and federal law, the corrective action procedures under Minnesota Statutes, section 256E.05, apply. A county board's appeal of action taken by the commissioner is governed by Minnesota Statutes, section 256E.06, subdivision 10.

REPEALER. Minnesota Rules, parts 9550.0010, subparts 10, 11, 13, 16, 20, and 21; 9550.0040, subpart 7; and 9550.0050, subparts 4 and 7, are repealed.

Board of Pharmacy

Proposed Permanent Rules Relating to Controlled Substances

Notice of Intent to Adopt Rules Without a Public Hearing

Introduction. The Minnesota Board of Pharmacy intends to adopt a permanent rule without a public hearing following the procedures set forth in the Administrative Procedure Act, *Minnesota Statutes*, sections 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 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:

David E. Holmstrom, Executive Director
Minnesota Board of Pharmacy
2700 University Avenue West, Suite 107
St. Paul, MN 55114

The Fax phone number is (612) 643-3530. Oral statements will be received during regular business hours, over the telephone at (612) 642-0541 or MN Relay Service for Hearing and Speech Impaired ONLY at (612) 297-5353 or (800) 627-3529, and in person at the above address.

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

Proposed Rules

Subject of Rule and Statutory Authority. The proposed rule is about the scheduling and/or rescheduling of controlled substance drugs in order to bring Minnesota schedules into conformity with federal schedules. The statutory authority to adopt this rule is *Minnesota Statutes*, sections 151.02, subd. 7 through 12. A copy of the proposed rule is published in the *State Register* and attached to this notice as mailed. A free copy of the rule is also available upon request from the agency contact person listed above.

Comments. You have until 4:30 p.m., on January 4, 1996, to submit written comment 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 and reason for the comment. You are encouraged to propose any change desired. Any comments that you would like to make on the legality of the proposed rule must also be made during this comment period.

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 agency contact person by 4:30 p.m., on January 4, 1996. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rule to which you object or state that you oppose the entire rule. Any request that does not comply with these requirements is not valid and cannot be counted by the agency for determining whether a public hearing must be held. You are also encouraged to state the reason for the request and any changes you want made to the proposed rule.

Withdrawal of Requests. 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 enough requests for hearing are withdrawn to reduce the number below 25, the agency must give written notice of this to all persons who requested a hearing, explain the actions the agency took to effect the withdrawal, and ask for written comments on this action. If a public hearing is required, the agency will follow the procedures in *Minnesota Statutes*, sections 14.131 to 14.20.

Modifications. The proposed rule may be modified as a result of public comment. The modifications must be supported by comments and information submitted to the agency, and the adopted rule may not be substantially different than this proposed rule. 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 contains a summary of the justification for the proposed rule, including a description of who will be affected by the proposed rule and an estimate of the probable cost of the proposed rule.

The position of the Board of Pharmacy, regarding small business considerations in rulemaking, is addressed in the statement of need and reasonableness.

The Minnesota Board of Pharmacy has reviewed the proposed rules and finds no evidence that rules would cause the expenditure of public money by any local public body.

The Minnesota Board of Pharmacy has reviewed the proposed rules and finds that the subject matter of the rules is not related to agricultural land.

Adoption and Review of Rule. If no hearing is required, the agency may adopt the rule after the end of the comment period. The rule and supporting documents will then be submitted to the Office of Administrative Hearings for review for legality. You may ask to be notified of the date the rule is submitted to the office. If you want to be so notified, or want to receive a copy of the adopted rule, or want to register with the agency to receive notice of future rule proceedings, submit your request to the agency contact person listed above.

Dated: 16 November 1995

Rules as Proposed

6800.4210 SCHEDULE I CONTROLLED SUBSTANCES.

Schedule I shall consist of the drugs and other substances, by whatever official name, common or usual name, chemical name, or brand name designated, listed in this part.

A. Opiates. Unless specifically excepted or unless listed in another schedule, any of the following opiates, including their isomers (whether optical, positional, or geometric), esters, ethers, salts, and salts of isomers, esters, and ethers, whenever the existence of such isomers, esters, ethers, or salts is possible within the specific chemical designation:

[For text of subitems (1) and (2), see M.R.]

(3) Alphacetylmethadol (except levo-alpha-acetylmethadol, also known as levomethadyl Acetate or LAAM);

[For text of subitems (4) to (29), see M.R.]

(30) ~~MPPP~~; 1-Methyl-4-Phenyl-4-Propionoxypiperidine;

(34) Methyl substituted isomers of Fentanyl;

- (a) 3-Methylfentanyl; N-[3-Methyl-a-(2-phenylethyl)-4-piperidyl]-N-phenylpropanamide
 (b) Acetyl-alpha-methylfentanyl; N-[1-(Methyl-2-phenyl)ethyl-4-piperidyl]-N-phenylacetamide
 (c) Alpha-methylthiofentanyl; N-[1-benzyl-4-piperidyl]-N-phenylpropanamide
 (d) Benzylfentanyl; N-[1-benzyl-4-piperidyl]-N-phenylpropanamide
 (e) Beta-hydroxyfentanyl; N-[1-(2-hydroxy-2-phenyl)ethyl-4-piperidyl]-N-phenylpropanamide
 (f) Beta-hydroxy-3-Methylfentanyl; N-[3-Methyl-1-(2-hydroxy-2-phenyl)ethyl-4-piperidyl]-N-phenylpropanamide
 (g) 3-Methylthiofentanyl; N-[3-Methyl-1-(2-(2-thienyl)ethyl)-4-piperidyl]-N-phenylpropanamide
 (h) Thenylfentanyl; N-[1-(2-thienyl)Methyl-4-piperidyl]-N-phenylpropanamide
 (i) Thiofentanyl; N-[1-(2-(2-thienyl)ethyl)-4-piperidyl]-N-phenylpropanamide
 (j) para-fluorofentanyl; N-[1-(2-phenylethyl)-4-piperidyl]-N-(4-fluorophenyl)-propanamide, its optical isomers, salts and salts of isomers;

~~(32)~~ (31) Morpheridine;

~~(32)~~ MPPP; 1-Methyl-4-phenyl-4-Propionoxypiperidine;

[For text of subitems (33) to (36), see M.R.]

(37) PEPAP; 1-(2-Phenylethyl)-4-Phenyl-4-Acetyloxypiperidine;

[For text of subitems (38) to (48), see M.R.]

B. Opium derivatives. Unless specifically excepted or unless listed in another schedule, any of the following opium derivatives, its salts, isomers, and salts of isomers, whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

- (1) Acetorphine;
 (2) Acetyldihydrocodeine;
 (3) ~~Acetylcodeine;~~
 (4) Benzylmorphine;
 (5) ~~(4)~~ Codeine methylbromide;
 (6) ~~(5)~~ Codeine-N-Oxide;
 (7) ~~(6)~~ Cyprenorphine;
 (8) ~~(7)~~ Desomorphine;
 (9) ~~(8)~~ Dihydromorphine;
 (10) ~~(9)~~ Drotebanol;
 (11) ~~(10)~~ Etorphine (except hydrochloride salt);
 (12) ~~(11)~~ Heroin;
 (13) ~~(12)~~ Hydromorphenol;
 (14) ~~(13)~~ Methyl-desorphine;
 (15) ~~(14)~~ Methylhydromorphine/Methyldihydromorphine;
 (16) ~~(15)~~ Morphine Methylbromide;
 (17) ~~(16)~~ Morphine Methylsulfonate;
 (18) ~~(17)~~ Morphine-N-Oxide;

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Proposed Rules

- ~~(19)~~ (18) Myrophine;
- ~~(20)~~ (19) Nicocodeine;
- ~~(21)~~ (20) Nicomorphine;
- ~~(22)~~ (21) Normorphine;
- ~~(23)~~ (22) Pholcodine; and
- ~~(24)~~ (23) Thebacon.

C. Hallucinogenic substances. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following hallucinogenic substances, or which contains any of its salts, isomers (whether optical, positional, or geometric), and salts of isomers, whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

Statutory Name

Some examples of common names, trade names, or names of products which contain a controlled substance.

[For text of subitems (1) to (10), see M.R.]

~~(11)~~ (11) Alpha-Ethyltryptamine

Etryptamine; monase;
 α -Ethyl-1H-indole-3-
ethanamine;
3-(2-aminobutyl)indole;
 α -ET; and AET

~~(12)~~ (12) Bufotenine

3-(b-Dimethylaminoethyl)-5-hydroxyindole; 3-(2-dimethylaminoethyl)-5-indolol; N, N-dimethylserotonin; 5-hydroxy-N,N-dimethyltryptamine; mappine
N,N-Diethyltryptamine; DET
DMT
7-Ethyl-6,6b,7,8,9,10,12,13-octahydro-2-methoxy-6,9-methano-5H-pyrido [1', 2':1,2] azepino [5,4-b] indole;
Tabernanthe iboga

~~(13)~~ (13) Diethyltryptamine

~~(14)~~ (14) Dimethyltryptamine

~~(15)~~ (15) Ibogaine

~~(16)~~ (16) Lysergic acid
diethylamide

LSD

~~(17)~~ (17) Marijuana

~~(18)~~ (18) Mescaline

~~(19)~~ (19) Parahexyl

3-Hexyl-1-hydroxy-7,8,9,10-tetrahydro-6,6,9-trimethyl-6H-dibenzo[b,d]pyran; Synhexyl

~~(20)~~ (20) Peyote

Meaning all parts of the plant presently classified botanically as *Lophophora williamsii* Lemaire, whether growing or not, the seeds thereof, any extract from any part of such plant, and every compound, manufacture, salt, derivative, mixture, or preparation of such plant, its

seeds or extracts	
(20) <u>(21)</u> N-ethyl-3-piperidyl Benzilate	JB-318
(21) <u>(22)</u> N-methyl-3-piperidyl Benzilate	JB-336
(22) <u>(23)</u> Psilocybin	
(23) <u>(24)</u> Psilocyn	
(24) <u>(25)</u> Tetrahydrocannabinols	THC
Synthetic equivalents of the substances contained in the plant, or in the resinous extractives of cannabis, sp. and/or synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activities such as the following: 1 cis or trans tetrahydrocannabinol, and their optical isomers, excluding dronabinol in sesame oil and encapsulated in a soft gelatin capsule in a drug product approved by the U.S. Food and Drug Administration. 6 cis or trans tetrahydrocannabinol, and their optical isomers; 3,4 cis or trans tetrahydrocannabinol, and its optical isomers (Since nomenclature of these substances is not internationally standardized, compounds of these structures, regardless of numerical designation of atomic positions covered.)	
(25) <u>(26)</u> Ethylamine analog of phencyclidine	N-ethyl-1- phenylcyclohexylamine, (1- phenylcyclohexyl)ethylamine, N-(1- phenylcyclohexyl)ethylamine, cyclohexamine, PCE

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Proposed Rules

~~(26)~~ (27) Pyrrolidine analog of phencyclidine

~~(27)~~ (28) Thiophene analog of phencyclidine

~~(28)~~ (29) 2-thienyl Pyrrolidine analog of Phencyclidine

1-(1-phenylcyclohexyl)-pyrrolidine, PCPy, PHP

1-[1-(2-thienyl)-cyclohexyl]-piperidine, 2-thienyl analog of phencyclidine, TPCP, TCP

1-[1-(2-thienyl)cyclohexyl]-pyrrolidine, TCPy

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

F. Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers, and salts of isomers:

Statutory Name

Some examples of common names, trade names, or names of products which contain a controlled substance.

(1) Aminorex

Aminoxaphen; 2-Amino-5-phenyl-

2-oxazoline; 4,5-Dihydro-

5-phenyl-2-oxazolamine

(2) Cathinone

2-Amino-1-phenyl-1-propanone;

alpha-Aminopropiophenone;

2-Aminopropiophenone;

Norephedrone

(3) Fenethylamine;

(4) Methcathinone

2-(Methylamino)-Propiophenone;

alpha-(Methylamino)-

propiophenone; 2-(Methylamino)-

1-Phenylpropan-1-one;

alpha-N-

Methylaminopropiophenone;

monomethylpropion;

ephedrone; N-Methylcathinone;

Methylcathinone

~~(2)~~ (5) 4-Methylaminorex(2-Amino-4-methyl-5-phenyl-2-oxazoline);

~~(3)~~ (6) N-ethylamphetamine-

(7) N,N-dimethylamphetamine

N,N-alpha-trimethyl-

benzene-ethanamine;

N,N-alpha-

trimethylphenethylamine

6800.4220 SCHEDULE II CONTROLLED SUBSTANCES.

The following items are listed in Schedule II:

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

C. Opiates. Unless specifically excepted or unless listed in another schedule any of the following opiates, including its isomers, esters, ethers, salts, and salts of isomers, esters, and ethers whenever the existence of such isomers, esters, ethers, and salts is possible within the specific chemical designation, dextrophan and levopropoxyphene excepted:

	Statutory Name	Some examples of common names, trade names, or names of products which contain a controlled substance.
(1)	Alfentanil	Alfenta
(2)	Alphaprodine	Nisentil
(3)	Anileridine	Leritine
(4)	Bezitramide	
(5)	Bulk Dextropropoxyphene (nondosage forms)	
(6)	Carfentanil	
(7)	Dihydrocodeine	Paracodin
(8)	Dihydromorphinone	Dilaudid
(9)	Diphenoxylate	
(10)	Fentanyl	Sublimaze, Innovar
(11)	Isomethadone	
(12)	<u>Levo-alpha-acetylmethadol</u>	<u>LAAM</u>
(13)	Levomethorphan	
(13) (14)	Levorphanol	Levo-Dromoran
(14) (15)	Metazocine	
(15) (16)	Methadone	Dolophine, Amidone, Adanon
(16) (17)	Methadone-Intermediate 4-cyano-2-dimethylamino-4, 4-diphenylbutane	
(17) (18)	Moramide-Intermediate 2-methyl-3-morpholino-1, 1-diphenyl-propane- carboxylic acid	
(18) (19)	Pethidine (meperidine)	Meperidine, Demerol,
(19) (20)	Pethidine-Intermediate-A, 4-cyano-1-methyl-4- phenylpiperidine	Isonipeccaine, Mepadin, Mepergan
(20) (21)	Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4- carboxylate	
(21) (22)	Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine- 4-carboxylic acid	
(22) (23)	Phenazocine	Prinadol
(23) (24)	Piminodine	Alvodine
(24) (25)	Racemethorphan	

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Proposed Rules

~~(25)~~ (26)
~~(26)~~ (27)

Racemorphan
Sufentanil

Dromoran
Sufenta

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

E. Depressants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

Statutory Name

Some examples of common names, trade names, or names of products which contain a controlled substance.

