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

- proposed, adopted, exempt, expedited emergency and withdrawn rules
- executive orders of the governor
- appointments
- proclamations and commendations
- commissioners' orders
- revenue notices
- official notices
- state grants and loans
- contracts for professional, technical and consulting services
- non-state public bids, contracts and grants
- certificates of assumed name, registration of insignia and marks

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Vol. 23 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
#50	Monday 14 June	Noon Wednesday 2 June	Noon Tuesday 8 June
#51	Monday 21 June	Noon Wednesday 9 June	Noon Tuesday 15 June
#52	Monday 28 June	Noon Wednesday 16 June	Noon Tuesday 22 June
Vol. 24 #1	Tuesday 6 July	Noon Wednesday 23 June	Noon Tuesday 29 June

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

Contact: Senate Public Information Office (651) 296-0504 Room 231 State Capitol, St. Paul, MN 55155	Contact: House Information Office (651) 296-2146 Room 175 State Office Building, St. Paul, MN 55155
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Minnesota Rules: Amendments and Additions

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

The *State Register* is the official source, and only complete listing, for all state agency rulemaking in its various stages. State agencies are required to publish notice of their rulemaking action in the *State Register*. Published every Monday, the *State Register* makes it easy to follow and participate in the important rulemaking process. Approximately 80 state agencies have the authority to issue rules. Each agency is assigned specific **Minnesota Rule** chapter numbers. Every odd-numbered year the **Minnesota Rules** are published. The current 1997 set is a 13-volume bound collection of all adopted rules in effect at the time. Supplements are published to update this set of rules. Generally speaking, proposed and adopted exempt rules do not appear in this set because of their short-term nature, but are published in the *State Register*.

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

When rules are first drafted, state agencies publish them as **Proposed Rules**, along with a notice of hearing, or a notice of intent to adopt rules without a hearing in the case of noncontroversial rules. This notice asks for comment on the rules as proposed. Proposed emergency rules and withdrawn proposed rules are also published in the *State Register*. After proposed rules have gone through the comment period, and have been rewritten into their final form, they again appear in the *State Register* as **Adopted Rules**. These final adopted rules are not printed in their entirety in the *State Register*, only the changes made since their publication as Proposed Rules. To see the full rule, as adopted and in effect, a person simply needs two issues of the *State Register*, the issue the rule appeared in as proposed, and later as adopted. For a more detailed description of the rulemaking process, see the most current edition of the *Minnesota Guidebook to State Agency Services*.

The *State Register* features partial and cumulative listings of rules in this section on the following schedule: issues #1-13 inclusive; issues #14-25 inclusive; issue #26 cumulative for issues #1-26; issues #27-38 inclusive; issue #39, cumulative for issues #1-39; issues #40-51 inclusive; and issues #1-52 (or 53 in some years), cumulative for issues #1-52 (or 53). An annual subject matter index for rules was separately printed usually in August, but starting with Volume 19 now appears in the final issue of each volume. For copies or subscriptions to the *State Register*, contact Minnesota's Bookstore, 117 University Avenue, St. Paul, MN 55155 (651) 297-3000, or toll-free 1-800-657-3757.

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Proposed Rules

Comments on Planned Rules or Rule Amendments

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

Rules to be Adopted After a Hearing

After receiving comments and deciding to hold a public hearing on the rule, an agency drafts its rule. It then publishes its rules with a notice of hearing. All persons wishing to make a statement must register at the hearing. Anyone who wishes to submit written comments may do so at the hearing, or within five working days of the close of the hearing. Administrative law judges may, during the hearing, extend the period for receiving comments up to 20 calendar days. For five business days after the submission period the agency and interested persons may respond to any new information submitted during the written submission period and the record then is closed. The administrative law judge prepares a report within 30 days, stating findings of fact, conclusions and recommendations. After receiving the report, the agency decides whether to adopt, withdraw or modify the proposed rule based on consideration of the comments made during the rule hearing procedure and the report of the administrative law judge. The agency must wait five days after receiving the report before taking any action.

Rules to be Adopted Without a Hearing

Pursuant to *Minnesota Statutes* § 14.22, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing. An agency must first solicit **Comments on Planned Rules** or **Comments on Planned Rule Amendments** from the public. The agency then publishes a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register*. 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*.

Department of Health

Proposed Permanent Rules Relating to Public Drinking Water System Capacity

NOTICE OF INTENT TO ADOPT RULES WITHOUT A PUBLIC HEARING

Proposed Permanent Rules Relating to Public Drinking Water Systems, *Minnesota Rules*, 4720.0012 to 4720.3950

Introduction. The Department of Health intends to adopt rules without a public hearing following the procedures set forth in the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28, and rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310. 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 rules.

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

Mr. Dennis Maki
Minnesota Department of Health
Division of Environmental Health
121 East Seventh Place, Suite 230
P.O. Box 64975
St. Paul, Minnesota 55164-0975
phone: 651-215-0756
FAX: 651-215-0979

TTY users may call the Minnesota Department of Health at 651-623-5522.

Subject of Rules and Statutory Authority. The proposed rules set forth the requirements that new water systems must meet in order to show that they have the technical, managerial, and financial capacity to operate in a manner that will protect the public health and safety. This rulemaking also amends several references to the *United States Code of Federal Regulations* to ensure that the department's rules incorporate by reference the most recent version of the federal regulations. This change will incorporate several regulations that the Environmental Protection Agency has promulgated since 1992; however, since these regulations were already effective under federal law, they have no real impact on the operation of Minnesota's water systems. The statutory authority to adopt the rules is *Minnesota Statutes*, section 144.383. A copy of the proposed rules is published in the *State Register*. A free copy of the rules is also available upon request from the agency contact person listed above.

Comments. You have until 4:30 p.m. on July 14, 1999 to submit written comment in support of 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 rules addressed and the 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 rules 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 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. on July 14, 1999. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rules to which you object or state that you oppose the entire set of rules. 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 rules.

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.

Alternative Format. Upon request, this Notice can be made available in an alternative format, such as large print, Braille, or cassette tape. To make such a request, please contact the agency contact person at the address or telephone number listed above.

Modifications. The proposed rules 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 rules may not be substantially different than these proposed rules. If the proposed rules affect 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 rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. Copies of the statement may be obtained at no cost from the agency.

Adoption and Review of Rules. If no hearing is required, the agency may adopt the rules after the end of the comment period. The rules 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 rules are submitted to the office. If you want to be so notified, or want to receive a copy of the adopted rules, 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: 2 June 1999

Jan K. Malcolm
Commissioner of Health

4720.0012 NEW SYSTEM CAPACITY REQUIREMENTS.

Subpart 1. Requirements generally. New water systems shall not commence operation until the commissioner approves plans and specifications as required in part 4720.0010 and approves documentation submitted under this part that demonstrates a system's technical, managerial, and financial capacities.

Subp. 2. Technical capacity. Technical capacity must be demonstrated by:

- A. the system meeting the plan and specification requirements in part 4720.0010; and
- B. the system employing or contracting with a water operator certified according to *Minnesota Statutes*, chapter 115, effective the first day of system operation.

Subp. 3. Managerial capacity. Managerial capacity must be demonstrated by:

- A. the system providing the identification, location, and contact method for the system's owner, manager, or chief executive officer; and
- B. the system employing or contracting with a water operator certified according to *Minnesota Statutes*, chapter 115, effective the first day of system operation.

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

Subp. 4. **Financial capacity.** Financial capacity must be demonstrated by the water system's owner, chief financial officer, or chief executive officer certifying that responsible individuals in the system have reviewed the potential and actual costs of operating and maintaining a public water system and the system has the financial capability to meet the following actual and potential costs:

A. Actual costs to be considered include:

- (1) construction and other capital costs;
- (2) operator training and salary costs;
- (3) current treatment costs;
- (4) routine maintenance and equipment-replacement costs; and
- (5) the costs of compliance with state rules and federal regulations.

B. Potential costs to be considered include:

- (1) the costs of compliance with proposed regulations of the Environmental Protection Agency;
- (2) the costs of treatment or remediation for contamination; and
- (3) the costs of emergency repairs.

4720.0350 RULES AND STANDARDS ADOPTED BY REFERENCE.

The National Primary Drinking Water Regulations in *Code of Federal Regulations*, title 40, part 141, and sections 142.40 to 142.64 as amended through July 17, 1992, are incorporated by reference in parts 4720.0200 to 4720.3970 and are subject to the alterations and amendments contained in parts 4720.0200 to 4720.3970.

4720.0450 DEFINITIONS; SECTION 141.2 OF THE NATIONAL PRIMARY DRINKING WATER REGULATIONS.

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

Subp. 1a. **Capacity defined.** In section 141.2 of the National Primary Drinking Water Regulations, the following definition is added:

“Capacity” means the overall capability of a public water system to reliably produce and deliver water meeting all national primary drinking water regulations in effect, or likely to be in effect, on the date of commencement of operation. Capacity encompasses the technical, managerial, and financial capabilities that enable the water system to plan for, achieve, and maintain compliance with drinking water standards found in *Code of Federal Regulations*, title 40, section 141.

[For text of subps 2 to 8, see M.R.]

Subp. 8a. **Financial capacity defined.** In section 141.2 of the National Primary Drinking Water Regulations, the following definition is added:

“Financial capacity” means a public water system's ability to acquire and manage sufficient financial resources to allow the system to achieve and maintain compliance with drinking water standards found in *Code of Federal Regulations*, title 40, section 141.

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

Subp. 9a. **Managerial capacity defined.** In section 141.2 of the National Primary Drinking Water Regulations, the following definition is added:

“Managerial capacity” means a public water system's institutional and administrative capabilities to allow the system to achieve and maintain compliance with drinking water standards found in *Code of Federal Regulations*, title 40, section 141.

Subp. 9b. **New water system defined.** In section 141.2 of the National Primary Drinking Water Regulations, the following definition is added:

For purposes of capacity development, “new water system” means a community water system (CWS) or nontransient noncommunity water system (NTNCWS) in which either there was no previously existing physical water system or the existing water system has undergone an infrastructure expansion that causes the system to satisfy the criteria for a CWS or NTNCWS as defined in *Code of Federal Regulations*, title 40, section 141.