- (1) Amobarbital
- (2) Glutethimide
- (3) Pentobarbital
- ~~(3)~~ Phencyclidine
- (4) Phencyclidine
- ~~(4)~~ Secobarbital
- (5) Secobarbital

Amytal
Doriden
Nembutal, Tuinal

Sernyl, Sernylar

Seconal

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

6800.4230 SCHEDULE III CONTROLLED SUBSTANCES.

The following items are listed in Schedule III:

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

C. Depressants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a potential for abuse associated with a depressant effect on the central nervous system:

Statutory Name

Some examples of common names, trade names, or names of products which contain a controlled substance

- (1) Any compound, mixture, or preparation containing:
 - (a) Amobarbital;
 - (b) Secobarbital;
 - (c) Pentobarbital, or any salt thereof and one or more other active medicinal ingredients which are not listed in any schedule.
- (2) Any suppository dosage form containing:
 - (a) Amobarbital;
 - (b) Secobarbital;
 - (c) Pentobarbital, or any salt of any of these drugs and approved by the Food and Drug Administration for

marketing only as a
suppository.

(3) Any substance which
contains any quantity of a
derivative of barbituric acid,
or any salt of a derivative of
barbituric acid,
except those substances which are
specifically excepted or
listed in other schedules:

Butabarbital,
Vinbarbital,
Delvinal, Talbutal,
Lotusate,
Pentothal, Brevital

(4) Chlorhexadol

(5) ~~Glutethimide~~

~~Deriden~~

(6) Lysergic acid

(7) (6) Lysergic acid amide

(8) (7) Methypylon

Noludar

(9) (8) Sulfondiethylmethane

(10) (9) Sulfonethylmethane

(11) (10) Sulfonmethane

(11) Tiletamine and zolazepam
and any salt thereof

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

6800.4240 SCHEDULE IV CONTROLLED SUBSTANCES.

The following items are listed in Schedule IV:

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

C. Depressants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

Statutory Name

Some examples of common
names, trade names, or names
of products which contain a
controlled substance.

[For text of subitems (1) to (47), see M.R.]

(48) Zolpidem

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Proposed Rules

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

E. Stimulants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system, including its salts, isomers, and salts of isomers:

Statutory Name	Some examples of common names, trade names, or names of products which contain a controlled substance
(1) <u>Cathine ((+)-Norpseudoephedrine)</u>	
(2) <u>Diethylpropion</u>	Tenuate, Tepanil
(3) <u>Fencamfamin</u>	
(4) <u>Fenproporex</u>	
(2) (5) <u>Mazindol</u>	Sanorex
(3) (6) <u>Pemoline (including organometallic complexes and chelates thereof)</u>	Cylert
(4) (7) <u>Phentermine</u>	Wilpo, Fastin, Ionamin
(5) (8) <u>Pipradrol</u>	
(6) (9) <u>SPA ((-)-1-dimethylamino-1, 2-diphenylethane)</u>	

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

Department of Veterans Affairs

Proposed Permanent Rules Relating to Soldiers Assistance Fund

Notice of Intent to Adopt Rules Without a Public Hearing

Introduction. The Minnesota Department of Veterans Affairs intend to adopt permanent rules without a public hearing following the procedures set forth in the Administrative Procedures Act, *Minnesota Statutes*, sections 14.22 to 14.28. You have 30 days to submit written comments on the proposed rules and may also submit a written request that a hearing be held on the rule.

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

Terrence A. Logan
Director, Veterans Programs
Minnesota Department of Veterans Affairs
20 West 12th Street
St. Paul, Minnesota 55155-2079
(612) 296-6728 Fax (612) 296-3954

Subject of Rules and Statutory Authority. The proposed rules are about the State Soldiers Assistance Program and the County Veterans Service Officer Operational Improvement Grant Program. The statutory authority to adopt these rules is *Minnesota Statutes* 197.608. A copy of the proposed rules are published in the *State Register* and attached to this notice as mailed.

Comments. You have until 4:30 p.m., January 4, 1996 to submit written comment in support or in opposition to the proposed rules and any part or subpart of the rules. 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. In addition to submitting written comments, you may also request that a hearing be held on the rules. Your request for a public hearing must be in writing and must be received by the agency contact person by 4:30 p.m., January 4,

1996. 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, 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 agency will follow the procedures in *Minnesota Statutes* 14.131 to 14.20.

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 a substantial change in the proposed rule as attached and as 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 persons. 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*, section 14.115 requires an agency, when proposing a new rule or amending an existing rule that may affect small business, to consider certain methods of reducing the impact of the rule on small businesses. The impact of the amendments of these rules on small businesses has been considered and the amendment of these rules will not directly affect small businesses.

Expenditure of Public Money by Local Public Bodies; Impact on Agricultural Lands. Pursuant to *Minnesota Statutes*, section 14.11, the proposed amendment to these rules will not result in additional spending of public monies by local units of government and will not have an impact on agricultural land.

Adoption Procedure if No Hearing. 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 that form relates to legality. You may request to be notified of the date the rules are 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 agency contact person.

Dated: 15 December 1995

Bernie Melter
Commissioner
Minnesota Department of Veterans Affairs

Rules as Proposed

9055.0015 DEFINITIONS.

[For text of subps 1 to 17, see M.R.]

Subp. 17a. Under honorable conditions. "Under honorable conditions" as used in Minnesota Statutes, section 197.447, means that the discharge or release from active duty military service is not under conditions which constitute a bar to the payment of benefits under Code of Federal Regulations, title 38, section 3.12.

[For text of subps 18 to 21, see M.R.]

9055.0020 STATE SOLDIERS ASSISTANCE FUND.

[For text of subps 1 to 6, see M.R.]

Subp. 7. Inpatient chemical dependency treatment; eligibility. Applicants admitted to an approved inpatient chemical dependency treatment program may be eligible to receive temporary financial assistance in the form of shelter and utility payments, if they qualify for financial assistance under department income and asset limitations, as specified in the schedule of allowances, while the applicant is in an approved inpatient chemical dependency treatment program. Applications made while the applicant is in an approved inpatient chemical treatment program must be made effective the date of admission.

Upon successful completion of an approved inpatient chemical dependency treatment program, applicants may be eligible to receive financial assistance for one 30-day assistance period. For continued assistance beyond 30 days, applicants must meet the eligibility criteria in subparts 1 to 6. Applications submitted under this part more than 30 days after completion of an approved inpatient chemical dependency treatment program must include a written justification for the delay. Successful completion of a pre-scribed treatment program must be verified in writing by the treatment facility.

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Proposed Rules

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

9055.0080 APPEAL PROCEDURE; DENIAL OF ASSISTANCE.

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

Subp. 6. **Determination.** The commissioner shall issue a determination to grant or deny the assistance sought, based upon the application or upon additional information or extenuating circumstances presented during the review process, within seven working days of the review or personal hearing. All determinations of the commissioner are final.

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

9055.0105 EDUCATION.

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

Subp. 4. [See repealer.]

[For text of subps 5 to 11, see M.R.]

9055.0510 NOTICE.

Subpart 1. Notice of grant availability. The department shall ~~annually provide~~ publish notice in the *State Register* of the time period during which applications will be accepted. The application period may not be less than 30 days, nor more than 60 days. Notices must also be sent to all Minnesota county veterans service officers and others who request notification.

Subp. 2. Notice of intent. At least 45 days before publication of the notice required in subpart 1, the department must provide to all county veterans service officers a written notice of the intent to publish that notice in the *State Register*.

9055.0520 ELIGIBILITY.

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

Subp. 3. **Ineligible projects.** The following activities or expenditures are not eligible for funding:

- A. projects which do not directly support or improve the operation of the county veterans service office; ~~including acquisition of capital equipment;~~
- B. projects or programs that would be used to supplement the salary of a county veterans service officer or employees of the county veterans service office;
- C. projects or programs which would be used to supplement or supplant the normal operating budget of the county veterans service office; and
- D. projects or programs that would be used to supplement or supplant existing federal, state, or county programs.

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

9055.0530 APPLICATION.

Subpart 1. Required elements. An application must be submitted to the department for purposes of determining eligibility and priority of funding within the time frames provided in the notice. The application must be in a form and manner prescribed by the department and contain all information required by parts 9055.0500 to 9055.0610 and governing statutes, including the following:

- A. name of applicant county;
- B. statement of intended purpose of the grant; ~~and~~
- C. signature of the county veterans service officer; and
- D. name of individual authorized by the county board to enter into a spending plan between the county and the state.

Subp. 2. Format of applications. The application must contain the following:

- A. a statement that explains the need for the grant; ~~the purpose of the grant, and the means the applicant shall undertake to meet the needs of the grant;~~
- B. a description of the activities that the grant will accomplish, identifying the intended results of the grant ~~and including expected completion dates;~~
- C. ~~designation of an individual who will be responsible for implementation of the grant;~~
- ~~D.~~ a detailed description of any capital equipment, including computer equipment or other hardware, or goods or services to be purchased by the grant recipient; ~~and~~
- ~~E.~~ D. a statement that any capital equipment purchased by the grant recipient will be retained by the grant recipient for the

exclusive use of the county veterans service office and used only to support the activities of the county veterans service officer operations; and

~~F. a schedule of implementation of the activities listed in the final grant application.~~

9055.0540 APPLICATIONS; REVIEW, APPROVAL, REJECTION.

Subpart 1. **Review.** The department ~~shall have~~ has 30 days after receipt of ~~the an~~ application to review ~~the application it.~~ Each application must be reviewed for completeness and compliance with the rules of this grant program parts 9055.0015 to 9055.0580. The department shall either approve and accept ~~or an application; request modification of the application;~~ or reject ~~all applications~~ the application within this 30-day time period.

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

Subp. 3. **Rejection.** Ineligible applications will be rejected and returned to the applicant with a written statement of reasons for rejection. A rejected application may be resubmitted to the department ~~within 30 days of the date that the application was rejected and returned to the county.~~ Applicants may appeal the commissioner's decision to reject an application as provided in part 9055.0080. Resubmitted applications must be ranked by the date received by the department. Resubmitted applications must be received by the department within 30 days of date of receipt of the written rejection.

Subp. 4. [See repealer.]

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

Subp. 6. **Modifications.** Applications that contain ineligible elements must be returned to the applicant with written reasons why the elements cannot be approved. Applicants may elect to accept a grant for only those elements of the application that are approved, may modify the application to meet all eligibility requirements, or may refuse the entire grant.

Applications that are modified must be received by the date indicated in the letter to the applicant that contains the reasons why the grant was not approved. Applications that are returned by the date indicated retain their priority ranking on the fund list.

9055.0560 GRANT CONTRACT SPENDING PLAN.

Subpart 1. **Final step.** The final step in the awarding of a county veterans service officer operational improvement grant is the execution of a grant ~~contract~~ spending plan between the applicant and the department.

Subp. 2. **Contract Spending plan contents.** The grant ~~contract~~ spending plan must specify the amount of the grant to the county for the improvement of the operation of the county veterans service office, the manner and process of making payments to the county, and the requirements for accounting, auditing, reporting required of the county by the department, and the time frame within which the intended purposes will be accomplished.

Subp. 3. **Amendments.** Amendments must be mutually agreed to by both parties; ~~and~~ must be ~~in writing and must be signed by both parties~~ approved in writing by the department.

Subp. 4. **Resolution of support.** ~~An application~~ A spending plan may be accepted by the department only if accompanied by a resolution of support for the grant passed at an official meeting of the county board and signed by the county board chair.

9055.0580 REPORT REQUIRED.

Within 180 days of the effective date of a grant award, each grantee shall submit to the department a written report containing:

- A. a description of the grant project, to include actual costs incurred and expenses paid; and
- B. ~~participants in the project;~~
- C. ~~results of the project;~~
- D. ~~plans for continuation of the grant project, if any;~~
- E. ~~source and amount of funds, if any, used in addition to the grant received from the department; and~~
- F. paid receipts or paid invoices for all expenditures made under the grant ~~contract~~ spending plan.

REPEALER. Minnesota Rules, parts 9055.0105, subpart 4; and 9055.0540, subpart 4, are repealed.

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Adopted Rules

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

If an adopted rule is identical to its proposed form as previously published, a notice of adoption and 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.

Board of Dietetics and Nutrition Practice

Adopted Permanent Rules Relating to Licensure

The rules proposed and published at *State Register*, Volume 20, Number 9, pages 372-375, August 28, 1995 (20 SR 372), are adopted as proposed.

Department of Natural Resources

Adopted Exempt Rules Governing Trout Lake and Trout Stream Designations

Rules as Adopted

6262.0400 RESTRICTIONS ON DESIGNATED TROUT LAKES AND STREAMS.

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

Subp. 2. **Listing of designated trout lakes.** The following described lakes are designated as trout lakes:

Name	Section	Location Township	Range
[For text of items A to H, see M.R.]			
I. Cook county:			
(1) Bath Lake	5, 6	62	1W
	31, 32	63	1W
(2) Bench Lake	6	64	2E
(3) Bingshick Lake	30, 25	65	4W, 5W
(4) Bogus Lake	12	62	2E
(5) Boys Lake	5, 8	62	2E
(6) Carrot Lake	17	64	2E
(7) Chester Lake	32, 33	64	3E
(8) Dislocation Lake	3	63	4W
(9) Duke Lake	30	63	1E
(10) Dyers Lake	4, 5, 8, 9	58	5W
(11) Esther Lake	6	63	3E
	31	64	3E
(12) <u>Extortion Lake</u>	<u>31, 32</u>	<u>65</u>	<u>3W</u>
(13) <u>Feather Lake</u>	<u>35</u>	<u>61</u>	<u>5W</u>
(14) Gadwall Lake	3	64	2E
(15) Gogebic Lake	30, 31	65	2E
(16) Jake (Jaekel) Lake	28	64	4W
(17) Jap Lake	19	65	4W
	24	65	5W
(18) Junco Lake	11, 12, 13	62	1W
(19) Kimball Lake	7, 8, 17	62	2E
(20) Leo Lake	4, 5	64	1W
	35	64	1W
	7, 18	64	1W

Adopted Rules

(21)	Loft Lake	21	64	3E
(22)	Lost Lake	32	63	3E
(23)	Margaret Lake	27, 28, 33, 34	64	3E
(24) (23)	Mavis Lake	4	64	4W
(25) (24)	Meditation Lake	7, 8	65	4W
(26) (25)	Mink Lake	8	62	2E
(27) (26)	Missing Link Lake	4	64	4W
(28) (27)	Moosehorn Lake	36	63	3E
		31	63	4E
(29)	Morgan Lake	27, 28	64	4W
(30) (28)	Muckwa Lake	21, 28	63	1E
(31) (29)	Mulligan Lake	1, 12	63	3W
(32) (30)	Musquash Lake	20, 28, 29	63	1E
(33) (31)	Olson Lake	9, 16	62	1W
(34) (32)	Pancore (Lost) Lake	22, 27	61	4W
(35) (33)	Pemmican Lake	22	65	2E
(36) (34)	Pine Lake	35, 36	63	1W
(37) (35)	Pine Mountain Lake	26, 27, 34, 35	63	1E
(38) (36)	Portage Lake	3, 4, 5	64	2W
		33	65	2W
(39) (37)	Portage Lake, Little	3	64	2W
(40) (38)	Ram Lake	9, 10	63	1W
(41) (39)	Rog Lake	16, 17	65	5W
(42) (40)	Shady, North, Lake	21, 22	64	2E
(43) (41)	Shoe Lake	30	64	2E
(44) (42)	Sled Lake	3	63	1W
(45) (43)	Sock Lake	26	65	2W
(46) (44)	Squaw Lake	6	63	3E
		31	64	3E
(47) (45)	Surber Lake	34	65	2W
(48) (46)	Talus Lake	26, 27	63	1W
(49) (47)	Thompson Lake	19, 20, 29, 30	62	1W
(50) (48)	Thrasher Lake	31	63	1W
(51) (49)	Thrush Lake	31	63	1W
(52) (50)	Topper Lake	27	65	2W
(51)	<u>Trip Lake</u>	<u>32</u>	<u>65</u>	<u>3W</u>
(52)	Turnip Lake	24	64	1E
(54) (53)	Unnamed Lake	20, 21, 28, 29	63	3E
(55) (54)	Unnamed Lake	31	63	1W
(56) (55)	Vale Lake	3	64	2E
(57) (56)	Wee Lake	13	62	4W
(58) (57)	Wench Lake	7, 18	63	3W

[For text of items J to L, see M.R.]