Subp. 9c. **Technical capacity defined.** In section 141.2 of the National Primary Drinking Water Regulations, the following definition is added:

“Technical capacity” means a public water system's physical and operational capabilities to allow the system to achieve and maintain compliance with drinking water standards found in *Code of Federal Regulations*, title 40, section 141.

[For text of subps 10 and 11, see M.R.]

4720.2300 ADDITIONAL MONITORING REQUIREMENTS.

The commissioner may impose additional monitoring requirements if the results of a sanitary survey indicate that a public health risk may exist. The commissioner may impose a requirement for more frequent sampling if the analytical results of water tests show that a previously measured contaminant is approaching a maximum contaminant level prescribed in *Code of Federal Regulations*, title 40, part 141; ~~as amended through July 17, 1992.~~

4720.3920 GENERAL REQUIREMENTS FOR CONSTRUCTION OF SURFACE WATER AND GROUNDWATER UNDER THE DIRECT INFLUENCE OF SURFACE WATER TREATMENT FACILITIES.

Groundwater systems determined to be under the direct influence of surface water must meet all applicable requirements contained in parts 4720.3920 to 4720.3965. The source of surface water and groundwater under the direct influence of surface water selected for a public water supply must provide the highest quality water reasonably available which, with appropriate treatment and adequate safeguards, meets the requirements specified in *Code of Federal Regulations*, title 40, sections 141.72(b) and 141.73; ~~as amended through July 17, 1992.~~ The design of the treatment processes, equipment, and structures shall depend on an evaluation of the nature and quality of the particular water to be treated. Variations from the design criteria may be approved by the commissioner in cases where experimental, pilot, or full scale studies have demonstrated that acceptable results can be obtained. Any unfiltered surface water or groundwater under the direct influence of a surface water system that experiences a waterborne disease outbreak must comply with the appropriate treatment requirements contained in parts 4720.3920 to 4720.3965.

4720.3950 DIATOMACEOUS EARTH FILTRATION.

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

Subp. 2. **Pilot plant study.** Installation of a diatomaceous earth filtration system must be preceded by a pilot plant study on the water to be treated.

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

B. The pilot plant study must demonstrate the ability of the system to meet the requirements of *Code of Federal Regulations*, title 40, part 141.73(c); ~~as amended through June 29, 1989.~~

[For text of subs 2 to 13, see M.R.]

RENUMBERING INSTRUCTION. In the next edition of *Minnesota Rules*, the revisor of statutes shall renumber part 4720.0450, subpart 1, as part 4720.0450, subpart 1b.

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

Department of Natural Resources

Division of Fish and Wildlife

Proposed Permanent Rules Relating to Wildlife

DUAL NOTICE: Notice of Intent to Adopt Rules 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

Proposed Rules Governing Wildlife *Minnesota Rules, Chapters 6133, 6230, 6232, 6234, 6236, 6240, and 6284*

Introduction. The Department of Natural Resources intends to adopt rules without a public hearing following the procedures set forth in the Administrative Procedure Act, *Minnesota Statutes*, sections 14.22 to 14.28, and rules of the Office of Administrative Hearings, *Minnesota Rules*, parts 1400.2300 to 1400.2310. If, however, 25 or more persons submit a written request for a hearing on the rules within 30 days or by 4:30 p.m. on July 14, 1999, a public hearing will be held on July 27, 1999, starting at 1:00 p.m. in Room B, Fifth Floor of the Veterans Service Building, 20 West 12th Street, St. Paul, Minnesota (located at the south end of the state capitol mall). To find out whether the rules will be adopted without a hearing or if the hearing will be held, you should contact the agency contact person after July 14, 1999 and before July 27, 1999.

Agency Contact Person. Comments or questions on the rules and written requests for a public hearing on the rules must be submitted to the agency contact person. The agency contact person is: Ed Boggess, at Department of Natural Resources, 500 Lafayette Road, St. Paul, Minnesota 55155-4007, telephone 651-297-2072. TTY users may call the Department of Natural Resources at 1-800-657-3929.

Subject of Rules and Statutory Authority. The proposed rules governing wildlife cover the following areas:

- re-establishing the restitution value for gray wolves at \$2,000;
- closing the Eastside wildlife management area to the taking of migratory waterfowl; closing the Schrafel wildlife management area to trapping and firearms hunting; and providing seasonal restrictions for archery and firearms hunting on the Hvoslef wildlife management area;
- allowing certain types of hunting and clarifying provisions for access in portions of some wildlife management areas otherwise designated as closed to trespassing;
- clarifying restrictions on camping overnight in a wildlife management area;
- modifying motorboat restrictions on Roseau River and Swamp River wildlife management areas;
- establishing or modifying hunting and trapping provisions in the following state game refuges: Lac qui Parle Game Refuge, Moscow Game Refuge, Nerstrand Woods Game Refuge, Whitewater Game Refuge, and Austin Game Refuge;
- clarifying and modifying requirements for the Lac qui Parle controlled hunting zone;
- specifying lakes that have been designated for wildlife management purposes that have restrictions on airboat use;
- providing for deer of either sex to be taken with intensive harvest permits as prescribed;
- providing for use of muzzleloader open or peep sights that are nonmetallic;
- modifying bear tagging, registration, and nuisance taking provisions; providing protection for white bears;
- modifying moose zone and deer and bear registration block boundaries;
- modifying seasons for taking migratory game birds by falconry;
- modifying bobcat, fisher, and pine marten zone boundaries and pine marten and fisher limits;
- modifying wild turkey permit area boundaries and restrictions on use of electronic devices for wild turkey hunting;
- opening additional state game refuges to wild turkey hunting;
- defining various terms related to waterfowl seasons;
- modifying woodcock seasons and limits;
- modifying goose season zone boundaries and dates;
- modifying provisions for goose hunting in game and waterfowl refuges;
- modifying crow season dates; and
- modifying restrictions on wild rice harvest in wildlife management areas.

The statutory authority to adopt the rules is *Minnesota Statutes*, sections 84.15, 84.152, 86A.06, 97A.091, 97A.092, 97A.095, 97A.101, 97A.137, 97A.345, 97B.105, 97B.311, 97B.411, 97B.505, 97B.605, 97B.625, 97B.635, 97B.711, 97B.731, and 97B.803.

A copy of the proposed rules is published in the *State Register*. A free copy of the rules is available upon request from the agency contact person listed above.

Comments. You have until 4:30 p.m. on July 14, 1999, to submit written comment in support of or in opposition to the proposed rules or 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 comments should identify the portion of the proposed rules addressed, the reason for the comment, and any change proposed. You are encouraged to propose any change desired. Any comments that you would like to make on the legality of the proposed rules 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 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. on July 14, 1999. Your written request for a public hearing must include your name and address. You must identify the portion of the proposed rules to which you object or state that you oppose the entire set of rules. 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 rules.

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.

Alternative Format/Accommodation. Upon request, this Notice can be made available in an alternative format, such as large print, Braille, or cassette tape. To make such a request or if you need an accommodation to make this hearing accessible, please contact the agency contact person at the address or telephone number listed above.

Modifications. The proposed rules may be modified, either as a result of public comment or as a result of the rule hearing process. Modifications must be supported by data and views submitted to the agency or presented at the hearing and the adopted rules may not be substantially different than these proposed rules. If the proposed rules affect you in any way, you are encouraged to participate in the rulemaking process.

Cancellation of Hearing. The hearing scheduled for July 27, 1999, will be canceled if the agency does not receive requests from 25 or more persons that a hearing be held on the rules. If you requested a public hearing, the agency will notify you before the scheduled hearing whether or not the hearing will be held. You may also call the agency contact person at 651-297-2072 after July 14, 1999 to find out whether the hearing will be held.

Notice of Hearing. If 25 or more persons submit written requests for a public hearing on the rules, a hearing will be held following the procedures in *Minnesota Statutes*, sections 14.131 to 14.20. The hearing will be held on the date and at the time and place listed above. The hearing will continue until all interested persons have been heard. Administrative Law Judge Allan W. Klein is assigned to conduct the hearing. Judge Klein can be reached at the Office of Administrative Hearings, 100 Washington Square, Suite 1700, Minneapolis, Minnesota 55401-2138, telephone 612-341-7609 and FAX 612-349-2665.

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 before the close of the hearing record. All evidence presented should relate to the proposed rules. You may also submit 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. Following the comment period, there is a five-working-day response period during which the agency and any interested person may respond in writing to any new information submitted. No additional evidence may be submitted during the five-day response period. All comments and responses submitted to the Administrative Law Judge must be received at the Office of Administrative Hearings no later than 4:30 p.m. on the due date. All comments or responses received will be available for review at the Office of Administrative Hearings. This rule hearing procedure is governed by *Minnesota Rules*, parts 1400.2000 to 1400.2240, and *Minnesota Statutes*, sections 14.131 to 14.20. Questions about procedure may be directed to the Administrative Law Judge.

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

The agency requests that any person submitting written views or data to the Administrative Law Judge prior to the hearing or during the comment or response period also submit a copy of the written views or data to the agency contact person at the address stated above.

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 rules, including a description of who will be affected by the proposed rules and an estimate of the probable cost of the proposed rules. The statement may also be reviewed and copies obtained at the cost of reproduction from either the agency or the Office of Administrative Hearings.

Lobbyist Registration. *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the Campaign Finance and Public Disclosure Board. Questions regarding this requirement may be directed to the Board at: First Floor South, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, telephone 651-296-5148 or 1-800-657-3889.

Adoption Procedure if No Hearing. If no hearing is required, the agency may adopt the rules after the end of the comment period. The rules 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 rules are submitted to the office. If you want to be so notified, or want to receive a copy of the adopted rules, 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 a Hearing. If a hearing is held, after the close of the hearing record, the Administrative Law Judge will issue a report on the proposed rules. You may ask to be notified of the date when the Administrative Law 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 rules and files them with the Secretary of State, and can make this request at the hearing or in writing to the agency contact person stated above.

Order. I order that the rulemaking hearing be held at the date, time, and location listed above.

Dated: 25 May 1999

Allen Garber
Commissioner of Natural Resources

6133.0075 GRAY WOLVES.

The restitution value for gray wolves is \$2,000.

6230.0200 SPECIAL PROVISIONS FOR WILDLIFE MANAGEMENT AREAS.

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

Subp. 3. **Areas closed to migratory waterfowl hunting.** The Gordon F. Yeager wildlife management area and the Eastside wildlife management area in Olmsted county and the Carl Schmidt wildlife management area in Morrison county are closed to the taking of migratory waterfowl.

[For text of subps 4 to 10, see M.R.]

Subp. 11. Areas with other restrictions.

A. The Schrafel wildlife management area in Mower county is closed to trapping and firearms hunting. It is open to archery deer hunting.

B. The Hvoslef wildlife management area in Fillmore county is open to archery hunting only from September 1 to October 31 and during the spring wild turkey seasons. Firearms hunting, except the use of centerfire rifles, is allowed from November 1 to December 15.

Subp. 12. **Sanctuary areas open to hunting.** The following sanctuary areas of wildlife management areas posted with "Wildlife Sanctuary Do Not Trespass" signs are open for hunting as specified:

A. The Talcot Lake wildlife management area sanctuary is open for deer hunting by persons with disabilities at designated stands, by permit, during the established state seasons.

B. The Carlos Avery wildlife management area sanctuaries are open for:

- (1) deer hunting by persons with disabilities at designated stands, by permit, during the dates provided by rule; and
- (2) taking wild turkeys during the spring wild turkey season in those portions of the sanctuaries that lie within an open spring wild turkey hunting zone.

6230.0250 GENERAL PROVISIONS FOR USE OF WILDLIFE MANAGEMENT AREAS.

Subpart 1. **Waterfowl season, defined.** For the purposes of this part, “waterfowl season” means any day that there is an open season for the taking of migratory waterfowl.

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

Subp. 5. **Entry and hours of use.** A person may not enter a portion of a wildlife management area posted closed to trespass, except as posted or as otherwise authorized by an agent of the commissioner. Wildlife management areas may not be entered or used during closed hours posted at the major access points, except by permit.

[For text of subp 6, see M.R.]

Subp. 7. **Overnight use.** A person may not camp on or remain in a vehicle overnight in any wildlife management area, except by permit or where posted for this use by the commissioner. A person may not leave a vehicle, trailer, or tent overnight within a wildlife management area, except by permit or in areas and at times designated by signs for overnight use. A vehicle, trailer, or tent lawfully left overnight must be occupied or attended.

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

Subp. 9. **Use of motorboats.** Motorboat use is prohibited within a wildlife management area, except where posted or as provided in this subpart. For purposes of this chapter, “motorboat” includes motorboats as defined in *Minnesota Statutes*, section 86B.005, subdivision 9, and duckboats with motors attached.

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

E. Roseau River wildlife management area in Roseau county: motorboats may be used in the main channel and oxbows of the Roseau River. Motorboats of ten horsepower or less may be used elsewhere within the area only during a waterfowl season.

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

J. Swamp River wildlife management area in Cook county: motorboats may be used with no limit on size.

[For text of subps 10 to 23, see M.R.]

6230.0400 SPECIAL PROVISIONS FOR STATE GAME REFUGES.

[For text of subps 1 to 20, see M.R.]

Subp. 21. **Lac qui Parle game refuge, Chippewa and Lac qui Parle counties.** The following special provisions apply to the Lac qui Parle game refuge, Chippewa, and Lac qui Parle counties:

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

D. Designated hunting stations within the refuge must be spaced no less than 200 yards apart and must be no more than 125 yards inside the refuge, as measured from the posted boundary.

[For text of subps 22 to 29, see M.R.]

Subp. 30. **Moscow game refuge, Freeborn county.** The Moscow game refuge in Freeborn county is open to:

- A. small game hunting, except ~~waterfowl~~ ducks and mergansers;
- B. trapping;
- C. deer and bear hunting by firearms; and
- D. deer and bear hunting by archery.

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Proposed Rules

Subp. 31. **Nerstrand Woods game refuge, Rice county.** That portion of the Nerstrand Woods game refuge in Rice county that is within the Nerstrand Big Woods State Park and the Prairie Creek Woods Scientific and Natural Area is open to deer hunting by muzzleloader special permit only. The remainder of the refuge is open to ~~deer hunting by archery during the archery season and deer hunting by muzzleloader during the muzzleloader season.~~

- A. ~~trapping;~~
- B. ~~deer and bear hunting by firearms; and~~
- C. ~~deer and bear hunting by archery.~~

[For text of subps 32 to 49, see M.R.]

Subp. 50. **Whitewater game refuge, Winona county.** The Whitewater game refuge in Winona county is open to:

- A. small game hunting, except waterfowl; ~~by bow and arrow or firearms using No. 4 buckshot or smaller diameter lead or steel shot or .22 caliber rimfire only;~~
- B. trapping by permit; and
- C. firearms deer hunting only by permit.

[For text of subps 51 and 52, see M.R.]

Subp. 53. **Austin game refuge, Mower county.** The Austin game refuge in Mower county is open to deer hunting by archery.

6230.0500 GENERAL REGULATIONS FOR CONTROLLED HUNTING ZONES.

The following regulations apply to all persons within a controlled hunting zone during the open Canada goose seasons or as otherwise specified in parts 6230.0600 to 6230.1100:

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

- D. A person may not leave any refuse, offal, or feathers on public lands in the controlled hunting zone or in any parking lot.
- E. Alcoholic beverages may not be consumed or possessed at any of the hunting stations on public lands.
- F. A person may not loiter in areas between the designated hunting stations on public lands.
- G. On public lands, dogs must be on a leash except within ten feet of stations or while retrieving, and must be under control at all times.
- H. On public lands, after each party member has bagged a limit of Canada geese, or expended a limit of shells, the party must promptly leave the station.

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

6230.0700 THIEF LAKE (EARLY) AND LAC QUI PARLE SPECIAL PROVISIONS.

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

Subp. 2. **Hunting stations.** Waterfowl and small game hunters may reserve designated hunting stations in accordance with regulations available at the Thief Lake and Lac qui Parle wildlife management area headquarters. Reservation dates may not be changed. Only one hunting group, consisting of no more than three hunters, may occupy a designated hunting station at one time. At Lac qui Parle, not more than six hunting groups per day may occupy a designated hunting station.

Subp. 3. **Back tag permit required.** On public lands, a person may not hunt migratory waterfowl or small game in the controlled hunting zone without first registering at the check station and obtaining a back tag permit. Back tags must be worn as specified on the permit. Hunters age 18 or older will be charged a \$3 daily fee for the Lac qui Parle back tag permit. Failure to comply with the provisions of the permit or special provisions relating to the controlled hunt will result in immediate revocation of the permit for that day.

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

Subp. 6. **Actions after taking bag limit.** Within one hour of hunt completion each party member must submit any geese taken for inspection at the Lac qui Parle wildlife management area headquarters and, if hunting on public lands, personally return their entry permit to the check station and submit any geese taken for inspection.

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

6230.1600 AIRBOAT USE ON DESIGNATED WILDLIFE MANAGEMENT LAKES.

The use of airboats is prohibited at all times on the lakes listed below that have been designated for wildlife management purposes, except as otherwise authorized by posting or permit:

<u>Lake Name</u>	<u>County</u>	<u>DNR Lake Inventory Number (Bulletin 25)</u>	<u>Location</u>
<u>Cottonwood</u>	<u>Blue Earth</u>	<u>70024</u>	<u>T.106N, R.25W</u>
<u>Perch</u>	<u>Blue Earth</u>	<u>70058</u>	<u>T.106N, R.25,26W</u>
<u>Eagle</u>	<u>Blue Earth</u>	<u>70060</u>	<u>T.108,109N, R.25,26W</u>
<u>Buffalo</u>	<u>Waseca</u>	<u>810083</u>	<u>T.107N, R.24W</u>
<u>Rice</u>	<u>Faribault</u>	<u>220075</u>	<u>T.104N, R.27W</u>
<u>Bear</u>	<u>Freeborn</u>	<u>240028</u>	<u>T.101N, R.22W</u>
<u>Swan</u>	<u>Nicollet</u>	<u>520034</u>	<u>T.109,110N, R.28,29W</u>
<u>Lower Twin</u>	<u>Freeborn</u>	<u>240027</u>	<u>T.101N, R.22W</u>
<u>Heron</u>	<u>Jackson</u>	<u>320057</u>	<u>T.103,104N, R.36,37W</u>
<u>Pierce</u>	<u>Martin</u>	<u>460076</u>	<u>T.102N, R.31W</u>
<u>Geneva</u>	<u>Freeborn</u>	<u>240015</u>	<u>T.104N, R.20,21W</u>
<u>Upper Twin</u>	<u>Freeborn</u>	<u>240031</u>	<u>T.101,102N, R.22W</u>
<u>Pelican</u>	<u>Martin</u>	<u>860031</u>	<u>T.120,121N, R.24,25W</u>
<u>Goose</u>	<u>Waseca</u>	<u>810016</u>	<u>T.107N, R.22W</u>
<u>Patterson</u>	<u>Carver</u>	<u>100086</u>	<u>T.116N, R.25W</u>
<u>Rice</u>	<u>Blue Earth</u>	<u>70059</u>	<u>T.107N, R.25W</u>
<u>Big Rice</u>	<u>Cass</u>	<u>110073</u>	<u>T.140,141N, R.26W</u>
<u>Sanborn</u>	<u>LeSueur</u>	<u>400027</u>	<u>T.112N, R.23W</u>
<u>Christina</u>	<u>Douglas,</u>		
	<u>Grant</u>	<u>210375</u>	<u>T.130N, R.40,41W</u>
<u>Ash</u>	<u>Grant</u>	<u>260294</u>	<u>T.130N, R.43,44W</u>
<u>Sand</u>	<u>Sibley</u>	<u>720069</u>	<u>T.112N, R.29,30W</u>
<u>Hanska</u>	<u>Brown</u>	<u>80026</u>	<u>T.108N, R.31,32W</u>
<u>Augusta</u>	<u>Cottonwood</u>	<u>170033</u>	<u>T.106N, R.37W</u>
<u>Rice</u>	<u>Steele,</u>		
	<u>Dodge</u>	<u>740001</u>	<u>T.107N, R.18,19W</u>
<u>Tiger</u>	<u>Carver</u>	<u>100108</u>	<u>T.115N, R.26W</u>
<u>Hassel</u>	<u>Swift</u>	<u>760086</u>	<u>T.122N, R.39W</u>
<u>Dog</u>	<u>Crow Wing</u>	<u>180107</u>	<u>T.45N, R.29W</u>
<u>Onamia</u>	<u>Mille Lacs</u>	<u>480009</u>	<u>T.42N, R.26,27W</u>
<u>South Badger</u>	<u>Murray</u>	<u>510049</u>	<u>T.105N, R.41W</u>
<u>North Badger</u>	<u>Murray</u>	<u>510050</u>	<u>T.105N, R.41W</u>
<u>White Elk</u>	<u>Aitkin</u>	<u>101481</u>	<u>T.50N, R.26,27W</u>
<u>North and</u>	<u>Yellow</u>		
<u>South</u>	<u>Medicine</u>		
<u>Spellman</u>		<u>870060</u>	<u>T.114N, R.41W</u>
<u>Maria</u>	<u>Murray</u>	<u>510062</u>	<u>T.108N, R.41W</u>
<u>Minnesota</u>	<u>Faribault</u>	<u>220033</u>	<u>T.104,105N, R.25W</u>
<u>Little Rice</u>	<u>St. Louis</u>	<u>690612</u>	<u>T.60,61N, R.16,17W</u>
<u>Big Rice</u>	<u>St. Louis</u>	<u>690669</u>	<u>T.60N, R.70W</u>

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Proposed Rules

6232.1250 TAKING DEER BY ARCHERY UNDER INTENSIVE HARVEST PERMITS.

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

Subp. 2. **Restrictions.** Intensive harvest permits may be used to take antlerless deer only or antlerless deer and adult bucks in antlerless permit areas and special hunt areas prescribed by the commissioner.