M. Lake county:

(1)	Ahsab Lake	27, 28	64	8W
(2)	Bean Lake (Lower Twin)	25, 26	56	8W
(3)	Bear Lake (Upper Twin)	25	56	8W
(4)	<u>Beaver Hut Lake</u>	<u>30, 31</u>	<u>61</u>	<u>10W</u>
		<u>25, 36</u>	<u>61</u>	<u>11W</u>

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Adopted Rules

(5)	Beetle Lake	7	60	9W
(5) (6)	Benson Lake	29	58	6W
(6) (7)	Bone Lake	13, 14	61	6W
(7) (8)	Conchu Lake	21, 22	63	10W
(8) (9)	Divide (Towhey) Lake	7, 8	59	11W
(9) (10)	Dan Lake	17	63	10W
(11)	<u>East Lake</u>	<u>1, 2</u>	<u>59</u>	<u>6W</u>
(10) (12)	Echo Lake	14, 15, 22, 23	59	6W
(11) (13)	Eikela Lake	22	60	10W
(12) (14)	Ennis Lake	33	64	9W
(13) (15)	Found Lake	10, 15	64	9W
(14) (16)	Glacier Pond No. 1	11	63	10W
(15) (17)	Glacier Pond No. 2	11	63	10W
(16) (18)	Goldeneye (Duck) Lake	15	59	6W
(17) (19)	Gypsy Lake	6, 7	60	10W
(18) (20)	Hogback (Twin) Lake	31	60	6W
(21)	<u>Indian Lake</u>	<u>35</u>	<u>60</u>	<u>8W</u>
(19) (22)	Jouppi Lake	14, 22, 23	59	8W
(20) (23)	Judd Lake	4, 5, 32, 33	63, 64	9W
(21) (24)	Neglige Lake	1, 2, 11, 12	64	8W
(22) (25)	Norway Lake	3	61	10W
(23) (26)	Peanut Lake	5	60	10W
(24) (27)	Scarp (Cliff) Lake	31, 32	60	6W
(25) (28)	Section 8 Lake	8	59	7W
(26) (29)	Shoo-fly Lake	1, 36	59, 60	8W
(27) (30)	Skull Lake	14	64	9W
(31)	<u>Sonju Lake</u>	<u>27, 28</u>	<u>58</u>	<u>7W</u>
(28) (32)	Steamhaul Lake	32	60	9W
(29) (33)	Steer Lake	32	60	6W
(30) (34)	Tofte Lake	2, 3, 10, 11	63	10W
		35	64	10W
(31) (35)	Trappers Lake	27, 34	60	8W
(36)	<u>Unnamed (Pear) Lake</u>	<u>4</u>	<u>60</u>	<u>11W</u>

[For text of items N and O, see M.R.]

P. St. Louis county:

[For text of subitems (1) to (20), see M.R.]

(21)	Mirror Lake	19, 30	52	14W
(22)	Norberg Lake	1	61	14W
(22) (23)	Normanna Lake	7, 8	52	13W
(23) (24)	Pickereel Lake	17	60	21W
(24) (25)	Regenbogan Lake	18	64	12W
(25) (26)	St. James Mine Pit	3, 4	58	15W
(26) (27)	Spring Hole Lake	14	55	14W
(27) (28)	Trygg (Twigg) Lake	31	68	14W
		36	68	15W
(28) (29)	Twin Lake	28, 33	50	14W

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

Subp. 4. **Listing of designated trout streams.** The following described streams and portions of streams and their tributaries within the section specified are designated as trout streams and counties whose names appear in parentheses contain portions of those streams:

Name	Township	Location Range	Section
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[For text of item A, see M.R.]

B. Becker county:

(1)	Dead Horse Creek	138	38	3, 4, 7, 8, 9, 16
(2)	Elbow Lake Creek (Clearwater)	142	38	6
(3)	Straight Creek, Upper	<u>140</u> 141	<u>36</u> 36	<u>6</u> 30, 31
	141	37	24, 25	
(4)	Straight Lake Creek	140	36	6
		140	37	1, 2
(5)	Straight River (Hubbard)	139	36	1
		140	36	28, 29, 33, 34, 35, 36
(6)	Sucker Creek	138	40	18
		138	41	13
(7)	Toad River	138	38	6, 7, 18, 19, 30
		139	38	30, 31
		139	39	25, 36
		138	39	25, 26

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

G. Carlton county:

[For text of subitems (1) to (35), see M.R.]

(36)	Unnamed (<u>Deer</u>) Creek	<u>46</u> <u>47</u>	16	19, 29, 30
		47	17	13, 14, <u>21</u> <u>24</u>
(37)	Unnamed Creek	47	17	28, 29, 33, 34, 35
(38)	Unnamed Creek	47	17	31, 32, 33, 34

H. Carver county:

Assumption Creek	115	23	2
	116	23	34, 35

I. Cass county:

[For text of subitems (1) to (12), see M.R.]

(13)	Shingobee River (Hubbard)	141	31	16, 17, 18, 19
(14)	Spring Brook	139	26	3, 10, 11, 14
(15) (14)	Stoney Brook	135	29	5, 8, 9
		136	29	30, 31, 32
		136	30	20, 21, 22, 25
		136	31	26, 27, 29, 30
		136	31	24, 25, 26
(16) (15)	Unnamed Creek	137	31	4, 5
(17) (16)	Unnamed Creek	139	26	3, 10
(18)	Vermillion Creek, Little	143	25	22, 27

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

N. Cook county:

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Adopted Rules

[For text of subitems (1) to (28), see M.R.]

(29)	<u>Fry Creek</u>	<u>62</u>	<u>2W</u>	<u>25</u>
		<u>62</u>	<u>1W</u>	<u>29, 30, 31</u>
(30)	Gauthier Creek	62	3E	16, 20, 21, 22, 27
(30) (31)	Grand Portage Creek	63	5E	1
		63	6E	4, 5, 6
		64	6E	31, 32, 33
(31) (32)	Greenwood River	63	2E	1, 2, 3, 10, 11, 12, 13, 14, 15, 22, 23, 24
		64	2E	34
		63	3E	6
		64	3E	31
(32) (33)	Heartbreak Creek	59	4W	18, 19
		59	5W	2, 11, 12, 13
		60	5W	27, 28, 33, 34, 35
(33) (34)	Hollow Rock Creek	63	5E	9, 10, 11, 14, 15, 16, 23, 24, 25
(34) (35)	Honeymoon Cr. (Spring Cr.)	61	4W	28, 31, 32, 33
(35) (36)	Indian Camp Creek	60	2W	3, 10, 11
		61	2W	34
(36) (37)	Irish Creek	63	3E	8, 9, 10, 13, 14, 15, 23, 24, 25, 26
		63	4E	17, 18, 19
(37) (38)	Jonvick Creek	60	2W	19
		60	3W	12, 13, 14, 24
(38) (39)	Junco Creek	62	1W	1, 2, 9, 10, 11, 12, 13, 14, 15, 16, 21, 28
		62	1E	6, 7
		63	1E	20, 29, 30, 31
		63	1W	24, 25
(39) (40)	Kadunce Creek	61	2E	2
		62	2E	9, 10, 12, 13, 14, 15, 16, 22, 23, 24, 26, 35
(40) (41)	Kimball Creek	61	2E	3, 4, 10
		62	2E	7, 16, 17, 18, 19, 20, 21, 28, 29, 33, 34
(41) (42)	Koski Creek	61	4W	5, 8
		62	4W	31, 32
(42) (43)	Last Creek	58	5W	16, 17
(43) (44)	Lullaby Creek	63	1E	4, 5, 8, 9
(44) (45)	Mark Creek	61	2W	1, 2, 3, 4, 5, 6, 9
(45) (46)	Mississippi Creek	61	2W	1, 2, 3
		61	3W	1
		62	2W	31, 32, 33, 34, 35, 36
		62	3W	24, 25, 35, 36

Adopted Rules

(46) <u>(47)</u>	Mississippi Creek, Little	62	2W	20, 21, 26, 29, 32, 33, 34, 35
(47) <u>(48)</u>	Mistletoe Creek	60	3W	3, 4
		61	2W	7, 18, 19
		61	3W	11, 13, 14, 15, 23, 24, 25, 26, 34, 35
(48) <u>(49)</u>	Monker Creek	61	1E	6, 7
		62	1E	31
		62	1W	36
(49) <u>(50)</u>	Mons Creek	62	3E	4
		63	3E	28, 29, 33
(50) <u>(51)</u>	Mud Creek	62	1E	8, 9, 16, 17, 21, 22
(51) <u>(52)</u>	Murmur Creek	61	2W	15, 20, 21, 22, 29, 30
(52) <u>(53)</u>	Myhr Creek	62	3E	23, 24, 26
(53) <u>(54)</u>	Nestor	61	1W	4, 5, 6
		61	2W	1
		62	1W	31, 32, 33
(54) <u>(55)</u>	Onion Creek	59	4W	1, 2, 3, 4, 12
		60	4W	24, 25, 26, 35, 36
(55) <u>(56)</u>	Pancake Creek	60	4W	17, 18
		60	5W	11, 13, 14
(56) <u>(57)</u>	Pecore Creek	61	4W	19, 20, 21
(57) <u>(58)</u>	Pike Lake Creek	61	2W	10, 11, 15
(58) <u>(59)</u>	Pine Mountain Creek	63	1E	23, 26, 27, 28, 33
(59) <u>(60)</u>	Plouff Creek	61	4W	17, 18
		61	5W	2, 3, 11, 13, 14, 15, 23
		62	5W	23, 26, 34, 35
(60) <u>(61)</u>	Poplar River	60	3W	3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 19, 20, 21, 28, 33
		61	3W	30, 31
		61	4W	10, 13, 14, 15, 22, 23, 25, 26, 36
(61) <u>(62)</u>	Portage Brook	64	3E	24, 25, 26, 27, 28, 29, 32, 33, 34
		64	4E	19, 20
(62) <u>(63)</u>	Red Rock Creek	63	5E	21, 22, 26, 27, 28, 35
(63) <u>(64)</u>	Reservation River	62	5E	6
		63	4E	23, 25, 26, 36
		63	5E	16, 17, 18, 19, 20, 21, 29, 30, 31

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Adopted Rules

(64) (65)	Rollins Creek	59	3W	6
		60	3W	29, 30, 31
		60	4W	36
(65) (66)	Rosebush Creek (Fall R.)	61	1W	13, 23, 24, 25
		61	1E	18
(66) (67)	Sawbill Creek	62	4W	7, 18, 19, 20,
				28, 29, 30
		62	5W	25
(67) (68)	Section 15 Creek	58	5W	9, 10, 15
(68) (69)	Section 16 Creek	58	5W	16
(69) (70)	Section 29 Creek	58	5W	29, 30
(70) (71)	Sixmile Creek	60	4W	13, 14, 15, 22,
				23, 27, 28, 33
(71) (72)	Stickle Creek	63	1W	1, 2, 11, 12, 14
(72) (73)	Stone Creek	61	2E	2, 3
		62	2E	21, 22, 27,
				34, 35
(73) (74)	Stony Creek, Little	63	2E	4, 5, 9
		64	2E	31, 32, 33
(74) (75)	Stumble Creek	59	5W	16, 21, 22,
				26, 27, 28
(76)	<u>Stump River</u>	<u>64</u>	<u>4E</u>	<u>18</u>
		<u>64</u>	<u>3E</u>	<u>8, 9, 13, 14, 15,</u>
				<u>16, 17, 21, 22,</u>
				<u>23, 24</u>
(75) (77)	Sugar Loaf Creek	58	5W	17, 19, 20, 29
(76) (78)	Sundling Creek	61	1W	10, 11, 14,
				15, 16, 17, 18
		61	2W	13
(77) (79)	Swamp River	63	3E	25, 26, 36
		63	4E	20, 29, 30
		64	4E	21, 27, 28
(78) (80)	Swamper Creek	64	1E	20, 29, 32
(79) (81)	Swanson Creek	61	4W	6, 7, 8
		61	5W	1
(80) (82)	Tait River	60	3W	4
		61	3W	28, 33
(81) (83)	Temperance River	59	4W	5, 6, 7, 8, 18,
				19, 30, 31, 32
		60	4W	5, 6, 7, 8, 17,
				20, 28, 29,
				32, 33
		61	4W	4, 8, 9, 16, 17,
				19, 20, 30, 31
(82) (84)	Thompson Creek	62	1W	17, 19, 20
		62	2W	24
(83) (85)	Timber Creek	62	1E	1
		63	1E	25, 36
		63	2E	31
(84) (86)	Torgenson Creek	61	4W	30
		61	5W	24, 25
(85) (87)	Two Island River (Lake)	58	5W	2, 3, 4, 11
		59	5W	7, 8, 17, 18, 20,
				21, 27, 28, 29,
				31, 32, 33, 34
(86) (88)	Woods Creek	61	1E	1, 12, 13
		62	1E	35, 36

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

S. Fillmore county:

[For text of subitems (1) to (11), see M.R.]

(12)	Hamilton Creek (Mower)	103	13	6
		103	14	1

[For text of subitems (13) to (37), see M.R.]

(38)	Unnamed Creek (M-9-10-6) (Houston)	103	8	36
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[For text of subitems (39) to (43), see M.R.]