6232.2200 ARMS USE AREAS AND RESTRICTIONS FOR MUZZLELOADERS.

Only legal muzzleloaders with ~~metallic~~ open or peep type sights may be used for taking deer during the muzzleloader season.

6232.2800 GENERAL REGULATIONS FOR TAKING BEARS.

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

Subp. 4. **Tagging and license validation.** Persons taking a bear must affix a tag and validate their license at the site of kill as provided below:

A. Persons killing a bear must affix to the carcass the site tag provided with their bear hunting license. The tag must be fastened around the bear's sternum (breast bone), through an ear, or around a leg bone or tendon so that the tag cannot be readily removed without breaking the seal or lock. A hunter may not possess or use the site tag of another, except when transporting a bear as provided by *Minnesota Statutes*, section 97A.535.

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

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

Subp. 6. **Registration.** Every person taking a bear must present it for registration at a designated bear registration station or, in the case of a nuisance bear authorization, to the authorizing wildlife manager or officer, within 48 hours after taking and obtain a big game possession tag. Prior to transporting the bear from the registration station, the possession tag must be attached to the bear in the same manner as the locking site tag provided with the license. ~~Bears taken in a no-quota area must be registered within the no-quota area.~~

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

Subp. 8. **White bears protected.** A person may not take a white bear.

6232.2900 BEAR PERMIT PROCEDURES.

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

Subp. 2. **Drawings.** Drawings will be conducted by the department to determine those eligible to purchase a bear license within the bear quota areas. Preference in the drawings will be given to applicants based upon the number of times they have correctly applied for a license in a quota area in previous years but have not been selected. Upon issuance of a quota area license, all accumulated preference will be lost. Obtaining a no-quota bear license will have no effect upon eligibility or preference in the drawings. In quota areas with fewer applicants than available licenses, the remaining available licenses may be issued to unsuccessful applicants for other quota areas on a first-come, first-served basis. Individuals who purchase these remaining available licenses will retain their accumulated preference.

[For text of subps 3 to 7, see M.R.]

6232.3300 NUISANCE BEARS.

Nuisance bears may be taken by licensed bear hunters from July 1 to August 31 under the conditions in this part.

A. Wildlife managers or conservation officers may authorize licensed hunters to take nuisance bears after the manager or officer has verified that a nuisance problem exists.

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

C. A licensee taking a nuisance bear prior to the season must register it with the authorizing wildlife manager or conservation officer within 48 hours after taking.

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

6232.4100 MOOSE ZONES.

[For text of subs 1 to 19, see M.R.]

Subp. 20. **Moose Zone 21.** Moose Zone 21 consists of that portion of the state lying within the following described boundary:

Beginning at the junction of State Trunk Highway (STH) 169 and ~~County State Aid Highway (CSAH)~~ the Superior National Forest boundary in Township 62 North, Range 13 West, Sections 3 and 4; thence south along said boundary to Muckwa lake; thence along the west shore of Muckwa lake to the Superior National Forest boundary; thence along said boundary to Bear Island lake; thence along the west shore of Bear Island lake to the public access on the south shore; thence southerly along County State Aid Highway (CSAH) 490, St. Louis county; thence along CSAH 490 to CSAH 904, St. Louis county; thence along CSAH 904 to CSAH 21, St. Louis county; thence along CSAH 21 to CSAH 70, St. Louis county; thence along CSAH 70 to Forest Road (FR) 112; thence along FR 112 to FR 424; thence along FR 424 to the Erie Mining Company railroad; thence along said railroad to FR 116; thence along FR 116 to FR 114; thence along FR 114 to FR 112; thence along FR 112 to FR 1431; thence along FR 1431 to FR 424; thence along FR 424 to FR 178; thence along FR 178 to FR 1860; thence along FR 1860 to the shore of Birch lake; thence along the east shore of Birch lake to the South Kawishiwi river; thence along the east and south shore of said river to the Kawishiwi river; thence westerly along the southerly shores of said river to Farm lake; thence along the east and south shores of Farm lake to the boat ramp on the west shore of Farm lake; thence along the boat ramp road to Section Thirty Road; thence along said road to STH 169; thence along STH 169 to the point of beginning.

[For text of subs 21 to 24, see M.R.]

Subp. 24a. **Moose Zone 26.** Moose Zone 26 consists of that portion of the state lying within the following described boundary:

Beginning where the Horse river meets the Canadian border near the southeastern tip of Crooked lake; thence southwestward along the Horse river to Horse lake; thence along the east shore of Horse lake to the portage to Tin Can Mike lake; thence along the portage and streams connecting Tin Can Mike, Sandpit, and Range lakes to the access trail on the south shore of Range lake; thence southerly along the access trail to the Range lake access road; thence along the Range lake access road to Forest Road (FR) 1036; thence along FR 1036 to FR 459; thence along FR 459 to County State Aid Highway (CSAH) 116 (Echo Trail), St. Louis county; thence along CSAH 116 to CSAH 88, St. Louis county; thence along CSAH 88 to State Trunk Highway (STH) 169; thence along STH 169 to CSAH 58, St. Louis county; thence along CSAH 58 to CSAH 16, Lake county (Section Thirty Road); thence along CSAH 16 to the public access on Farm lake; thence along the east shore of Farm lake to the North Kawishiwi river; thence easterly along the North Kawishiwi river to the public access on Lake One and the junction with CSAH 18, Lake county (Fernberg Road); thence along CSAH 18 to the former access point for Forest Trail (FT) 147 (Kekekabic Trail); thence northeasterly along FT 147 to the portage between Strup and Kekekabic lakes; thence to Kekekabic lake and along the south shore of said lake and a swampy flowage to Grubstake lake; thence through Grubstake lake and north to Skoota lake; thence overland in a northerly direction to Knife lake and the Canadian border; thence westerly along the Canadian border to the point of beginning.

Subp. 24b. **Moose Zone 27.** Moose Zone 27 consists of that portion of the state lying within the following described boundary:

Beginning at the junction of County State Aid Highway (CSAH) 116, St. Louis county (Echo Trail) and Forest Road (FR) 459; thence along CSAH 116 to CSAH 88, St. Louis county; thence along CSAH 88 to State Trunk Highway (STH) 169; thence along STH 169 to Old STH 169; thence northwesterly along Old STH 169 for 0.7 miles to a point south of Armstrong Bay of Lake Vermillion; thence north to said bay; thence along the east and north shore of Lake Vermillion to the portage to Trout lake; thence along the portage and the east shore of Trout and Little Trout lakes to the portage to the Little Indian Sioux river; thence along the portage and the Little Indian Sioux river to Otter lake; thence through Otter and Cummings lakes to Forest Trail (FT) 163; thence easterly along FT 163 to CSAH 644, St. Louis county; thence along CSAH 644 to CSAH 116, St. Louis county; thence along CSAH 116 to the point of beginning.

Subp. 24c. **Moose Zone 28.** Moose Zone 28 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of County State Aid Highway (CSAH) 2, Lake county and Superior National Forest Road (NFR) 122; thence along NFR 122 to CSAH 44, St. Louis county; thence along CSAH 44 to County Road (CR) 266 (Fox Farm Road), St. Louis county; thence along CR 266 to the North Shore snowmobile trail; thence in a northeasterly direction along the North Shore snowmobile trail to CSAH 2, Lake county; thence along CSAH 2 to the point of beginning.

[For text of subs 25 and 26, see M.R.]

<p>KEY: PROPOSED RULES SECTION — <u>Underlining</u> indicates additions to existing rule language. Strike outs indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — <u>Underlining</u> indicates additions to proposed rule language. Strike outs indicate deletions from proposed rule language.</p>
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Subp. 27. **Moose Zone 31.** Moose Zone 31 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 1 and County State Aid Highway (CSAH) 4, Lake county; thence in a southwesterly direction along CSAH 4; ~~Lake county; to the North Shore snowmobile trail at Lax lake; thence in a southwesterly direction along the North Shore snowmobile trail to the Reserve Mining Company railroad; thence in a northwesterly direction along the Reserve Mining Company railroad to Forest Road (FR) 107; thence along FR 107 to CSAH 203, Lake county; thence along CSAH 203 to CSAH 3, Lake county; thence along CSAH 3 to Silver Creek Township Road (TR) 24 (Alger Grade); thence along TR 24 to CSAH 2, Lake county; thence along CSAH 2 to Forest Road (FR) 104; thence along FR 104 to FR 102; thence along FR 102 to the Erie Mining Company railroad; thence along the Erie Mining Company railroad to STH 1; thence along STH 1 to the point of beginning.~~

Subp. 28. **Moose Zone 32.** Moose Zone 32 consists of that portion of the state lying within the following described boundary:

Beginning on the Little Indian Sioux river at its intersection with County State Aid Highway (CSAH) 116 (Echo Trail) St. Louis county; thence in a northerly direction along the Little Indian Sioux river to Upper Pauness Lake; ~~thence in a northerly direction along the east shore of Upper Pauness Lake to the outlet of Upper Pauness Lake; thence in an easterly and northerly direction through Lower Pauness Lake to the outlet of the Little Indian Sioux River; thence in a northerly direction along the Little Indian Sioux River to the Canadian Border; thence in a northerly, easterly and southeasterly direction along the Canadian Border through Loon, Lac La Croix, Bottle, Iron and Crooked Lakes to the Horse River near the southeastern tip of Crooked Lake; thence upstream in a southwesterly direction along the Horse River to Horse Lake; thence in a southerly direction along the east shore of Horse Lake to the southern tip of Horse Lake Lower Pauness lake; thence along the east shore of Lower Pauness lake to the portage to Shell lake; thence along said portage and the south shore of Shell lake to the portage to Little Shell lake; thence through Little Shell lake to the portage to Lynx lake; thence along the portage and through Lynx lake to the portage to Ruby lake; thence along the portage and east and north along the south shore of Ruby lake to the portage to Hustler lake; thence along the portage and the south shore of Hustler lake to the portage to Oyster lake; thence along the portage and the south shore of Oyster lake to the portage to Oyster river; thence along the portage and southerly along the Oyster river to its junction with the Nina Moose river; thence east along the Nina Moose river to its confluence with Lake Agnes; thence along the south shore of Lake Agnes to the portage to Boulder river; thence along the portage to and easterly along the Boulder river to its confluence with the Dahlgren river; thence southerly along the Dahlgren river to its confluence with Stuart lake; thence along the south shore of Stuart lake to the portage to Nibin lake; thence along the portage and along the south shore of Nibin and Bibon lakes to the portage to Sterling lake; thence along the portage and the south shore of Sterling lake to Sterling creek; thence easterly along Sterling creek to its confluence with the Beartrap river; thence easterly and southerly along the Beartrap river through Sunday lake to Beartrap lake; thence along the south shore of Beartrap lake to Thunder lake; thence south along the west shore of Thunder lake to the portage to Mud Hole lake; thence along the portage and through Mud Hole lake to the portage to Gull lake; thence along the portage and the north shore of Gull lake to the portage to Gun lake; thence along the portage and the west shore of Gun lake to the portage to Fairy lake; thence along the portage and the west shore of Fairy lake to the portage to Boot lake; thence along the portage and the west and south shores of Boot lake to the portage to Fourtown lake; thence along the portage and the west, south, and east shores of Fourtown lake to the portage to Horse lake; thence along the portage and the west shore of Horse lake to the portage to Tin Can Mike lake; thence along the portage to Tin Can Mike lake; thence in a southwesterly direction across all portages and along all streams connecting Tin Can Mike, Sandpit, and Range lakes, thence to the access trail on the south shore of Range lake; thence in a southerly direction along the access trail to the Range lake access road; thence along said road in a southwesterly direction to Forest Road (FR) 1036; thence along FR 1036 to FR 459; thence along FR 459 to CSAH 116 (Echo Trail), St. Louis county; thence along CSAH 116 to the point of beginning.~~

[For text of subps 29 to 29b, see M.R.]

Subp. 29c. **Moose Zone 36.** Moose Zone 36 consists of that portion of the state lying within the following described boundary:

Beginning at the south tip of Horse lake, St. Louis county; thence along the east shore of Horse lake to the Horse river; thence along the Horse river to the Canadian border; thence along the Canadian border through Crooked, Iron, Bottle, Lac La Croix, and Loon lakes to the confluence with the Little Indian Sioux river; thence along the Little Indian Sioux river to Lower Pauness lake; thence along the east shore of Lower Pauness lake to the portage to Shell lake; thence along said portage and the south shore of Shell lake to the portage to Little Shell lake; thence through Little Shell lake to the portage to Lynx lake; thence along the portage and through Lynx lake to the portage to Ruby lake; thence along the portage and east and north along the south shore of Ruby lake to the portage to Hustler lake; thence along the portage and the south shore of Hustler lake to the portage to Oyster lake; thence along the portage and the south shore of Oyster lake to the portage to Oyster river; thence along the portage and southerly along the Oyster river to its junction with the Nina Moose river; thence east along the Nina Moose river to its confluence with Lake Agnes; thence along the south shore of Lake Agnes to the portage to Boulder river; thence along the portage to and easterly along the Boulder river to its confluence with the Dahlgren river; thence southerly along the Dahlgren river to its confluence with Stuart lake; thence along the south shore of Stuart lake to the portage to Nibin lake; thence along the portage and along the south shore of Nibin and Bibon lakes to the portage to Sterling lake; thence along the portage and the south shore of Sterling lake to

Sterling creek; thence easterly along Sterling creek to its confluence with the Beartrap river; thence easterly and southerly along the Beartrap river through Sunday lake to Beartrap lake; thence along the south shore of Beartrap lake to Thunder lake; thence south along the west shore of Thunder lake to the portage to Mud Hole lake; thence along the portage and through Mud Hole lake to the portage to Gull lake; thence along the portage and the north shore of Gull lake to the portage to Gun lake; thence along the portage and the west shore of Gun lake to the portage to Fairy lake; thence along the portage and the west shore of Fairy lake to the portage to Boot lake; thence along the portage and the west and south shores of Boot lake to the portage to Fourtown lake; thence along the portage and the west, south, and east shores of Fourtown lake to the point of beginning.

[For text of subs 30 and 31, see M.R.]

Subp. 32. **Moose Zone 62.** Moose Zone 62 consists of that portion of the state lying within the following described boundary:

Beginning at the Sawbill Campground at the southern end of Sawbill Lake; thence in a westerly direction across Sawbill Lake to the portage connecting Sawbill and Alton Lakes; thence in a westerly direction along said portage to Alton Lake; thence in a southwesterly direction through Alton Lake to the portage to Beth Lake; thence along all portage trails and through Beth and Grace Lakes to Phoebe Lake; thence along the ~~east and south~~ north and west shores of Phoebe Lake to an unnamed flowage in Section 13 of Township 62 North, Range 6 West entering Phoebe Lake from the south; thence in southerly and westerly directions along said flowage to Cat Eyes Lake; thence in a westerly direction through Cat Eyes Lake to its western-most point; thence overland in a southwesterly direction to the southeastern end of Watonwan Lake; thence in a northwesterly direction along the southwestern shore of Watonwan Lake to a bay in the Northeast Quarter of the Northeast Quarter of Section 21 of Township 62 North, Range 6 West; thence overland in a southwesterly direction to the eastern-most point on Kawishiwi Lake; thence in a southwesterly direction along the shore of Kawishiwi Lake to the public access at the south end of Kawishiwi Lake; thence in a northwesterly direction through the center of Kawishiwi Lake to its outlet, the Kawishiwi River; thence in a northerly direction along the Kawishiwi River through Square and Kawasachong Lakes to Lake Polly; thence in a northwesterly direction through Lake Polly to the Kawishiwi River; thence in a northerly direction along the Kawishiwi River, through Koma Lake, to Malberg Lake; thence in a northwesterly direction through Malberg Lake to the portage trail in the northwest corner of Malberg Lake leading to Kawishiwi River; thence in a northwesterly direction along said portage to Kawishiwi River; thence in a northeasterly direction along Kawishiwi River through Kivaniva, Kivandeba, and John Ek Lakes to the south end of John Ek Lake; thence overland for approximately 100 feet in an easterly direction to an unnamed flowage; thence in an easterly direction along said unnamed flowage across the South Half of the North Half of Section 31 of Township 64 North, Range 5 West (T. 64N, R. 5W) to an unnamed lake in the Northeast Quarter of the Northeast Quarter of said Section 31, T. 64N, R. 5W; thence overland for approximately 600 feet in a southeasterly direction to an unnamed pond in the Southwest Quarter of the Northwest Quarter of Section 32, T. 64N, R. 5W; thence overland for approximately 0.3 miles in an easterly direction to an unnamed flowage leading to Teat Lake; thence in an easterly direction along said unnamed flowage through Teat and Lawless Lakes to the eastern end of Lawless Lake; thence overland and all waters for approximately 0.8 miles in a southeasterly direction to Mesaba Lake; thence in a northeasterly direction through Mesaba Lake to an unnamed stream to Hub Lake; thence in a northerly direction along said unnamed stream to Hub Lake; thence along the east and south shores of Hub Lake to the stream leading to Chuck Lake; thence in an easterly direction along said stream, through Chuck and Florence Lakes to the northeast tip of Florence Lake; thence overland for approximately 100 feet in a northeasterly direction to Caper Lake; thence in a northerly direction through Caper Lake and along the unnamed flowage to the north to Frost River; thence in an easterly direction along Frost River, through Pencil, Chase and Octopus Lakes to the eastern end of Octopus Lake; thence in a southeasterly direction along an unnamed flowage to Noodle Lake; thence in a southwesterly direction along an unnamed flowage to Wing Lake; thence in a southeasterly direction through Wing Lake to its easternmost tip; thence overland and across Guard Lake for approximately 1,800 feet total in an easterly direction to Ranger Lake; thence in a southeasterly direction through Ranger Lake to its outlet to Cherokee Lake; thence in an easterly direction along said outlet to Cherokee Lake; thence in a northeasterly direction through Cherokee Lake and along all streams through Town and Cash Lakes to the southeast corner of Cash Lake; thence in an easterly direction along an unnamed flowage to the center of the South Half of Section 32 of T. 64N, R. 3W; thence overland for approximately 0.6 miles in an easterly direction to the unnamed lake in the Southwest Quarter of Section 33, T. 64N, R. 3W; thence in an easterly direction through said unnamed lake and along its outlet stream to Davis Lake; thence in an easterly direction and along all streams and portages through Davis, Pup, Winchell, Gaskin, and Icicle Lakes to the east end of Icicle Lake; thence overland approximately 0.1 mile in an easterly direction to Snack Lake; thence in an easterly direction through Snack Lake and its outlet stream to Vista Lake; thence in a southerly direction through Vista Lake, along its inlet from Misquah Lake, and through Misquah Lake to its southern tip; thence overland approximately 0.6 miles in a southerly direction to Little Trout Lake; thence in a southerly direction and along all

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streams through Little Trout, Slough, Iota, Dugout, Swede, and Dane Lakes to the southern tip of Dane Lake; thence overland approximately 800 feet in a southerly direction to Ball Club Lake; thence in a westerly direction through Ball Club Lake and along Ball Club Creek through Cleaver Lake to the unnamed lake in the West Half of Section 27 of T. 63N, R. 2W; thence in a northwesterly direction along the north shore of said lake to its inlet stream at the northern extremity of the lake; thence upstream in a northwesterly direction along said stream to Fishhook Lake; thence in a westerly direction to the westernmost point of Fishhook Lake; thence overland for approximately one-tenth mile in a southwesterly direction to the unnamed lake in the Southeast Quarter of Section 20, T. 63N, R. 2W; thence in a westerly direction through said unnamed lake to its outlet stream; thence in a westerly direction along said outlet stream to Brule Lake; thence in a westerly direction along the south shore of Brule Lake to Jock Mock Bay of Brule Lake; thence in a westerly direction along the south shore of Jock Mock Bay to the portage trail to Juno Lake; thence in a southerly direction across said portage to Juno Lake; thence in a westerly direction through Juno Lake to the portage to Vern Lake; thence in a southeasterly direction through Vern Lake to East Pipe Lake; thence in a westerly direction across all portages and through Pipe Lake to Pipe Creek; thence in a westerly direction along Pipe Creek to Temperance River (Kelly Lake); thence in a southwesterly direction along Temperance River to the portage to Burnt Lake; thence in a northwesterly direction across said portage to Burnt Lake; thence in a northwesterly direction through Burnt Lake, across all portages and through Smoke Lake to the east shore of Sawbill Lake; thence in a southerly direction along the east shore of Sawbill Lake to Sawbill Campground, to the point of beginning.