T. Goodhue county:

(1)	Bullard Creek	112	14	1, 2, 3, 10
		113	14	36
(2)	Cannon River, Little	110	18	1, 10, 11, 12, 15
		111	18	13, 24, 25, 36
(3)	<u>Gilbert Creek (Wabasha)</u>	<u>112</u>	<u>12</u>	<u>31</u>
(4)	Hay Creek	111	15	4
		112	14	19
		112	15	1, 12, 13, 23, 24 26, 27, 33, 34
		113	15	24, 25, 36
(4) (5)	Mazeppa Creek (Wabasha)	110	15	24, 25
(5) (6)	Pine Creek	112	17W	5, 6, 8, 9
(6) (7)	Spring Creek	112	15	5, 6, 7, 18
		113	15	29, 31, 32, 33, 34
(7) (8)	Trout Brook (Dakota)	112	17	1
(8) (9)	Trout Brook (Hay Cr. Trib.)	113	15	35, 36

U. Houston county:

(1)	Badger Creek	103	6	16, 21, 22, 27, 28, 34
(2)	<u>Ballpark Creek</u>	<u>102</u>	<u>4W</u>	<u>19, 30</u>
		<u>102</u>	<u>5W</u>	<u>24</u>
(3)	Beaver Creek	102	6	5, 18, 19, 29, 30
		103	6	31, 32
(3) (4)	Beaver Creek, East	102	6	5, 6, 8, 17
(4) (5)	Beaver Creek, West	102	6	5, 6, 7, 18, 19, 30
		102	7	12, 13, 24, 25, 26
(5) (6)	Bee Creek	101	6	29, 32, 33
(6) (7)	Brush Valley Creek	104	5	23, 24, 26
(7) (8)	Butterfield Creek	103	4	6, 7, 8, 18
(8) (9)	Campbell Creek	104	6	5, 7, 8, 18
(9) (10)	Crooked Creek, Mn.Br.	102	4	18, 19, 20, 28, 29, 30
		102	5	25, 26, 36
(10) (11)	Crooked Creek, N.Fk.	102	5	17, 20, 21, 22, 23, 26

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Adopted Rules

(41) (12)	Crooked Creek, S.Fk.	102	5	26, 28
(42) (13)	Crystal Creek	103	5	6, 7, 18, 19
		103	6	1, 12
(43) (14)	Daley Creek	103	7	4, 5, 8
		104	7	33
(44) (15)	Indian Springs Creek (Dexter)	103	5	12, 13, 14, 15, 21, 22, 28
(45) (16)	Eitzen Creek	101	5	22, 23
(46) (17)	Ferndale Creek	104	7	29, 30, 31
(47) (18)	Girl Scout Camp Creek	103	7	29, 30
(48) (19)	New York Hollow Creek	101	5	25, 26
(49) (20)	Riceford Creek	101	7	6
	(Fillmore)	102	7	29, 30, 31, 32
(20) (21)	Silver Creek (Winona)	104	6	1, 2, 11, 12, 14
(21) (22)	Storer Creek	104	5	17, 18, 19, 30
(22) (23)	Sullivan Creek	103	5	12, 13, 14, 23, 24, 25, 26
(23) (24)	Swede Bottom Creek	103	6	10
(24) (25)	Thompson Creek	103	4	5, 6, 7
		103	5	12
		104	4	32
(25) (26)	Unnamed Creek	101	4	21
(26) (27)	Unnamed Creek	101	7	6
	(M-9-10-5-3) (Fillmore)			
(27) (28)	Unnamed Creek	102	4	18, 19, 20, 29, 30
(28) (29)	Unnamed Creek	103	7	31
(29) (30)	Wildcat Creek	103	4	26, 27, 28, 29, 32, 33, 34, 35
(30) (31)	Winnebago Creek	101	4	28, 29, 30
		101	5	7, 8, 14, 15, 16, 17, 22, 23, 24, 25
		101	6	12

V. Hubbard county:

[For text of subitems (1) to (9), see M.R.]

(10)	Pokety (Pickadee Creek)	144	32	29, 30
		144	33	24, 25
(11)	Schoolcraft Creek	142	34	5, 7, 8, 17
(12)	Shingobee River (Cass)	141	32	24
(43)	Stall Creek	143	33	12, 13, 14
(44) (13)	Straight River (Becker)	139	34	7
		139	35	4, 5, 6, 9, 10, 11, 12
(45) (14)	Wallingford Brook	139	33	1, 2, 11
		140	33	25, 36

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

Y. Lake county:

[For text of subitems (1) to (34), see M.R.]

(35)	Kennedy Creek	57	7	35, 36
(36)	Kinney Creek	57	10	15, 21, 22, 28, 33
(37) (36)	Knife River (St. Louis)	52	11	4, 5, 8, 9, 17, 18, 19, 31
		53	11	4, 5, 7, 8, 17, 18, 20, 29, 32, 33
		54	11	20, 29, 30, 32

Adopted Rules

(38) <u>(37)</u>	Knife River, W.Br. (St. Louis)	52	11	5, 6, 8
(39) <u>(38)</u>	Knife River, Lit., E.Br.	53	11	17, 20, 21, 22, 27, 33, 34
(40) <u>(39)</u>	Knife River, Lit., W.Br. (St. Louis)	52 53	11 11	5, 6 31
(41) <u>(40)</u>	Leppanen Creek	57	7	15, 21, 22, 28
(42) <u>(41)</u>	Lindstrom Creek	56	7	4
		57	7	19, 30, 31, 32, 33
		57	8	25
(43) <u>(42)</u>	Manitou River	57	6	3, 4, 10, 11
		58	6	4, 5, 6, 7, 8, 16, 17, 18, 20, 21, 28, 29, 32, 33, 34
(44) <u>(43)</u>	Manitou River, N.Br.	58	6	6
		58	7	1, 2
		59	6	31
		59	7	15, 16, 18, 19, 20, 21, 22, 25, 26, 27, 28, 33, 34, 35, 36
		59	8	1, 2, 12, 13, 23, 24, 25, 26
(45) <u>(44)</u>	Manitou River, S.Br.	58	6	6
		58	7	1, 4, 5, 6, 7, 8, 9, 10, 11, 12, 16, 17, 18
		59	7	29, 30, 31, 32, 33
		58	8	1, 2
(46) <u>(45)</u>	Manitou River, Little	57	6	2
		58	6	34, 35
(47) <u>(46)</u>	Marais River, Little	57	6	5, 8, 16, 17, 21
(48) <u>(47)</u>	Mary Ann Creek	58	10	16, 21
(49) <u>(48)</u>	Martin Creek	58	6	2, 3, 11
(50) <u>(49)</u>	McCarthy Creek (St. Louis)	53	11	18
(51) <u>(50)</u>	Mike Kelly Creek	60	11	14, 15, 23
(52) <u>(51)</u>	Mile Post Forty-three Cr.	56	8	2, 3, 9, 10, 11, 13, 14, 15
(53) <u>(52)</u>	Mink Creek	54	9	4, 5, 9
		55	9	30, 31, 32
		55	10	25, 26, 36
(54) <u>(53)</u>	Mitawan Creek	60	9	1, 12
		61	8	5, 6, 7, 18, 19, 31
		61	9	1, 2, 12, 13, 24, 25, 36
		62	9	35
(55) <u>(54)</u>	Moose Creek	59	6	31, 32, 33, 34
(56) <u>(55)</u>	Mud Creek, Little	57	11	11, 12, 14, 22, 23

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Adopted Rules

(57) (56)	Murphy Creek	56	11	4, 5, 8, 17, 18, 19
		57	10	4, 7, 8, 9, 18
		57	11	11, 12, 13, 14, 21, 22, 23, 24, 26, 27, 28, 33, 34
(58) (57)	Nicadool Creek	56	7	7
		56	8	1, 12
		57	8	25, 35, 36
(59) (58)	Nine Mile Creek	58	6	3, 4, 9, 16, 17
		59	6	27, 28, 33, 34
(60) (59)	Nip Creek	59	11	3, 4
		60	11	21, 22, 27, 28, 34
(61) (60)	Nira Creek	61	11	22, 23, 27
(62) (61)	Oliver Creek (Silver)	57	7	5, 6
		57	8	1
		58	7	31, 32
(63) (62)	Palisade Creek	56	7	16, 17, 18, 19, 20, 21, 22
		56	8	24
(64) (63)	Rock Cut Creek	58	6	18, 19, 20
		58	7	13
(65) (64)	Sawmill Creek	57	6	18
		57	7	1, 12, 13, 22, 23, 24, 26, 27, 34
(66) (65)	Schoolhouse Creek	58	7	35, 36
(67) (66)	Scott Creek	59	7	4
		60	7	9, 10, 15, 16, 21, 22, 27, 33, 34, 35
(68) (67)	Section 30 Creek (St. Louis)	63	11	30
(69) (68)	Silver Creek	53	10	6, 7, 16, 17, 18, 21
		53	11	1
		54	10	18, 19, 30
		54	11	11, 12, 13, 25, 36
(70) (69)	Silver Creek, E.Br.	53	10	5, 8, 9, 16, 21
(71) (70)	Skunk Creek	54	9	4, 9, 16, 17, 20
		55	9	19, 29, 30, 32, 33
		55	10	13, 14, 24
(72) (71)	Snake Creek	60	9	6
		60	10	1
		61	9	19, 30, 31
		61	10	24, 25, 36
(73) (72)	Snake River	60	10	3, 4
		61	9	7, 18, 19
		61	10	12, 23, 24, 26, 27, 33, 34
(74) (73)	Sphagnum Creek	60	9	4
		61	9	28, 29, 33
(75) (74)	Split Rock River	54	8	6, 7
		54	9	1, 2, 12
		55	9	26, 28, 34, 35, 36
(76) (75)	Split Rock River, E.Br.	55	9	4, 5, 6, 9, 10, 14, 15, 22, 23, 24, 25, 26
		56	9	30, 31, 32

Adopted Rules

		56	10	1, 11, 12, 13, 14, 23, 24, 25
(77) <u>(76)</u>	Split Rock River, W.Br.	55	9	6, 7, 8, 16, 17, 21, 22, 26, 27, 28
		55	10	1
		56	10	22, 26, 27, 33, 34, 35, 36
(78) <u>(77)</u>	Stanley Creek	52	11	18, 19
(St. Louis)				
(79) <u>(78)</u>	Stewart River	53	10	18, 19, 20, 29
		53	11	2, 3, 10, 11, 13, 14, 15
		54	11	3, 4, 10, 15, 22, 26, 27, 34, 35
(80) <u>(79)</u>	Stewart River, Little	53	10	19, 20, 29
		53	11	9, 15, 16, 22, 23, 24
(81) <u>(80)</u>	Stewart R. (St. Louis)	55	11	7
(82) <u>(81)</u>	Stoney Creek (Rock)	55	9	30
		55	10	20, 23, 24, 25, 27
(83) <u>(82)</u>	Stream Number 30	54	8	5, 6
		55	8	19, 30, 31
(84) <u>(83)</u>	Sullivan Creek	56	11	1, 2, 10, 11, 15
		57	10	19, 30
		57	11	24, 25, 36
(85) <u>(84)</u>	Thirty-nine Cr., Big	56	8	19, 30, 31
		56	9	1, 2, 3, 9, 11, 12, 13, 14, 15, 22, 23, 24, 25
		57	9	22, 26, 27, 35, 36
(86) <u>(85)</u>	Thirty-nine Cr., Little	56	8	6, 7, 8, 17, 18, 19, 20, 29, 30
		56	9	1, 12
(87) <u>(86)</u>	Tikkanen Creek	57	7	5, 6, 8, 16, 17
(88) <u>(87)</u>	Tomlinson Creek	60	7	18, 19, 31
		60	8	24, 25, 36
(89) <u>(88)</u>	Tower Creek	57	7	9
(90) <u>(89)</u>	Trappers Creek	56	11	2, 3, 9, 10, 16, 17, 19, 20
		57	11	35
(91) <u>(90)</u>	Twin Points Creek	54	9	10, 11, 13, 14
(92) <u>(91)</u>	Two Island River (Cook)	59	6	11, 12
(93) <u>(92)</u>	Unnamed Creek	55	8	20, 21, 29, 32, 33
<u>(93)</u>	<u>Unnamed Creek (S-17-6)</u>	<u>53</u>	<u>11</u>	<u>30, 31, 32</u>
<u>(94)</u>	<u>Unnamed Creek (S-17-9)</u>	<u>53</u>	<u>11</u>	<u>5</u>
		<u>54</u>	<u>11</u>	<u>20, 29, 30, 32</u>
(94) <u>(95)</u>	Victor Creek	60	9	12, 13
(95) <u>(96)</u>	Wanless Creek	60	6	27, 33, 34, 35, 36
(96) <u>(97)</u>	Weiss Creek	59	9	2, 3, 11
		60	9	27, 34
(97) <u>(98)</u>	Wenho Creek	58	10	17, 20, 21, 27, 28, 34

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

(98) <u>(99)</u>	Whyte Creek	57	10	1, 2, 11, 14, 23, 26, 27, 34
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[For text of items Z to EE, see M.R.]

FF. Mower county:

(1)	<u>Hamilton Creek</u> <u>(Fillmore)</u>	<u>103</u>	<u>14</u>	1
(2)	LeRoy Trout Pond	101	14	36
(2) <u>(3)</u>	Woodson Creek	102	18	14, 15

[For text of items GG to OO, see M.R.]

PP. St. Louis county:

[For text of subitems (1) to (41), see M.R.]