[For text of subs 33 to 44, see M.R.]

6232.4700 DEER AND BEAR REGISTRATION BLOCKS.

[For text of subs 1 to 58, see M.R.]

Subp. 59. **Registration Block 205.** Deer and Bear Registration Block 205 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 310 with the north boundary of the state; thence along the north boundary of the state (49th parallel of North Latitude) to the east boundary of the state (on Lake of the Woods); thence along the east boundary of the state to STH 72; thence along STH 72 to STH 11; thence along STH 11 to County State Aid Highway (CSAH) 1, Lake of the Woods county; thence along CSAH 1 to CSAH 3, Lake of the Woods county; thence along CSAH 3 to CSAH 2, Lake of the Woods county; thence along CSAH 2 to STH 11; thence along STH 11 to the southeast corner of Section 36, Township 162 North, Range 35 West; thence due west to County State Aid Highway (CSAH) 2, Roseau county; thence along CSAH 2 to STH 89; thence along STH 89 to STH 310; thence along STH 310 to the point of beginning.

[For text of subs 60 and 61, see M.R.]

Subp. 62. **Registration Block 208.** Deer and Bear Registration Block 208 consists of that portion of the state lying within the following described boundary, except that portion described as Registration Block 203:

Beginning at the intersection of State Trunk Highway (STH) 32 and County State Aid Highway (CSAH) 6, Marshall county; thence along CSAH 6 to STH 89; thence along County Road (CR) 133, Marshall county, to CSAH 54, ~~Marshall Pennington~~ county; thence along CSAH 54 to ~~CSAH 28, Pennington County; thence along CSAH 28 a point due west of the northwestern corner of the Red Lake Indian reservation; thence east to said corner; thence along the west boundary of the Red Lake Indian reservation~~ to STH 1; thence along STH 1 to STH 32; thence along STH 32 to the point of beginning.

[For text of subs 63 and 64, see M.R.]

Subp. 65. **Registration Block 211.** Deer and Bear Registration Block 211 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 72 and STH 11; thence along STH 72 to County State Aid Highway (CSAH) 77, Lake of the Woods county; thence along CSAH 77 to the Rapid River Forest Road; thence along the Rapid River Forest Road to the south branch of the Rapid river; thence along the north shore of the river to the Faunce Butterfield Forest Road; thence along the Faunce Butterfield Forest Road to Dick's Parkway Forest Road; thence along Dick's Parkway Forest Road to the Winner Forest Road; thence along the Winner Forest Road to CSAH 18, Roseau county; thence along CSAH 18 to CSAH 9, Roseau county; thence along CSAH 9 to CSAH 2, Roseau county; thence along CSAH 2 to the southeast corner of Section 36, Township 162 North, Range 36 West; thence due east to an intersection with STH 11; thence along STH 11 to CSAH 2, Lake of the Woods county; thence along CSAH 2 to CSAH 3, Lake of the Woods county; thence along CSAH 3 to CSAH 1, Lake of the Woods county; thence along CSAH 1 to STH 11; thence along STH 11 to the point of beginning.

[For text of subs 66 to 75, see M.R.]

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

Beginning at a point on the east boundary of the state due east of the intersection of State Trunk Highway (STH) 95 and STH 96; thence due west to this intersection; thence along STH 96 to County State Aid Highway (CSAH) 15, Washington county; thence along CSAH 15 to CSAH ~~8~~ 68, Washington county; thence along CSAH ~~8~~ 68 to CSAH 9, Washington county; thence along CSAH 9 to CSAH 7, Washington county; thence along CSAH 7 to CSAH 8A, Washington county; thence along CSAH 8A to U.S. Highway 61; thence along U.S. Highway 61 to CSAH 8, Washington county; thence along CSAH 8 to CSAH 14, Anoka county; thence along CSAH 14 to CSAH 17, Anoka county; thence along CSAH 17 to CSAH 18, Anoka county; thence along CSAH 18 to CSAH 58, Anoka county; thence along CSAH 58 to CSAH 9, Anoka county; thence along CSAH 9 to CSAH 22, Anoka county; thence along CSAH 22 to CSAH 12, Sherburne county; thence along CSAH 12 to U.S. Highway 169; thence along U.S. Highway 169 to the east bank of the Mississippi river; thence along the east bank of the Mississippi river to the east boundary of the state; thence along the east boundary of the state to the point of beginning.

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

Subp. 77. **Registration Block 236.** Deer and Bear Registration Block 236 consists of that portion of the state lying within the following described boundary, except that portion of the state known as the Carlos Avery state wildlife management area:

Beginning at the intersection of Interstate Highway 35 (I-35) and State Trunk Highway (STH) 95; thence along STH 95 to the east boundary of the state; thence along the east boundary of the state to a point due east of the intersection of STH 95 and STH 96; thence due west to this intersection; thence along STH 96 to County State Aid Highway (CSAH) 15, Washington county; thence along CSAH 15 to CSAH ~~8~~ 68, Washington county; thence along CSAH ~~8~~ 68 to CSAH 9, Washington county; thence along CSAH 9 to CSAH 7, Washington county; thence along CSAH 7 to CSAH 8A, Washington county; thence along CSAH 8A to U.S. Highway 61; thence along U.S. Highway 61 to CSAH 8, Washington county; thence along CSAH 8 to CSAH 14, Anoka county; thence along CSAH 14 to CSAH 17, Anoka county; thence along CSAH 17 to the western boundary of the Carlos Avery state wildlife management area; thence along the north and west boundary of the Carlos Avery state wildlife management area to I-35; thence along I-35 to the point of beginning.

[For text of subps 78 to 92, see M.R.]

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

Beginning at the intersection of Interstate Highway 35 (I-35) and State Trunk Highway (STH) 19; thence along STH 19 to the Little Cannon river; thence along the west bank of the Little Cannon river to its confluence with the Cannon river; thence along the north bank of the Cannon river to U.S. Highway 61; thence along U.S. Highway 61 to County State Aid Highway (CSAH) 18, Goodhue county; thence along CSAH 18 to Lock and Dam No. 3 and the east boundary of the state; thence along the east boundary of the state to the Mississippi river; thence along the east bank of the Mississippi river to U.S. Highway 61; thence along U.S. Highway 61 to ~~County State Aid Highway (CSAH) 47~~, Dakota county; thence along CSAH 47 to CSAH 48, Dakota county; thence along CSAH 48 to U.S. Highway 52; thence along U.S. Highway 52 to CSAH 66, Dakota county; thence along CSAH 66 to STH 3; thence along STH 3 to CSAH 50, Dakota county; thence along CSAH 50 to CSAH 23, Dakota county; thence along CSAH 23 to CSAH 70, Dakota county; thence along CSAH 70 to I-35; thence along I-35 to the point of beginning.

Subp. 94. **Registration Block 341.** Deer and Bear Registration Block 341 consists of that portion of the state lying within the following described boundary:

Beginning at the intersection of State Trunk Highway (STH) 19 and U.S. Highway 52; thence along U.S. Highway 52 to STH 57; thence along STH 57 to County State Aid Highway (CSAH) 24, Dodge county; thence along CSAH 24 to CSAH 13, Olmsted county; thence along CSAH 13 to the municipal boundary of Pine Island; thence along the municipal boundary of Pine Island to U.S. Highway 52; thence along U.S. Highway 52 to CSAH 12, Olmsted county; thence along CSAH 12 to U.S. Highway 63; thence along U.S. Highway 63 to U.S. Highway 61; thence due east to the east boundary of the state; thence along the east boundary of the state to ~~U.S. Highway 63~~; thence along U.S. Highway 63 Lock and Dam No. 3; thence along CSAH 18, Goodhue county to U.S. Highway 61; thence along U.S. Highway 61 to the Cannon river; thence along the north bank of the Cannon river to the west bank of the Little Cannon river; thence along the west bank of the Little Cannon river to STH 19; thence along STH 19 to the point of beginning.

[For text of subps 95 to 157, see M.R.]

<p>KEY: PROPOSED RULES SECTION — <u>Underlining</u> indicates additions to existing rule language. Strike outs indicate deletions from existing rule language. If a proposed rule is totally new, it is designated “all new material.” ADOPTED RULES SECTION — <u>Underlining</u> indicates additions to proposed rule language. Strike outs indicate deletions from proposed rule language.</p>
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Proposed Rules

6234.0800 HUNTING BY FALCONRY.

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

Subp. 4. **Open season and hours for migratory game birds.** Woodcock, sora and Virginia rails, ~~and common snipe; ducks, coots, and moorhens (gallinules)~~ may be taken by falconry from September 1 to December 16. Ducks, coots, and moorhens (Gallinules) may be taken by falconry from the Saturday nearest October 1 to the Saturday nearest January 14. Geese may be taken by falconry ~~from the Saturday nearest October 1 to December 16~~ during any open goose season. Crows may be taken by falconry during the open season. Falconry hours are from one-half hour before sunrise to sunset, except during the regular waterfowl season when falconry hours are the same as waterfowl shooting hours.

6234.1600 TAKING BOBCAT.

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

Subp. 2. **Open area.** Bobcats may be taken only in that area of the state lying north of ~~U.S. Highway 40~~ Interstate Highway 94 (I-94) beginning at the west boundary of the state; thence along I-94 to U.S. Highway 10; and thence along U.S. Highway 10 to the east boundary of the state.

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

6234.1700 TAKING FISHER.

Subpart 1. **Open season and area.** Fisher may be taken ~~only in the Forest Furbearer Zone~~ by trapping from the Saturday nearest December 1 to the Sunday nearest December 16.

Subp. 2. **Bag limits.** The combined limit for fisher and pine marten is four per season, in aggregate. A person may not take more than two fisher per season or possess more than two fisher at a time, except that a person may possess additional pelts that the person lawfully took, tagged, and registered during previous seasons.

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

Subp. 4. **Open area.** Fisher may be taken only in that area of the state lying north of Interstate Highway 94 (I-94) beginning at the west boundary of the state; thence along I-94 to U.S. Highway 10; and thence along U.S. Highway 10 to the east boundary of the state.

6234.1800 TAKING PINE MARTEN.

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

Subp. 2. **Open area.** Pine marten may be taken only in ~~the following described area:~~

Beginning at the north boundary of the state at the point due north of the junction of State Trunk Highway (STH) 41 and STH 72; thence due south to said junction; thence south along STH 72 to STH 1; thence east along STH 1 to STH 65; thence south along STH 65 to U.S. Highway 169; thence east along U.S. Highway 169 to STH 37; thence east along STH 37 to U.S. Highway 53; thence south along U.S. Highway 53 to the north shore of Lake Superior; thence along the north shore of Lake Superior to the north boundary of the state; thence along the north boundary of the state to the point of beginning that area of the state lying north of Interstate Highway 94 (I-94) beginning at the west boundary of the state; thence along I-94 to U.S. Highway 10; and thence along U.S. Highway 10 to the east boundary of the state.

Subp. 3. **Bag limits.** The combined limit for fisher and pine marten is four per season, in aggregate. A person may not take more than two pine marten per season or possess more than two pine marten at a time, except that a person may possess additional pelts which the person has lawfully taken, tagged, and registered during previous seasons.

[For text of subp 4, 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 areas in Zone 1:

(1) wild turkey permit area 152 consists of registration block 152;

~~B.~~ (2) wild turkey permit area 157 consists of registration block 157;

~~C.~~ (3) wild turkey permit area 158 consists of registration block 158; and

(4) wild turkey permit area 159 consists of registration block 159;

B. Wild turkey permit areas in Zone 2:

~~D.~~ (1) wild turkey permit area 221 consists of registration block 221;

~~E.~~ (2) wild turkey permit area 222 consists of registration block 222;

- ~~F.~~ (3) wild turkey permit area 223 consists of registration block 223;
- ~~G.~~ (4) wild turkey permit area 224 consists of registration block 224;
- ~~H.~~ (5) wild turkey permit area 225 consists of registration block 225;
- ~~I.~~ (6) wild turkey permit area 226 consists of registration block 226;
- ~~J.~~ (7) wild turkey permit area 227 consists of registration block 227;
- ~~K.~~ (8) wild turkey permit area ~~228-236~~ 228 consists of registration ~~blocks~~ block ~~228 and 236~~;
- ~~L.~~ (9) wild turkey permit area 235 consists of registration block 235;
- ~~M.~~ (10) wild turkey permit area 236 consists of registration block 236;

(11) wild turkey permit area 244 consists of registration block 244;

- ~~N.~~ (12) wild turkey permit area 251 consists of registration block 251;
- ~~O.~~ (13) wild turkey permit area 286 consists of registration block 286; and
- ~~P.~~ (14) wild turkey permit area 297-298 consists of registration blocks 297 and 298;

C. Wild turkey permit areas in Zone 3:

- ~~Q.~~ (1) 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.~~ (2) wild turkey permit area 341-342 consists of registration blocks 341 and 342;
- ~~T.~~ (3) wild turkey permit area 343-347 consists of registration blocks 343 and 347;
- ~~U.~~ (4) wild turkey permit area 344 consist of registration block 344;
- ~~V.~~ (5) wild turkey permit area 345-348 consists of registration blocks 345 and 348;
- ~~W.~~ (6) wild turkey permit area 346 consists of registration block 346; and
- ~~X.~~ (7) wild turkey permit area 349 consists of registration block 349;

D. Wild turkey permit areas in Zone 4:

- ~~Y.~~ (1) wild turkey permit area 402 consists of registration block 402;
- ~~Z.~~ (2) wild turkey permit area 405 consists of registration block 405;
- ~~AA.~~ (3) wild turkey permit area 406 consists of registration block 406;
- ~~BB.~~ (4) wild turkey permit area 407 consists of registration block 407;
- ~~CC.~~ (5) wild turkey permit area 408 consists of registration block 408;
- ~~DD.~~ (6) wild turkey permit area 409 consists of registration block 409;
- ~~EE.~~ (7) wild turkey permit area 410 consists of registration block 410;
- ~~FF.~~ (8) wild turkey permit area 411 consists of those portions of registration block 411 described as follows:

Beginning at the intersection of State Trunk Highway (STH) 78 and STH 210; thence along STH 210 in an easterly direction to STH 29; thence along STH 29 in a southerly direction to STH 235; thence along STH 235 in a westerly direction to County State Aid Highway (CSAH) 38; thence along CSAH 38 to the intersection of STH 78; thence along STH 78 in a northerly direction to the point of beginning;

- ~~GG.~~ (9) wild turkey permit area 412 consists of registration block 412;
- ~~HH.~~ (10) wild turkey permit area 413 consists of registration block 413;
- ~~I.~~ (11) wild turkey permit area 414 consists of registration block 414;
- ~~J.~~ (12) wild turkey permit area 415 consists of those portions of registration block 415 described as follows:

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

Beginning at the intersection of Interstate Highway 94 (I-94) and State Trunk Highway (STH) 28; thence along STH 28 in a northeasterly direction to County State Aid Highway (CSAH) 2; thence along CSAH 2 in an easterly direction to STH 238; thence along STH 238 to CSAH 26; thence along CSAH 26 to the Mississippi river; thence along the Mississippi river in a southerly direction to STH 23; thence along STH 23 to the intersection of CSAH 75; thence along CSAH 75 to the intersection of I-94; thence along I-94 in a westerly direction to the point of beginning;

~~KK~~: (13) wild turkey permit area 416 consists of registration block 416;

~~LL~~: (14) wild turkey permit area 417 consists of those portions of registration block 417 described as follows:

Beginning at the intersection of State Trunk Highway (STH) 55 and STH 4; thence along STH 4 in a southerly direction to U.S. Highway 12; thence along U.S. Highway 12 to County State Aid Highway (CSAH) 104, Swift county; thence northerly on CSAH 104 to STH 55, Douglas county; thence along STH 55 in a southeasterly direction to the point of beginning;

~~MM~~: (15) wild turkey permit area 418 consists of those portions of registration block 418 described as follows:

Beginning at the intersection of Interstate Highway 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 Interstate Highway 94; thence along Interstate Highway 94 to the point of beginning;

~~NN~~: (16) wild turkey permit area 419 consists of registration block 419;

~~OO~~: (17) wild turkey permit area 420 consists of registration block 420;

~~PP~~: (18) wild turkey permit area 421 consists of registration block 421;

~~QQ~~: (19) wild turkey permit area 422 consists of registration block 422;

~~RR~~: (20) wild turkey permit area 423 consists of registration block 423;

~~SS~~: (21) wild turkey permit area 424 consists of registration block 424;

~~TT~~: (22) wild turkey permit area 425 consists of registration block 425;

~~UU~~: (23) wild turkey permit area 426 consists of registration block 426;

~~VV~~: (24) wild turkey permit area 427 consists of registration block 427;

~~WW~~: (25) wild turkey permit area 428 consists of registration block 428;

~~XX~~: (26) wild turkey permit area 429 consists of registration block 429;

~~YY~~: (27) wild turkey permit area 431 consists of registration block 431;

~~ZZ~~: (28) wild turkey permit area 433-446-447 consists of registration ~~block~~ blocks 433, 446, and 447;

~~AAA~~: (29) wild turkey permit area 435 consists of registration block 435;

~~BBB~~: (30) wild turkey permit area 440 consists of registration block 440;

~~CCC~~: (31) wild turkey permit area 442 consists of registration block 442;

~~DDD~~: (32) 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~~: (33) wild turkey permit area 448-449-451 consists of registration ~~block~~ blocks 448, 449, and 451;

~~HHH~~: wild turkey permit area 449 consists of registration block 449;

~~HH~~: (34) wild turkey permit area 450 consists of registration block 450;

~~JJJ~~: wild turkey permit area 451 consists of registration block 451;

~~KKK~~: (35) wild turkey permit area 452 consists of registration block 452;

~~LLL~~: (36) wild turkey permit area 453 consists of registration block 453;

~~MMM~~: (37) wild turkey permit area 454-455-456-458 consists of registration blocks 454, 455, 456, and 458;

(38) wild turkey permit area 457 consists of registration block 457;

~~NNN~~: (39) wild turkey permit area 459 consists of registration block 459;

~~OOO~~: (40) wild turkey permit area 461 consists of registration block 461;

~~PPP~~: (41) wild turkey permit area 463 consists of registration block 463;

~~QQQ~~: (42) wild turkey permit area 464-465 consists of ~~those portions of~~ registration blocks 464 and 465 ~~described as follows~~; and

~~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~~

~~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 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 CSAH 12 to the point of beginning; and~~

~~RRR~~: (43) wild turkey permit area 466-467 consists of registration ~~block~~ ~~blocks~~ 466 and 467 and ~~those portions of registration~~ block 466 described as follows; and

~~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 90 (I-90) in Austin; thence along I-90 to the point of beginning.~~

E. Wild turkey permit area 339-462 consists of registration blocks 339 and 462 in Zones 3 and 4.

6236.0900 SPECIAL PROVISIONS FOR TAKING TURKEYS.

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

Subp. 2. **Electronic devices.** Turkeys may not be taken with the aid of any electronic device, except that a hearing aid or other device designed to enhance hearing may be used.