(42)	Kinney Creek	58	19	11
(43)	Knife River (Lake)	52	12	24, 25, 36
(44) <u>(43)</u>	Knife River, W.Br. (Lake)	52	12	1
		53	12	2, 3, 10, 15, 16, 22, 23, 27, 28, 34, 35, 36
		54	12	35, 36
(45) <u>(44)</u>	Knife River, Little	52	12	16, 17, 21, 22, 23, 26, 27, 28, 35, 36
(46) <u>(45)</u>	Knife River, Lit., W.Br. (Lake)	53	12	13, 14, 23, 24, 25, 26, 36
(47) <u>(46)</u>	Lavi Creek	52	15	21, 28
(48) <u>(47)</u>	Lester River	50	13	4, 5, 8
		51	13	5, 6, 7, 8, 16, 17, 18, 19, 20, 21, 28, 32, 33
		51	14	1, 2, 10, 11, 12 13, 15, 16, 24
		52	13	31, 32
		52	14	21, 22, 23, 27, 28, 34, 35
(49) <u>(48)</u>	Longstorff Creek	62	12	6, 7
		63	12	31
(50) <u>(49)</u>	Lost River	65	19	6
		65	20	1, 2, 3, 4, 5, 6, 7, 8, 12
		65	21	1
		66	20	20, 25, 27, 29, 31, 32, 33, 34, 35, 36
(51) <u>(50)</u>	Marshall Creek	52	15	10, 15
(52) <u>(51)</u>	McCarthy Creek (Lake)	53	12	12, 13
(53)	McNiven Creek	59	19	10, 16, 21, 28, 32, 33
(54) <u>(52)</u>	Midway River (Carlton)	49	15	5, 6
		50	15	7, 8, 14, 15, 16, 17, 20, 21, 22, 23, 28, 29, 32, 33
(55) <u>(53)</u>	Miller Creek	49	14	4
		50	14	6, 18, 19, 29, 30, 32, 33
		50	15	12, 13
		51	14	31, 32

Adopted Rules

(56) <u>(54)</u>	Mission Creek (Carlton)	48	15	5, 6
		49	15	31
(57) <u>(55)</u>	Mud Creek	54	12	20, 21, 22, 29, 30
(58) <u>(56)</u>	Nine Mile Creek	66	19	4
		67	19	7, 8, 18, 19,
				20, 21, 27, 28,
				29, 33
		67	20	12, 13, 14, 23
(59) <u>(57)</u>	Pine River (White Pine River)	50	16	4, 8, 9, 15, 16,
				17, 18, 19, 20,
				21, 29, 30, 32
		50	17	23, 24, 26
(60) <u>(58)</u>	Railroad Creek	50	17	1, 11, 12, 14
(61) <u>(59)</u>	Rocky Run Creek	49	15	6
		50	15	30, 31
		50	16	11, 12, 13, 24, 25
(62) <u>(60)</u>	Ross Creek	52	13	1, 2, 3, 4, 5
		53	13	33
(63) <u>(61)</u>	Ryan Creek	55	14	14, 15, 22
(64) <u>(62)</u>	Sand Creek	60	21	3, 4, 5, 10,
				11, 14
		61	20	19
		61	21	3, 10, 11, 14,
				15, 23, 24, 25,
				26, 27, 33, 34, 35
		62	21	34
(65) <u>(63)</u>	Sargent Creek	48	15	4, 5, 9, 10
		49	15	28, 29, 32
(66) <u>(64)</u>	Schmidt Creek	51	12	17
(67) <u>(65)</u>	Section 30 Cr. (Lake)	63	12	24, 25
(68) <u>(66)</u>	Spider Creek	52	18	19, 20, 21, 22,
				27, 28, 29, 30
		52	19	9, 10, 13, 14,
				15, 24
(69) <u>(67)</u>	Spring Creek	54	12	1, 2
(70) <u>(68)</u>	Stanley Creek (Lake)	52	12	4, 5, 8, 9, 10,
				11, 12, 13
(71) <u>(69)</u>	Stewart Creek	49	15	21, 22, 26, 27
(72) <u>(70)</u>	Stewart River (Lake)	55	12	12, 13
(73) <u>(71)</u>	Stoney Brook (Itasca)	61	21	7, 18
(74) <u>(72)</u>	Sucker River	51	12	3, 4, 10
		52	12	18, 19, 29, 30,
				31, 32, 33
		52	13	1, 12, 13, 24, 25
		53	12	19, 20, 30, 31
		53	13	24, 25, 36
(75) <u>(73)</u>	Sucker River, Little	51	12	2, 3
(76) <u>(74)</u>	Swan Creek, E.	56	20	3, 4, 5, 10, 11
(77) <u>(75)</u>	Swan Creek, Lit.	56	19	17, 19, 20, 30
		56	20	25, 26, 35
(78) <u>(76)</u>	Swan River, E.	55	19	18, 19, 30, 31

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Adopted Rules

		55	20	1, 2, 12, 13
		56	20	2, 3, 11, 14, 23, 26, 27, 35
		57	20	28, 33, 34
(79) (77)	Talmadge Creek	51	12	19
		51	13	9, 10, 13, 14, 15, 24
(80) (78)	Tischer Creek (Congdon Creek/Hartley)	50	14	2, 3, 4, 10, 11, 13, 14
		51	14	29, 33, 34
(81) (79)	Tower Creek	55	14	8, 9, 17, 18, 19
		55	15	24, 25, 26
(82) (80)	Two Rivers, East	61	14	7, 8
		61	15	1, 2, 3, 4, 12
		62	14	29, 30, 31, 32
		62	15	32, 33, 34, 35, 36
(83) (81)	Two Rivers, West	61	15	6, 7, 8, 9, 14, 15, 16, 17
(84) (82)	Ugstad Creek	51	15	21, 22, 26, 27, 28
(85) (83)	Unnamed Creek	65	19	4, 5
		66	19	33
(84)	<u>Unnamed Creek</u>	53	12	25
	<u>(S-17-6) (Lake)</u>			
(86) (85)	Us-kab-wan-ka (Rush)	52	16	2, 11, 14, 23
		53	15	5, 6
		53	16	1, 11, 12, 14, 15, 22, 23, 27, 34, 35
		54	15	23, 24, 26, 27, 32, 33, 34
(87) (86)	Wyman Creek	58	14	3, 4
		59	14	11, 13, 14, 23, 24, 26, 27, 34, 35

[For text of items QQ to YY, see M.R.]

ZZ. Winona county:

[For text of subitems (1) to (40), see M.R.]

(41)	Whitewater R., Mn.Br.	107	10	2, 3, 9, 10
	(Wabasha)	108	10	1, 2, 10, 11, 14, 15, 22, 23, 26, 27, 35
(42)	Whitewater R., Md.Br.	107	10	9, 10, 16, 17, 19, 20, 30
	(Olmsted)			
(42) (43)	Whitewater R., N.Br.	107	10	5, 6, 7, 8, 9
	(Wabasha & Olmsted)			
(43) (44)	Whitewater R., S.Br.	106	9	6
		106	10	1
		107	9	31
		107	10	3, 10, 11, 13, 14, 24, 25, 36

AAA. Yellow Medicine county:

Canby Creek	114	45	17, 18
	114	46	13, 14, 21, 22, 23

Errata

Proposed Rules

Higher Education Services Office

Supplemental Student Loan Table of Contents Correction

The Table of Contents for *State Register* Vol. 20#22 incorrectly stated:

Higher Education Services Office

Supplemental student loans....1229

The correct page number is 1226. A DUAL NOTICE for Nursing Grant Program for Persons of Color and Supplemental Student Loans was printed on page 1226 and the Table of Contents should have reflected this combined notice.

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; Taking of Wild Turkeys During Spring of 1996; December Snow Goose Hunting in Douglas and Otter Tail County Refuges

NOTICE IS HEREBY GIVEN that the above entitled 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 97B.711, 97B.731 and 97B.803.

Dated: 20 November 1995

Rodney W. Sando
Commissioner of Natural Resources

By
Gail Lewellan, Assistant Commissioner of
Human Resources and Legal Affairs

Emergency Rules

Rules as Adopted

6236.0600 SPRING TURKEY SEASON.

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

Subp. 4. **Open areas.** ~~Fourteen Wild turkey zones, numbered between 1 and 30 permit areas,~~ are open ~~during~~ for the spring turkey season ~~as prescribed by the commissioner.~~

Wild Turkey Permit Areas numbered 225; 226; 227; 228-236; 235; 337-338; 339-462; 341-342; 343-347; 344; 345-348; 346; 349; 418; 419; 435; 440; 442; 443; 454-455-456-458; 461; 463; 464-465; and 466-467; are open during the 1996 spring turkey season.

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

6236.0810 WILD TURKEY PERMIT AREA DESCRIPTIONS.

Wild Turkey Permit Areas are comprised of partial, single, or grouped deer and bear Registration Blocks, as established in part 6232.4700, and are described as follows:

- A. Wild Turkey Permit Area 152 consists of Registration Block 152;
- B. Wild Turkey Permit Area 157 consists of Registration Block 157;
- C. Wild Turkey Permit Area 158 consists of Registration Block 158;
- D. Wild Turkey Permit Area 221 consists of Registration Block 221;
- E. Wild Turkey Permit Area 222 consists of Registration Block 222;
- F. Wild Turkey Permit Area 223 consists of Registration Block 223;
- G. Wild Turkey Permit Area 224 consists of Registration Block 224;
- H. Wild Turkey Permit Area 225 consists of Registration Block 225;
- I. Wild Turkey Permit Area 226 consists of Registration Block 226;
- J. Wild Turkey Permit Area 227 consists of Registration Block 227;
- K. Wild Turkey Permit Area 228-236 consists of Registration Blocks 228 and 236;
- L. Wild Turkey Permit Area 235 consists of Registration Block 235;
- M. Wild Turkey Permit Area 244 consists of Registration Block 244;
- N. Wild Turkey Permit Area 251 consists of Registration Block 251;
- O. Wild Turkey Permit Area 286 consists of Registration Block 286;
- P. Wild Turkey Permit Area 297-298 consists of Registration Blocks 297 and 298;
- Q. Wild Turkey Permit Area 337-338 consists of Registration Blocks 337 and 338;
- R. Wild Turkey Permit Area 339-462 consists of Registration Blocks 339 and 462;
- S. Wild Turkey Permit Area 341-342 consists of Registration Blocks 341 and 342;
- T. Wild Turkey Permit Area 343-347 consists of Registration Blocks 343 and 347;
- U. Wild Turkey Permit Area 334 consists of Registration block 344;
- V. Wild Turkey Permit Area 345-348 consists of Registration Blocks 345 and 348;
- W. Wild Turkey Permit Area 346 consists of Registration Block 346;
- X. Wild Turkey Permit Area 349 consists of Registration Block 349;
- Y. Wild Turkey Permit Area 402 consists of Registration Block 402;
- Z. Wild Turkey Permit Area 405 consists of Registration Block 405;
- AA. Wild Turkey Permit Area 406 consists of Registration Block 406;
- BB. Wild Turkey Permit Area 407 consists of Registration Block 407;
- CC. Wild Turkey Permit Area 408 consists of Registration Block 408;
- DD. Wild Turkey Permit Area 409 consists of Registration Block 409;
- EE. Wild Turkey Permit Area 410 consists of Registration block 410;
- FF. Wild Turkey Permit Area 411 consists of Registration Block 411;
- GG. Wild Turkey Permit Area 412 consists of Registration Block 412;
- HH. Wild Turkey Permit Area 413 consists of Registration Block 413;
- II. Wild Turkey Permit Area 414 consists of Registration Block 414;
- JJ. Wild Turkey Permit Area 415 consists of Registration Block 415;
- KK. Wild Turkey Permit Area 416 consists of Registration Block 416;

LL. Wild Turkey Permit Area 417 consists of Registration Block 417;

MM. Wild Turkey Permit Area 418 consists of those portions of Registration Block 418 described as follows: Beginning at the intersection of Interstate Highway 94 (I-94) and County State Aid Highway (CSAH) 10; thence along CSAH 10 in a southerly direction to State Trunk Highway (STH) 23; thence along STH 23 to STH 55, Stearns County; thence along STH 55 to STH 15; thence along STH 15 to I-94; thence along I-94 to the point of beginning;

NN. Wild Turkey Permit Area 419 consists of Registration Block 419;

OO. Wild Turkey Permit Area 420 consists of Registration Block 420;

PP. Wild Turkey Permit Area 421 consists of Registration Block 421;

QQ. Wild Turkey Permit Area 422 consists of Registration Block 422;

RR. Wild Turkey Permit Area 423 consists of Registration Block 423;

SS. Wild Turkey Permit Area 424 consists of Registration Block 424;

TT. Wild Turkey Permit Area 425 consists of Registration Block 425;

UU. Wild Turkey Permit Area 426 consists of Registration Block 426;

VV. Wild Turkey Permit Area 427 consists of Registration Block 427;

WW. Wild Turkey Permit Area 428 consists of Registration Block 428;

XX. Wild Turkey Permit Area 429 consists of Registration Block 429;

YY. Wild Turkey Permit Area 431 consists of Registration block 431;

ZZ. Wild Turkey Permit Area 433 consists of Registration Block 433;

AAA. Wild Turkey Permit Area 435 consists of Registration Block 435;

BBB. Wild Turkey Permit Area 440 consists of Registration Block 440;

CCC. Wild Turkey Permit Area 442 consists of Registration Block 442;

DDD. Wild Turkey Permit Area 443 consists of Registration Block 443;

EEE. Wild Turkey Permit Area 446 consists of Registration Block 446;

FFF. Wild Turkey Permit Area 447 consists of Registration Block 447;

GGG. Wild Turkey Permit Area 448 consists of Registration Block 448;

HHH. Wild Turkey Permit Area 449 consists of Registration Block 449;

III. Wild Turkey Permit Area 450 consists of Registration block 450;

JJJ. Wild Turkey Permit Area 451 consists of Registration Block 451;

KKK. Wild Turkey Permit Area 452 consists of Registration Block 452;

LLL. Wild Turkey Permit Area 453 consists of Registration Block 453;

MMM. Wild Turkey Permit Area 454-455-456-458 consists of Registration Blocks 454 and 455 and 456 and 458;

NNN. Wild Turkey Permit Area 459 consists of Registration Block 459;

OOO. Wild Turkey Permit Area 461 consists of Registration Block 461;

PPP. Wild Turkey Permit Area 463 consists of Registration Block 463;

QQQ. Wild Turkey Permit Area 464-465 consists of those portions of Registration Blocks 464 and 465 described as follows:

(1) Beginning at the intersection of U.S. Highway 218 and U.S. Highway 14, Steele County; thence along U.S. Highway 14 to State Trunk Highway (STH) 13; thence along STH 13 to County State Aid Highway (CSAH) 15, Waseca County; thence along CSAH 15 to CSAH 4, Steele County; thence along CSAH 4 to CSAH 45; thence along CSAH 45 to the point of beginning; and

(2) Beginning at the intersection of County State Aid Highway (CSAH) 12, Steele County and Interstate Highway 35 (I-35); thence along I-35 to U.S. Highway 14; thence along U.S. Highway 14 to CSAH 16; thence along CSAH 16 to State Trunk Highway (STH) 30; thence along STH 30 to CSAH 13, Dodge County; thence along CSAH 13 to U.S. Highway 14; thence along U.S. Highway 14 to STH 57; thence along STH 57 to CSAH 24, Dodge County; thence along CSAH 24 to CSAH 12, Steele County; thence along CSAH 12 to the point of beginning;

RRR. Wild Turkey Permit Area 466-467 consists of Registration Block 467 and those portions of Registration Block 466 described as follows: Beginning at the intersection of County State Aid Highway (CSAH) 29 and State Trunk Highway (STH) 22, Faribault County; thence along STH 22 to the South Boundary of the State; thence along the South Boundary of the State to STH 105; thence along STH 105 to Interstate Highway 90 (I-90) in Austin; thence along I-90 to the point of beginning.

Emergency Rules

Rules as Adopted (all new material)

6236.1060 TURKEY HUNT QUOTAS.

Quotas on hunter numbers are established annually by the commissioner for each Wild Turkey Permit Area and time period. Information on these quotas can be obtained in the application and annual hunting regulations and are as follows:

NUMBER OF TURKEY LICENSES AVAILABLE BY WILD TURKEY PERMIT AREA

1996 WILD TURKEY PERMIT AREA QUOTAS

Wild Turkey Permit Area Number	Time Period and Date						
	A 4/17-21	B 4/22-26	C 4/27-5/1	D 5/2-6	E 5/7-11	F 5/12-16	G 5/17-21
225	10	10	10	10	10	10	10
226	10	10	10	10	10	10	10
227	10	10	10	10	10	10	10
228/236	25	25	25	25	25	25	25
235	15	15	15	15	15	15	15
337/338	25	25	25	25	25	25	25
339/462	40	40	40	40	40	40	40
341/342	275	275	275	275	275	275	275
343/347	160	160	160	160	160	160	160
344	100	100	100	100	100	100	100
345/348	300	300	300	300	300	300	300
346	250	250	250	250	250	250	250
349	350	350	350	350	350	350	350
418	15	15	15	15	15	15	15
419	15	15	15	15	15	15	15
435	15	15	15	15	15	15	15
440	10	10	10	10	10	10	10
442	35	35	35	35	35	35	35
443	20	20	20	20	20	20	20
454/455/456/458	5	5	5	5	5	5	5
461	10	10	10	10	10	10	10
463	8	8	8	8	8	8	8
464/465	15	15	15	15	15	15	15
466/467	15	15	15	15	15	15	15
TOTAL	1733	1733	1733	1733	1733	1733	1733

Grand Total = 12,131 Permits

Rules as Adopted**6240.0650 [Emergency] TAKING OF GEESE AND BRANT.**

[For text of subps 1 to 8, see 20 S.R. 496-498]

Subp. 9. **Game refuges open to taking of geese.** The Douglas County Goose Refuge in Douglas County, the Fox Lake Game Refuge in Martin County, the Sauk Rapids-Rice Goose Refuge in Benton County, the Saint James Game Refuge in Watonwan County, and the Otter Tail County Goose Refuge in Otter Tail County are open to Canada goose hunting during the early goose season and as follows:

[For text of items A and B, see 20 S.R. 496-498]

C. The Douglas County Goose Refuge and the Otter Tail County Goose Refuge are open to Canada, snow, blue, and ross's goose hunting December 9 through December 18, 1995. Taking waterfowl from public roads and their rights-of-way is prohibited.

[For text of subp 10, see 20 S.R. 496-498]

REPEALER. Minnesota Rules, part 6236.0800, is repealed.

EXPIRATION DATE. The amendments to Minnesota Rules, parts 6236.0600 and 6236.1060 are effective through November 30, 1996.

Executive Orders**Executive Department****Emergency Executive Order 95-12: Declaring a State of Emergency in the State of Minnesota**

I, JOANNE E. BENSON, LIEUTENANT GOVERNOR OF THE STATE OF MINNESOTA, by virtue of the authority vested in me by the Constitution and the applicable statutes, do hereby issue this Emergency Executive Order:

WHEREAS, during the period of October 23 through October 24, 1995, a severe early winter storm with high winds, freezing rain, and heavy, wet snow swept across western Minnesota; and

WHEREAS, these storms have inflicted widespread and considerable damage to the public infrastructure including private non-profit electric cooperatives, as well as to homes and farms; and

WHEREAS, as a result there is a threat to public safety for citizens in the counties of Big Stone, Stevens, Swift, and Traverse; and

WHEREAS, the resources of local government and private relief agencies are being fully utilized to respond to the crisis; and

WHEREAS, these resources are expected to be exhausted as the recovery process continues;

NOW, THEREFORE, I hereby order that:

A State of Emergency exists in the State of Minnesota and do direct the Division of Emergency Management, in conjunction with the Federal Emergency Management Agency and other state and federal agencies, to determine the need for supplementary disaster aid and to coordinate the provision of any such assistance as necessary under existing state and federal authority.

Pursuant to *Minnesota Statutes* 1994, Section 4.035, subd. 2, this Order is effective immediately and shall remain in effect until rescinded by proper authority or it expires in accordance with *Minnesota Statutes* 1994, Section 4.035, subd. 3.

IN TESTIMONY WHEREOF, I have set my hand this twenty-seventh day of November, 1995.

Joanne E. Benson
Lieutenant Governor

Filed According to Law:
Joan Andereson Growe
Secretary of State

Official Notices

Pursuant to the provisions of Minnesota Statutes §14.101, 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.

Agricultural and Economic Development Board

Notice of Public Hearing on Proposed Project and the Issuance of Bonds Under *Minnesota Statutes* 1986, Chapter 116M and *Minnesota Statutes*, Chapter 41A

NOTICE IS HEREBY GIVEN that the Minnesota Agricultural and Economic Development Board (the "Board") or its designated representative, shall meet on **December 19, 1995, at 9 a.m. o'clock**, at 500 Metro Square, 121 7th Place East, St. Paul, Minnesota, for the purpose of conducting a public hearing on a proposed issue of bonds (the "Bonds") and the provision of other financial assistance under *Minnesota Statutes* 1986, Chapter 116M, and *Minnesota Statutes*, Chapter 41A, as amended (the "Act"), to undertake and finance a project on behalf of Waymar Properties, L.L.P., a Minnesota limited liability partnership, Waymar Industries, Inc. a Minnesota corporation and Waymar Properties, Inc., a Minnesota corporation (collectively, the "Applicant"). Such persons as desire to be heard with reference to said issue of Bonds will be heard at this public hearing.

The project to be financed consist of the acquisition, construction and equipping of a manufacturing facility in the City of Burnsville, Minnesota at 14400 West Southcross Drive, Burnsville, Minnesota (the "Project"). The initial owner of the Project will be one of the parties identified above as the "Applicant" and this Project is expected to be operated and managed by one of the parties identified above as the "Applicant." It is contemplated that the Project will be used primarily for the manufacture of furniture primarily for restaurants and related activities. The estimated amount of the Board's proposed bond issue is an amount not to exceed \$6,000,000. The Bonds shall be limited obligations of the Board, the Bonds and the interest thereon shall be payable solely from the revenue pledged to the payment thereof, and mortgage or security interest or other security arrangements to be established by or on behalf of the Applicant. In addition, the Bonds and the Project may be subsequently considered by the Board for financial assistance to be provided by the Economic Development Fund created and established under *Minnesota Statutes* 1986, Chapter 116M or other financial or special assistance from the Board. Notwithstanding the foregoing, no holders of any such Bonds shall ever have the right to compel any exercise of the taxing powers of the State of Minnesota or any political subdivision thereof to pay the Bonds or the interest thereon nor to enforce payment against any property of said State or said political subdivision.

A copy of the Application to the Board for approval of the Project, together with all attachments and exhibits thereto and a copy of the Board's resolution accepting the Application and accepting the Project is available for public inspection at the offices of the Board at 500 Metro Square, 121 7th Place East, Saint Paul, Minnesota from the date of this notice to the date of the public hearing hereinabove identifies, during normal business hours.

Dated: 30 October 1995

By Order of the Members of the
Minnesota Agricultural and
Economic Development Board
Paul Moe, Executive Director
Minnesota Agricultural and
Economic Development Board

Department of Children, Families and Learning

Notice of the Availability of Local Funding Consolidation: Preliminary Guidelines

The 1995 Legislature (1995 First Special Session, Chapter 3, Article 16) authorized a local grantee that receives funds from select grant programs currently administered by the Departments of Children, Families and Learning (formerly the Department of Education), Human Services, Economic Security, Corrections, Public Safety and Minnesota Planning to elect to consolidate all or a portion of these funds in a local collaboration funding plan. "Local Funding Consolidation: Preliminary Guidelines" have been developed and are available at the request of any party. The newly created Department of Children, Families and Learning seeks to increase the capacity of communities to improve the well-being of children and families. Local consolidation of funding is a resource management tool which will be of assistance in this regard. For a copy of these guidelines, contact: Tom Rice, Minnesota Department of Finance, Centennial Office Building, 658 Cedar Street, St. Paul, MN 55101 612-296-6661 Fax: 612-296-8685.

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

Office Meeting Notice

The Executive Council, State Board of Investment and the Land Exchange Board will meet on Wednesday, December 20, 1995 at 8:30 A.M. in Room 112, State Capitol, Saint Paul, MN.

The Investment Advisory Council will meet on Tuesday, December 12, 1995 at 2:00 P.M. in Suite 105, 55 Sherburne Avenue, St. Paul, MN.

Department of Labor and Industry

Labor Standards Division

Notice of Prevailing Wage Certifications for Commercial Construction Projects

Effective December 4, 1995 prevailing wage rates were determined and certified for commercial construction projects in the following counties:

Hennepin: Minneapolis Schools Life/Fire Safety & Assessability Renovations/Putnam, Waite Park and Pillsbury-Minneapolis; Southwest Terminal Public Areas-MSP Int'l Airport; Annual Contract U of M-Mpls.

Ramsey: Annual Contract U of M-St Paul; Centennial Building Accessibility Modifications-St Paul; Judicial Building Accessibility Modifications-St Paul.

St Louis: Hoyt Lakes Community Building-Hoyt Lakes.

Copies of the certified wage rate 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.

Gary W. Bastian, Commissioner

Department of Labor and Industry

Labor Standards Division

Notice of Corrections to Prevailing Wage Rates

Prevailing wage rates were determined and certified November 20, 1995, for:

- 101-Laborer
- 401-Heat & Frost Insulators
- 404-Carpenter
- 405-Carpet Layer
- 407-Electrician
- 417-Pipefitter/Steamfitter
- 419-Plumber
- 422-Sprinkler Fitter
- 425-Drywall Taper

Project: Combining Units Remodeling-Grand Rapids has been corrected.

Copies of the corrected certification may be obtained by contacting the Minnesota Department of Labor and Industry, Prevailing Wage Section, 443 Lafayette Road, St. Paul, Minnesota 55155-4306, or calling, (612) 296-6452.

Gary W. Bastian, Commissioner

Official Notices

Northern States Power

Notice of Acid Rain Program Designated Representative

NOTICE IS HEREBY GIVEN that, pursuant to *Code of Federal Regulations* Title 40, Part 72, I am the Designated Representative for Inver Hills Plant units 7 and 8, which are Acid Rain Program affected sources at Northern States Power Company. Notice also is given that Pamela K. Graika is the Alternate Designated Representative for these sources, as of December 5, 1995. If there are questions, call Nancy Stafki at (612) 330-5520.

Martin F. Dinville
General Manager, Combustion and Hydro
Northern States Power Company

Department of Public Safety

Emergency Response Commission

Notice of 1996 Meeting Dates

The **Emergency Response Commission meetings** are held regularly on the second Thursday of the month. Normal business includes policy, administrative, and enforcement actions regarding emergency planning for hazardous materials and community information on storage, use, and release of hazardous materials.

1996 meeting dates are:

Date	Site*
February 8, 1996	B-5, State Capitol
March 7, 1996	Governor's Emergency Mgt. Conference
April 11, 1996	B-5, State Capitol
May 9, 1996	B-5, State Capitol
June 13, 1996	300 State Office Building
August 8, 1996	300 State Office Building
September 12, 1996	300 State Office Building
October 10, 1996	300 State Office Building
November 14, 1996	300 State Office Building
December 12, 1996	300 State Office Building

* Site may be subject to change. All meetings will be held at 9:30 a.m. For additional information on the meetings or on hazardous materials, please contact the Commission at (612) 297-7372.

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 Thursday, December 14, 1995 at 8:00 a.m. at Allina Health System, 5601 Smetana Drive, Minnetonka. The meeting will be in room 300, Allina Conference Center, on the third floor.

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

Office of the Secretary of State

Notice of Vacancies in Multi-Member Agencies

NOTICE IS HEREBY GIVEN to the public that vacancies have occurred in multi-member state agencies, pursuant to *Minnesota Statutes* 15.0597, subdivision 4. Application forms may be obtained from the Office of the Secretary of State, Open Appointments, 180 State Office Building, 100 Constitution Ave., St. Paul, MN 55155-1299; (612) 297-5845, or in person at Room 174 of the State Office Building. In accordance with the Minnesota Open Appointments Law, the Secretary of State acts as an administrator in publishing vacancies, receiving applications, and recording appointments. Applications will be reviewed and appointments made by the Appointing Authorities for these various agencies. Completed applications are to be submitted to the Secretary of State by December 26, 1995. Appointing Authorities for these agencies may also choose to review applications received by the Secretary of State after that date. Applications are kept on file for a one year period.

The 1994 Annual Compilation and Statistical Report is now available from the Minnesota Bookstore. This publication includes a complete listing of state boards and councils that follow the Open Appointments process, descriptions of these agencies and their memberships, and statistical information about appointments and vacancies made during the 1994 fiscal year. The 1994 Annual Compilation also indicates members with terms that end in January 1995 as open for application; many of these positions may still be open. To order copies of the 1994 Annual Compilation please call the Minnesota Bookstore at 297-3000 or 1-800-657-3757.

BOARD OF ARCHITECTURE, ENGINEERING, LAND SURVEYING, LANDSCAPE ARCHITECTURE, GEO-SCIENCE, AND INTERIOR DESIGN 133 7th St. E., St. Paul, MN 55101-2333. 612-296-2388. *Minnesota Statutes* 326.04.

APPOINTING AUTHORITY: Governor (01).

COMPENSATION: \$55 per diem plus expenses.

VACANCY: One vacancy: Public member.

The board licenses and regulates architects, engineers, land surveyors, landscape architects and certifies interior designers. The board consists of twenty-four members including three licensed architects, five licensed engineers, two licensed landscape architects, two licensed land surveyors, two certified interior designers, and eight public members. Not more than one member may be from the same branch of the profession of engineering. Each professional member must have ten years of experience and shall have been in responsible charge of work for at least five years. Meetings a minimum of four times a year on the second Monday of January and the third Monday of April, July and October. Members must file with the Ethical Practices Board. The board does not expire.

BOARD OF PEACE OFFICER STANDARDS AND TRAINING Suite 200, 1600 University Ave., St. Paul, MN 55104-3828. 612-643-3060. *Minnesota Statutes* 626.841.

APPOINTING AUTHORITY: Governor (01).

COMPENSATION: \$55 per diem.

VACANCY: One vacancy: Public member for a term expiring in January, 1999.

The board licenses peace officers and part-time peace officers, establishes minimum qualifications and standards of conduct, and regulates professional peace officer education and continuing education for peace officers. The board consists of fifteen members, including two sheriffs, four municipal police officers (at least two chiefs of police), two peace officers, one who is a member of the Minnesota Trooper's Assn.; the superintendent of the Bureau of Criminal Apprehension is an exofficio member; two members from peace officers or former peace officers currently employed in a professional peace officer education program; one member from among administrators of Minnesota colleges or universities that offer professional peace officer education; one member from among elected city officials from cities of under 5,000; two members from among the general public. Monthly meetings. Members must file with the Ethical Practices Board. The board does not expire.

MEDICAL SERVICES REVIEW BOARD Dept. of Labor and Industry, Special Compensation Fund, 443 Lafayette Rd., St. Paul, MN 55155. 612-297-4404. *Minnesota Statutes* 176.103.

APPOINTING AUTHORITY: Commissioner of Labor and Industry (18).

COMPENSATION: \$55 per diem plus expenses.

VACANCY: One vacancy: Labor representative.

The board advises the Department of Labor and Industry on medical matters relating to workers' compensation, makes determinations on inappropriate, unnecessary or excessive treatment under *Minnesota Statutes* 176.103, subd. 2, and may issue penalties for violation of rules following a contested case procedure under chapter 14 under *Minnesota Statutes* 176.103, subd. 3. Members include two chiropractic members, one hospital administration member, six physician members, one employee member, one employer or insurer member, one physical therapist, and one public member plus alternates. The Commissioner or his designee serves as an ex-officio member. Members must file with the Ethical Practices Board. The board does not expire.

Official Notices

MINNESOTACARE REGIONAL COORDINATING BOARDS 121 E. 7th Pl., P.O. Box 64975, St. Paul, MN 55164-0975. 612-682-6328. *Minnesota Statutes* 62J.09.

APPOINTING AUTHORITY: Governor (01).

COMPENSATION: None, Expenses only.

VACANCY: One vacancy: Health plan company representative from the 7 county metropolitan area.

The state has been divided into six regions and a Regional Coordinating Board has been formed for each region. The boards are locally controlled and may perform the following activities: undertake voluntary activities to educate consumers, providers, and purchasers about community plans & projects promoting health care cost containment; consumer accountability, access, quality & efforts to achieve public health goals make recommendations on ways to improve the affordability, accessibility and quality of health care in the region and throughout the state; provide technical assistance to parties interested in establishing or operating a community integrated service network or integrated service network must complement assistance provided by the commissioner under sect. 62N.23; advise the commissioner on public health goals, taking into consideration the relevant portions of the community health service plans, plans required by the Minnesota comprehensive adult mental health act, & the community social service act plans developed by the county boards or community health boards in the region under chapters 145A, 245, & 256E; prepare an annual regional education plan that is consistent with and supportive of public health goals identified by community health boards in the region; & serve as advisory bodies to identify potential applicants for federal Health Professional Shortage Area & federal Medically Underserved Area designation as requested by the commissioner. The plans must recommend appropriate structure for organizing the health systems to achieve cost containment objectives of the 1992 health care reform legislation, recommend sanctions & process voluntary agreements between providers, & recommend expenditures for major capital, new technologies & medical practices. The Regional Coordinating Boards shall adopt regional public health goals. Managed care organizations will jointly develop a plan for achieving public health goals with RCBs, local public health units & other local organizations providing health services within the service area of the managed care organizations. Health plan action plans & collaboration plans may be reviewed by RCBs. RCBs shall provide technical assistance to parties interested in establishing or operating an ISN or CISN within a region.

Each board consists of 17 members, including: 4 representing health care providers, each appointed by the Minnesota Medical Association, the Minnesota Hospital Association, the Minnesota Nurses Association, and one appointed by the Governor to represent providers other than nurses, hospitals and physicians; 4 representing Health Plan Companies who provide coverage for residents of the region - one elected by a vote of all health insurers providing coverage in the region, one elected by a vote of all HMO's providing coverage in the region, one appointed by Blue Cross & Blue Shield of Minnesota, and one appointed by the Governor; 3 representing employers in the region to be selected by a vote of the employers who are members of chambers of commerce in the region, at least one must represent self-insured employers; 1 represent employee unions to be appointed by the AFL-CIO Minnesota, to be either a union member residing or working in the region or who is a representative of a union that is active in the region; 3 consumer members, one elected by the community health boards in the region (each community health board has 1 vote), one elected by the state legislators with districts in the region, and one appointed by the Governor; 1 county board member elected by all the county board members in the region (each county board has 1 vote); and one state agency commissioner representative to be appointed by the Governor. Meeting schedule and locations are different for each of the six boards and are available upon request. The boards expire effective July 1, 2000 per M.S. 62J.09.

MINNESOTA ACADEMIC EXCELLENCE FOUNDATION 971 Capitol Square Bldg., St. Paul, MN 55101. 612-297-1875. *Minnesota Statutes* 121.612.

APPOINTING AUTHORITY: Governor (01).

COMPENSATION: None.

VACANCY: One vacancy: Education representative for a term that expires January, 1997.

The foundation is a nonprofit, public-private partnership, created in 1983 by legislative statute to be the primary advocate for the promotion and recognition of academic excellence in all schools and communities in the state of Minnesota. MAEF coordinates and supports initiatives which promote: Systemic change to increase student learning; Societal values which demand academic achievement by all learners; Increased student and family/guardian expectations for academic learning; Expanded opportunities for academic learning and recognition; Partnerships between education, business and government to support the work of MAEF. The board of directors consists of a member of the State Board of Education who shall serve as chair, the Commissioner of the Dept. of Education, and twenty members including eight who represent various education groups and twelve who represent various business groups. Members serve four year terms and are responsible for securing resources for the foundation and for establishing policies to guide operations of the foundation. Meetings are held at the State Capitol or at the Capitol Square Building. The board does not expire.

MINNESOTA BOARD OF NURSING 2700 University Ave. W., #108, St. Paul, MN 55114. 612-642-0567. *Minnesota Statutes* 148.181.

APPOINTING AUTHORITY: Governor (01).

COMPENSATION: \$55 per diem plus expenses.

VACANCY: One vacancy: Registered nurse in long-term care.

The board licenses professional and practical nurses, registers public health nurses, disciplines licensees, renews licenses, approves nursing schools, lists professional nursing organizations which certify certain advanced nurse specialists for the purpose of third party reimbursement and identifies nurse practitioners and clinical specialists in psychiatric and mental health nursing eligible to prescribe drugs and therapeutic devices. The board consists of sixteen members, all of whom must be residents of Minnesota. The membership includes eight RNs, four LPNs, and four public members. RN and LPN members must have graduated from an approved school of nursing, be licensed and currently registered in Minnesota and have at least five years experience in nursing practice, administration or nursing education immediately preceding appointment. One RN must have executive or teaching experience in a baccalaureate degree nursing program, one RN must have executive or teaching experience in an associate degree nursing program, one RN must have executive or teaching experience in a practical nursing program; these programs must be approved by the board and at least two years experience must have occurred during the five years immediately preceding appointment. One RN must have national certification as a registered nurse anesthetist, nurse practitioner, nurse midwife, or clinical nurse specialist, and one RN must be practicing professional nursing in a nursing home at the time of appointment. Four of the eight RNs must have at least five years of experience in nursing practice or nursing administration immediately preceding appointment. The four LPNs must have had at least five years experience in nursing practice immediately preceding appointment. The four public members must be public members as defined by *Minnesota Statutes* 214.02. A member may be reappointed but may not serve more than two full terms consecutively. The governor shall attempt to make appointments to the board that reflect the geography of the state. Board members who are nurses should reflect the broad mix of practice types and sites of nurses practicing in Minnesota. Meetings at least six times a year (February, April, June, August, October, and December). Members must file with the Ethical Practices Board. The board does not expire.

MINNESOTA COMMISSION SERVING DEAF AND HARD OF HEARING PEOPLE Dept. of Human Services, 444 Lafayette Rd., St. Paul, MN 55155-3814. 612-297-7305 TDD & voice. *Minnesota Statutes* 256C.28.

APPOINTING AUTHORITY: Commissioner of Human Services (15).

COMPENSATION: \$55 per diem.

VACANCY: One vacancy: Representative of the Advisory Committee for the Southwest (St. Peter) Regional Service Center for the Deaf and Hard of Hearing People. Three year term.

The commission advises the Commissioners of the Departments of Human Services, Education, Economic Security, and Health, the Governor and legislature, regarding policies, programs, services affecting deaf and hard of hearing citizens and creates public awareness of the needs and potential of deaf and hard of hearing people. The commission includes fifteen members, seven of whom are appointed at-large, plus one member from each advisory committee under section 256C.24, subd. 3. At least fifty percent of the members must be deaf or hard of hearing. Terms are for three years. Members may not serve more than two consecutive terms. Members who are full time state employees or full time employees of political subdivisions of the state will not receive the per diem. Meetings are usually held in St. Paul at 444 Lafayette Rd., with occasional meetings in other cities around the state. There are four to five full commission meetings each year with numerous sub-committee meetings. The commission does not expire.

SCHOOL BUS SAFETY ADVISORY COMMITTEE Department of Public Safety, North Central Life Tower, Suite 1000, 445 Minnesota St., St. Paul, MN 55101. 612-296-8453. *Laws of 1994*, Chapter 647.

APPOINTING AUTHORITY: Governor (01), Commissioner of Public Safety (23).

COMPENSATION: \$55 per diem, plus expenses.

VACANCY: One vacancy: Parent whose child rides a bus.

The committee shall report to the Governor and legislature on issues of school bus safety. The committee consists of seventeen members including: the Commissioner of Education or designee, the Commissioner of Human Rights or designee, a county or city attorney, a representative of the state patrol, a school board member, a school superintendent, two school bus drivers, one representing the metropolitan area and one representing greater Minnesota, two school transportation contractors, one representing the metropolitan area and one representing greater Minnesota, two school transportation safety directors, one representing the metropolitan area and one representing greater Minnesota. The Commissioner of Public Safety, in consultation with the Commissioner of Education, shall appoint these members. The Governor shall appoint five public members, including at least four parents of children who ride a school bus, among them a parent of a child with a disability. The public members shall be geographically representative. The Commissioner of Public Safety or designee shall chair the committee. The committee shall meet quarterly or as required by the chair. Meeting location and schedule is not determined at this time. The committee expires June 30, 1997 per *Minnesota Statutes* 15.059, subd. 5 as amended by *Laws of 1993*.

Board of Teaching

Request for Comments: Planned Rules Governing Teacher Licensure

Subject of Rules. The Board of Teaching (Board) requests comments on its planned rules governing teacher licensure. The Board is considering rules that place emphasis on teachers' knowledge and skills, rather than on courses and credits, as the criteria for granting initial teaching licenses. These planned rules will reduce the number of existing licensure fields and permit teachers holding these licenses to teach a greater age/grade level of students.

Persons Affected. The adoption of the rules would likely affect the following:

- (1) future applicants for teacher licensure, and
- (2) colleges and universities approved by the Board of Teaching to offer teacher licensure programs.

The Board does not contemplate appointing an advisory committee to comment on the planned rules. However, communities are providing input to the Board in formulation of these planned rules.

Statutory Authority. *Minnesota Statutes*, section 125.185 requires the Board to adopt rules to license public school teachers. *Laws of Minnesota* 1993, Chapter 224, Article 12, Section 34, as amended by *Laws of Minnesota* 1994, Chapter 647, Article 8, Section 39, repeals Board of Teaching licensure rules and requires that rules adopted by the Board of Teaching regarding licensure of teachers "shall, to the extent possible, be outcome-based and clearly related to the results-oriented graduation rule."

Public Comment. Interested persons or groups may submit comments or information on these planned rules in writing or orally until 4:30 p.m. on March 1, 1996. The Board has not yet prepared a draft of the planned rules. Written or oral comments, questions, requests to receive a draft of the proposal when it has been prepared, and requests for more information on these planned rules should be addressed to:

Judith A. Wain, Executive Secretary
Minnesota Board of Teaching
608 Capitol Square Building
550 Cedar Street
St. Paul, MN 55101
Office (612) 296-2415
FAX (612) 282-2403
TDD (612) 297-2094

Comments submitted in response to this notice will not be included in the formal rulemaking record when a proceeding to adopt a rule is started.

Dated: 22 November 1995

Judith A. Wain
Executive Secretary

Department of Transportation

Office of Railroads and Waterways

Amended Notice of Solicitation of Outside Information or Opinions Regarding Proposed Rules Governing the Establishment, Vacation, Relocation, Consolidation, and Separation of Grades at Public Grade Crossings, Minimum Standards for Visibility at Public and Private Grade Crossings, Minimum Safety Standards for Private Grade Crossings, and the Revision of Existing Rules Governing Railroad Operations

NOTICE IS HEREBY GIVEN that the State Department of Transportation [Department] is seeking information or opinions from sources outside the agency in preparing to propose the adoption of rules governing railroad operations in Minnesota. The adoption of the rules is authorized by *Minnesota Statutes*, section 219.073, which requires the Commissioner to adopt rules that contain standards governing the establishment, vacation, relocation, consolidation, and separation of grade at public crossings; *Minnesota Statutes*, section 219.165, which requires the Department to adopt rules establishing minimum safety standards at all private railroad grade crossings in the state; and *Minnesota Statutes*, Section 219.384, subdivision 1, which requires the

Commissioner to adopt rules establishing minimum standards for visibility at public and private grade crossings. The adoption of the rules is also authorized by *Minnesota Statutes*, section 219.17, which requires the Commissioner to adopt rules requiring that uniform warning signs be placed at grade crossings; *Minnesota Statutes*, section 222.50, subdivision 3, which requires the Commissioner to adopt rules to carry out the purposes of the Rail Services Improvement Program; *Minnesota Statutes*, section 222.58, which authorizes the Commissioner to insure any eligible loan under the Rail User and Rail Carrier Loan Guarantee Program under such terms as the Commissioner shall prescribe by rules; and *Minnesota Statutes*, section 222.63, subdivision 7, which requires the Commissioner to adopt rules necessary to establish criteria for properties eligible for inclusion in the state rail bank.

The proposed rules will establish criteria for the establishment, vacation, relocation, consolidation, and separation of grades at public grade crossings; minimum standards for visibility at public and private grade crossings; and minimum safety standards for private grade crossings. These rules also make revisions to the existing rules governing the Rail Service Improvement Program, the State Rail Bank Program, the Rail User and Rail Carrier Loan Guarantee Program, and other rules affecting railroad operations.

The types of groups and individuals likely to be affected by these rules include: rail carriers, Regional Railroad authorities, local units of government, possibly other state agencies, and shippers who use rail carriers.

The Department requests information and opinions concerning the subject matter of the rules.

Interested persons or groups may submit data or views on the subject matter of concern in writing or orally. Written statements should be mailed or faxed to:

Robert Swanson
Office of Railroads and Waterways
Mailstop 470
395 John Ireland Blvd.
St. Paul, Minnesota 55155
FAX: (612) 297-1887

Oral statements will be received during regular business hours over the telephone at (612) 296-2472 and in person at the above address.

All statements of information and opinions shall be accepted until February 9, 1996. Any written material received by the Department shall become part of the rulemaking record to be submitted to the attorney general or administrative law judge in the event that the rules are adopted.

There are drafts of the proposed rules currently available. Drafts of the proposed rules may be obtained from the Department by requesting them from Robert Swanson at the above telephone number and address.

Dated: 20 November 1995

James N. Denn
Commissioner

Professional, Technical & Consulting Contracts

State Grants

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

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

Department of Economic Security

Division of Community Based Services

Dislocated Worker Unit Pilot Program

Eligible organizations interested in taking part in a pilot program in accordance with Section 268.9783 of the *Laws of Minnesota*, may apply to the Minnesota Department of Economic Security (MDES), Dislocated Worker Unit. The pilot program is for the purpose of providing skill based training, for dislocated workers and workers "at risk" of dislocation, that will result in stable employment opportunities.

Participating businesses must demonstrate a need for training assistance and are required to match State resources dollar for dollar. Approximately 1.4 million dollars are available through June 30, 1996. The Governor's Workforce Development Council will review requests for funding in January and May of 1996.

Interested parties may obtain a grant application containing complete proposal requirements from the Dislocated Worker Unit at 390 N. Robert St., St. Paul, MN 55101. The contact for this project is Connie McGowan, 612-297-1965. Grant applications must be received on or before 4:30 PM on Friday, January 5, 1996 to be considered for funding in January of 1996. Limited assistance is available to applicants. Verbal instructions or explanations are not binding on the State or the Department. The submission of an application does not obligate the State of Minnesota or the MDES in any respect with regard to selection of projects for funding or costs incurred in the application process.

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].

Department of Human Services

Request for Information (RFI): Information Sought from Software Providers Regarding Knowledge Base Support for Help Desk Services

Introduction: The State of Minnesota, Department of Human Services (DHS), would like interested software providers to be aware that it intends to initiate a project to enhance its policy application and systems help desk functions with particular emphasis on building knowledge-base support.

Overview of RFI: The Department of Human Services is responsible for the administration of a variety of health care, family support, social services, and residential programs. These programs are delivered through an array of public and private agencies. In delivery of service, staff in these agencies need clarifications and interpretations of program procedures and policy. Several help desks have been setup to respond to questions.

Users in all 87 counties along with DHS and other staff, including contract staff, must be able to readily access the knowledge

Professional, Technical & Consulting Contracts

base and DHS Help Desks. All counties currently use MAXIS - our automated welfare computer system and MMIS II (Minnesota Medicaid Information System) via a mainframe computer system. An overview of MAXIS and MMIS II are available to interested parties.

DHS is requesting formal letters of interest and additional information from software providers regarding automation of policy interpretations of welfare programs in a knowledge-base system. DHS is interested in how a knowledge-base system can work in conjunction with other Help Desk support tools. The primary goals in seeking this information are to:

1. Provide multiple methods for users to get answers to their questions (e.g. telephone, IVR, fax back, e-mail response, on-line), with emphasis on user help and electronic technology;
2. Provide fast response to a user's questions; and,
3. Improve capture into a knowledge base of responses to user questions.

Current Process: Currently, our Policy Centers and Help Desks operate independently of one another. The Policy Center operates under a manual system. County staff request a policy interpretation (PI) via phone, FAX, or mail. The PI is typed, logged, and assigned to Policy Center staff. Policy Center staff search an in-house system (ZyIndex) to see if this PI has been previously answered. If additional research is required, a paper copy is forwarded to the appropriate person. Once a response has been established, the answer is typed and logged into ZyIndex. The final copy and draft are manually filed by program and date. Responses are communicated to the counties by mail or FAX.

MAXIS system problems are reported to the MAXIS Help Desk by phone or by MAXIS e-mail. We discourage answering policy questions through our Help Desk unless it is not possible to discuss the system problem without addressing the policy that drives the system. An automated call distribution (ACD) phone system by ROLM is used. Hardware and other problems that are unable to be resolved at the Help Desk level are referred manually to appropriate staff via a paper trouble ticket created in Netman (a software system). Once the problem has been resolved, the trouble ticket is returned to the Help Desk and answers are communicated by MAXIS e-mail or phone. The trouble ticket is then closed out. There is no formal retention method for these trouble tickets once they have been resolved.

Envisioned System: The long term vision for this system is that end users would be able to first check all known resources to see if their question can be resolved through manual material or other instructions previously published. A user friendly (i.e. requires minimal or no training to use) search tool would accept keyword and boolean search criteria and search related policy interpretations, published instructional bulletins, procedure manuals, systems manual and/or policy manuals depending on a selected scope of the search.

If users cannot find the answer to their question through this search, end users would have one central place in DHS to submit a question whether it be a policy or systems problem. The question may be submitted either through a sub-function of the search screen or through other media such as telephone, e-mail, fax, or paper. Once a question is received it is logged into a database and may be automatically assigned, identified as a "priority", or stored in a work pool. The Help Desk/Policy Center team would review the question and determine if the team can assist at the first level of support. If it needs to be referred for further research, this will be done online. Once a resolution has been determined, the end user is notified electronically. The response will be stored in a knowledge base available to all. A response may be so unique or private that its access may need to be restricted. The knowledge base must be easily updated and deleted as policies and procedures change. Associated with the knowledge-base could be a call tracking system.

The following are some of the top priorities for an automated system and knowledge base:

1. **User Friendly.** Anyone using the system should be able to search and navigate easily with minimal or no training. The search capability should include any of a number of fields. Users should be able to view all of the policy queries in the knowledge base instead of read only access of their own submissions. Help keys and prompts are a necessary part of the system. Codes should not be complex.
2. **Tracking System.** The ability to log, locate and follow a query through its processing and resolution. The ability to inquire by one or a combination of identifying data is necessary.
3. **Accessible** - The ability to be accessed by our customers (i.e. currently county personnel) and the capability to handle multiple users at the same time. In the long run, it needs to be accessible by users outside of county government.
4. **Ease of Maintenance** - The maintenance and monitoring of the system should require minimal steps. It must be easy to delete entire programs or subjects on the knowledge base to reflect policy and systems changes, with the ability to archive information.
5. **Online Functions** - For online referral, review and approval of queries and trouble tickets, with the ability to notify the user when the answer is complete. Multiple levels of security for accessing data is needed. Security levels must be customized. Automatic notification and escalation are required.

Professional, Technical & Consulting Contracts

6. **Report Features** - The ability to generate standard reports as well as ad hoc query features is necessary.

Vendors may respond to all or part of this request and may act as a general contractor in building the support function. Vendors may propose phased implementation. DHS is looking for an open architecture for this system with interfaces to other support tools such as the telephone system. DHS is very interested in low operating costs. Technically, the system must initially operate within the DHS local area and wide area networks. These are Novell IPX and TCP/IP within DHS central office and SNA 3270 to counties. TCP/IP is available to some counties at this time and will be generally available within two years. TCP/IP using a PPP connection is available now to counties. MMIS and MAXIS are both 3270, mainframe applications.

Providing Information to Vendors: DHS will conduct a vendor conference at the following time and place, at which it will provide additional information and answer vendor questions:

Thursday, January 4, 1996 at 1:30
Conference room 2A&B
Human Services Building
444 Lafayette Road
St. Paul, MN 55155

Receiving Information from Vendors: In addition to the vendor conference noted above, DHS would like to receive information from any vendor who wishes to offer it, either by mail or through a scheduled presentation with project staff. Such presentations will be scheduled over a 30 day period following the vendor conference. All materials received from vendors under these circumstances may be considered public information. To schedule a presentation, please contact Dale Simonson at (612) 297-8041. Send written materials if you are not making a presentation. All materials must be received by the person listed below no later than 4:30 P.M. February 1, 1996:

Dale Simonson
Human Services Building
444 Lafayette Road
St. Paul, MN 55155-3835

Department of Human Services

Health Care Purchasing Division

Long Term Care Options Project

Notice of Information Session on Home and Community Based Services, including Elderly Waiver Services and Personal Care Assistant Services for Potential Contractors and Subcontractors for Primary, Acute and Long Term Managed Care Demonstration

NOTICE IS HEREBY GIVEN that the Minnesota Department of Human Services will be holding an information session covering Home and Community Based Services, including Elderly Waiver services and Personal Care Assistant Services for potential contractors and subcontractors of the Long Term Care Options Project (LTCOP) funded in part by the Robert Wood Johnson Foundation. The foundation has provided funding for the design and development of an innovative managed care system, incorporating primary, acute and long term care services for elderly persons dually eligible for Medicaid and Medicare, into one managed care system.

I. Purpose of the Project

The purpose of the LTCOP is to combine the financing and delivery of primary, acute and long term care services of community-based and institutionalized elders eligible for Medicaid and Medicare services. The goals are to provide services necessary to maximize independence of elders living in the community and to provide a coordinated services delivery system to those residing in nursing homes, as well as to ensure that services are provided in the most cost effective alternative setting feasible. Medicare and Medicaid services and funding are to be combined and utilized in conjunction with existing community services to provide a total care package for enrolled elders. The State will contract with managed care organizations to manage and deliver primary, acute and long term care services to enrolled elders. The managed care organization will contract with local health and community service providers including physicians, nursing facilities, hospitals, county service providers, ancillary providers, etc. The State will pay a Medicaid capitation to the managed care organizations and the Health Care Finance Administration Office of Research and Design (HCFA-ORD) will pay the Medicare capitation to the managed care organizations.

Non-State Public Bids, Contracts & Grants

Managed Care organizations will deliver care using a multi-disciplinary approach including professionals such as physicians, nurse practitioners, RNs and social workers. Emphasis will be on prevention and improved health outcomes and cost effective services for both community based and institutionalized dually eligible Medicare/Medicaid beneficiaries over the age of 65.

Federal waivers allowing the LTCOP to be implemented were granted by the HCFA in April 1995. In July 1995, The Robert Wood Johnson Foundation (RWJF) granted the State of Minnesota \$1,240,130 to implement and operate the LTCOP over a six-year demonstration period running from August 1, 1995 into spring of 2001.

II. Purpose of Information Session

The information session is intended to provide an overview of Home and Community Based Services, including personal care attendants and elderly waiver services for potential contractors and subcontractors of the Long Term Care Options Project. Attendees will learn which agencies and professionals currently provide these services, including provider standards, i.e. certification, licensure, and a comparison of Medicare and Medicaid qualifications. There will also be a review of the preadmission screening process, and a discussion on integrating Medicare and Medicaid services.

III. Meeting Time and Location

The information session will be held at the Ramada Hotel St. Paul, located at 1870 Old Hudson Road, from 8:30 to 11:30 a.m., December 13, 1995. Please register in advance. Prior registration will facilitate sufficient seating space and provision of materials.

IV. Department Contact

Please direct all registrations and inquiries to:

Gretchen Ulrich
Minnesota Department of Human Services
Long Term Care Options Project
444 Lafayette Road
St. Paul, Minnesota 55155-3854
Phone: (612) 296-2332

Non-State Public Bids, Contracts & Grants

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.

Metropolitan Council

Environmental Services

Public Notice for Letters of Interest for Professional Services

NOTICE IS HEREBY GIVEN that the Metropolitan Council Environmental Services is soliciting qualifications for professional services for the Blue Lake/Seneca Solids Handling Project. Services of a Consultant/Facilitator are required to assist MCES staff in the preparation of a proposal for operation and maintenance (O&M) of the Solids Handling Facility. This is viewed as an 8-month project to be completed by August 1996. The estimated cost for services is in the range of \$25,000 to \$100,000.

The scope of the professional services includes the following:

- Facilitation of an O&M proposal team, comprised of members from 8 union/collective bargaining employee groups.
- Preparation of a proposal for the operation and maintenance of the Solids Handling Facility. This proposal will be evaluated against similar proposals received from private firms.

The project requires significant coordination efforts between MCES staff, the O&M proposal team, the project's procurement consultant and others to ensure that the O&M proposal meets the need of the project and is competitive.

Non-State Public Bids, Contracts & Grants

The tentative schedule for selecting a consulting firm for the Blue Lake/Seneca Solids Handling Project is as follows:

Receive Letters of Interest	December 1995
Issue Request For Proposals (RFP)	December 1995
Receive proposals	December 22, 1995
Evaluate and rank proposals	December 29, 1995
Metropolitan Council authorization	January 1996
Contract negotiated and NTP issued	January 1996

All firms interested in being considered for this project are invited to send a Letter of Interest asking for the Request For Proposal (RFP) package.

All inquiries and submittals are to be addressed to:

Jan Bevins, Contracts and Documents
Metropolitan Council Environmental Services
Mear Park Centre
230 East Fifth Street
St. Paul, MN 55101
(612) 229-2132

Metropolitan Council

Request for Bid for Biosolids Materials Handling

The Metropolitan Council will be receiving bids from qualified Contractors for transportation and land-spreading services for Wastewater Biosolids products made available for pick-up from the Metropolitan Wastewater Treatment Plant in St. Paul, Minnesota.

The intent is to pre-qualify contractors by December 15, 1995; receive sealed bids on January 9, 1996; and award a two-year contract on February 8, 1996.

Bidding documents are available at the office of the Metropolitan Council Environmental Services by calling (612) 229-2032 or 229-2036.

The Metropolitan Council reserves the right to reject any or all bids and to waive any minor irregularities and deviations from requirements outlined in the Request for Bids.

By Order of the Metropolitan Council

Helen Boyer, Division Director
Metropolitan Council
Environmental Services Division
Mears Park Centre, 230 East Fifth Street
St. Paul, Minnesota 55101-1633
(612) 222-8423

Minnesota Historical Society

Request for Proposal (RFP) for Design of an Information System

The Minnesota Historical Society (MHS) is requesting for proposals for the design of an Information System which will be installed at the same address as listed below, in the Research Center. The Information System must; (1) provide to the public information on 4,000 microfilmed newspaper titles, and (2) facilitate the management of 63,000 microfilm reels containing those newspapers. This information will be delivered as part of an internal information system currently under development that will be delivered through a local area network, as well as through the Internet. An informational meeting will be held 10:30 am, on December 13, 1995, at the MHS. Please inquire at the Information Desk for room location.

The Request for Proposal shall be received no later than 4:00 pm, Friday, January 5, 1996. Copies of the Request for Proposal are available at the Contracting Office, Minnesota Historical Society, 345 Kellogg Blvd West, Saint Paul, Minnesota 55102, 612-297-5863, Fax No. 612-297-3343.

Wild About Birds

The DNR Bird Feeding Guide

ISBN 0-9647451-0-0

Carrol L. Henderson, Supervisor of the Non-Game Wildlife Program at Minnesota's Department of Natural Resources, shares his knowledge and appreciation for the natural habitats and traits of the wild birds who, with a little help from us, can thrive in spite of a rapidly changing landscape. Written in the same instructive manner as his popular books "Woodworking for Wildlife" and "Landscaping for Wildlife," **"Wild About Birds: The DNR Bird Feeding Guide"** provides techniques used by the author to double the number of species using his feeders. Includes woodshop basics for construction of 26 different feeders and tips on 44 types of food, plus detailed descriptions and photos of almost all the feeder-using species east of the Rocky Mountains - 69 in all. There's even a section on some of the unusual and unexpected wild visitors that may show up for a free meal. Over 425 color photographs, illustrations and diagrams make **"Wild About Birds"** a great reference manual, display book or gift. Ideal for the ornithologist, woodworker, or backyard birdwatcher. Spiral bound, 288 pages. **Stock Number 9-24 \$19.95**

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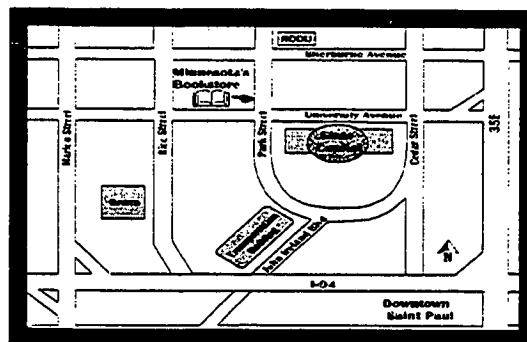
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