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

Subp. 4. **Game refuges open to taking turkeys.** The Lost Lake refuge in Fillmore county, the Whitewater state game refuge in Winona county, the Minnetonka game refuge in Carver and Hennepin counties, the Albert Lea and Moscow state game refuges in Freeborn county, the Linn Lake state game refuge in Chisago county, the Rochester state game refuge in Olmsted county, the Stearns county state game refuge in Stearns county, the Claremont state game refuge in Dodge county, and the St. Croix River and Stillwater game refuges in Washington county are open for the taking of turkeys during ~~the~~ open wild turkey seasons in the zones in which they are located.

Subp. 5. **Wildlife management areas open to taking turkeys.** ~~That portion~~ Those portions of the Carlos Avery wildlife management area posted with "Wildlife Sanctuary Do Not Trespass" signs that ~~lies~~ lie within ~~zone 22~~ is an open turkey zone are open for the taking of turkeys during the spring turkey season.

6240.0100 DEFINITIONS.

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

Subp. 1a. **Early goose season.** "Early goose season" means goose seasons beginning before September 16.

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

Subp. 2a. **Late goose season.** "Late goose season" means goose seasons beginning on or after December 1.

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

Subp. 4. **Regular goose season.** "Regular goose season" means goose seasons beginning from September 16 to October 21.

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

6240.0300 TAKING OF WOODCOCK.

Subpart 1. **Open season.** Woodcock may be taken ~~from September 1 to November 4~~ during the 45-day period beginning the Saturday on or nearest September 22.

Subp. 2. **Daily limit.** A person may not take more than ~~five~~ three woodcock per day during the open season.

6240.0700 TAKING GEESE IN WEST CENTRAL GOOSE ZONE.

The West Central Goose Zone is the area lying within the following boundary:

Beginning at the intersection of State Trunk Highway (STH) 29 and U.S. Highway 212; thence West along U.S. Highway 212 to U.S. Highway 59; thence South along U.S. Highway 59 to STH 67; thence West along STH 67 to U.S. Highway 75; thence North along U.S. Highway 75 to County State Aid Highway (CSAH) 30, Lac qui Parle county; thence West along CSAH 30 ~~to County Road 70, Lac qui Parle county; thence West along County Road 70~~ to the west boundary of the state; thence North along the west boundary of the state to the point due south of the intersection of STH 7 and CSAH 7, Big Stone county; thence due North to said intersection; thence North along CSAH 7 to CSAH 6, Big Stone county; thence East along CSAH 6 to CSAH 21, Big Stone county; thence South along CSAH 21 to CSAH 10, Big Stone county; thence East along CSAH 10 to CSAH 22, Swift county; thence East along CSAH 22 to CSAH 5, Swift county; thence South along CSAH 5 to U.S. Highway 12; thence East along U.S. Highway 12 to CSAH 17, Swift county; thence South along CSAH 17 to CSAH 9, Chippewa county; thence South along CSAH 9 to STH 40; thence East along STH 40 to STH 29; thence South along STH 29 to the point of beginning.

6240.1600 TAKING GEESE IN ~~FOUR~~ FIVE GOOSE ZONE.

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

Subp. 3. **Zone description.** The ~~Four~~ Five Goose Zone is described as follows:

~~That portion of the state lying west of Interstate Highway 35 (I-35) and south of I-94, except that area included in the Twin Cities Metro Canada Goose Zone described in part 6240.1500, subpart 3. Those areas of the state not included in the Northwest Goose Zone described in part 6240.0860; the Twin Cities Metro Canada Goose Zone as described in part 6240.1500, subpart 3; or the Two Goose Zone described in part 6240.1700, subpart 3.~~

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

6240.1700 TAKING GEESE IN TWO GOOSE ZONE.

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

Subp. 3. **Zone description.** The Two Goose Zone is described as follows:

~~Beginning at the intersection of the southern border of the state and Interstate Highway 35 (I-35); thence north on I-35 to I-35W; thence north on I-35W to I-94; thence west on I-94 to the western boundary of the state; thence following the west, north, east, and south boundaries of the state to the point of beginning; excluding the Twin Cities Metro Canada Goose Zone as described in part 6240.1500, subpart 3; and excluding the Northwest Goose Zone as described in part 6240.0860. That part of the state lying east of Interstate Highway 35 and south of the Twin Cities Metro Canada Goose Zone as described in part 6240.1500, subpart 3.~~

6240.1850 GAME REFUGES OPEN TO THE TAKING OF GEESE.

The following refuges are open to the taking of geese, as specified:

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

B. The Fox Lake game refuge in Martin county and the Saint James game refuge in Watonwan county are open to goose hunting during the first three days of the regular goose season in the remainder of the state as described in part 6240.1100 respective zones in which they are located. The Fox Lake game refuge is also open to goose hunting for the last 14 days from the Saturday on or nearest November 20 to the end of the goose season in the remainder of the state as described in part 6240.1100 zone in which it is located, except there is no goose hunting within 100 yards of Fox and Temperence lakes.

C. The Harstad Slough waterfowl refuge in Stevens county is open to Canada goose hunting during the early September goose season. The Mud-Bardwell waterfowl refuge in Martin county is open to Canada goose hunting from November 1 to the end of the regular goose season, except there is no goose hunting within 100 yards of Mud and Bardwell lakes.

6240.1900 LATE SEASON FOR TAKING GEESE.

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

Subp. 2. **Public roads.** Taking Canada geese from public roads and their rights-of-way is prohibited in the Twin Cities ~~Metropolitan~~ Metro Canada Goose Zone during the late season established by this part.

Subp. 3. **Seasons.** Canada geese may be taken in the Twin Cities ~~Metropolitan~~ Metro Canada Goose Zone and the Fergus Falls/Alexandria Goose Zone and in Olmsted county ~~from December 15 through December 24. Canada geese may be taken in the Fergus Falls/Alexandria Goose Zone~~ during the ten-day period beginning the second Saturday in December. Taking Canada geese on or within 100 yards of all surface waters, excluding ice, is prohibited in the Twin Cities ~~Metropolitan~~ Metro Canada Goose Zone during the late season.

6240.2300 COMMON CROW SEASON.

Subpart 1. **Open dates.** Common crows may be taken from July ~~+~~ 15 through ~~November +~~ October 15 and from March 1 through March 31.

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

6284.0500 HARVESTING WILD RICE IN WILDLIFE MANAGEMENT AREAS.

All wildlife management areas are ~~closed~~ open to the harvest of wild rice, except ~~for the following:~~ as specifically closed by posting or rule.

- ~~A. Mud Goose, Cass county;~~
- ~~B. Kettle Lake, Carlton county;~~
- ~~C. Hubbel Pond, Becker county;~~
- ~~D. Duck Lake, Crow Wing county; and~~
- ~~E. Newstrom Lake, Aitkin county.~~

REPEALER. Minnesota Rules, part 6240.2100, subpart 4, is repealed. The emergency amendments to the following Minnesota Rules are repealed: Minnesota Rules, parts 6230.0400, subpart 21 (22 SR 532, 9/29/97); 6230.0500 (22 SR 532, 9/29/97); 6230.0700, subparts 2, 3, and 6 (22 SR 532, 9/29/97); 6232.2800, subpart 4 (22 SR 2013, 5/18/98); 6232.4100, subparts 20, 24a, 24b, 24c, 27, 28, and 29c (22 SR 2303, 6/22/98); 6232.4700, subparts 62, 93, and 94 (23 SR 529, 8/31/98); and 6236.0810 (23 SR 1484, 1/4/99).

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.

Executive Orders

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

Office of the Governor

Emergency Executive Order #99-14: Providing for Assistance to Officials in Carlton County

I, **JESSE VENTURA, 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, late in the evening on May 26, 1999, Ms. Kathlyn Poirier was abducted by a man from a convenience store near Interstate 35 in Moose Lake, Minnesota; and

WHEREAS, authorities believe that Ms. Poirier may be found within Carlton County; and

WHEREAS, local law enforcement agencies do not have the resources to conduct an effective, organized grid search; and

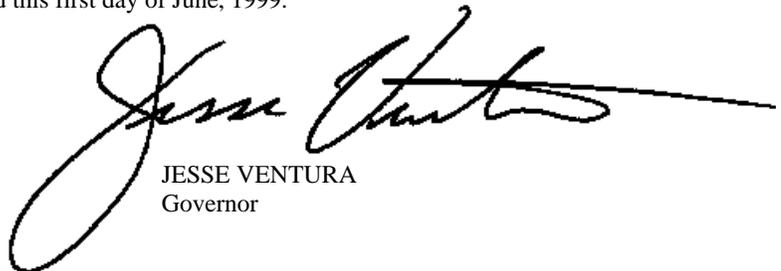
WHEREAS, the sheriff of Carlton County has requested assistance from the National Guard;

NOW, THEREFORE, I hereby order that:

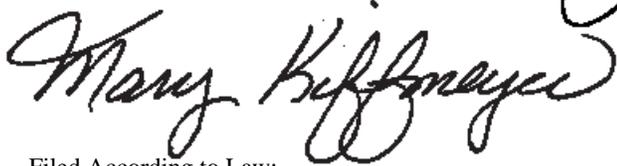
1. The Adjutant General of Minnesota order to state active duty on or about May 28, 1999, in the service of the State, such elements and equipment of the military forces of the State as required and for such period of time as necessary to conduct an organized search.
2. The Adjutant General is authorized to purchase, lease or contract goods or services necessary to accomplish this mission.
3. The cost of subsistence, transportation, fuel, pay, and allowances of said individuals shall be defrayed from the general fund of the State as provided for in *Minnesota Statutes* 1998, sections 192.49, subd. 1, 192.51 and 192.52.

Pursuant to *Minnesota Statutes* 1998, section 4.035, subd. 2, this Order is effective immediately and shall remain in effect until such date as elements of the military forces of the State are no longer required.

IN TESTIMONY WHEREOF, I have set my hand this first day of June, 1999.



JESSE VENTURA
Governor



Filed According to Law:
MARY KIFFMEYER
Secretary of State

Official Notices

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

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

Department of Agriculture

Minnesota Rural Finance Authority

Notice of Public Hearing on the Issuance of an Agricultural Development Revenue Bond Under *Minnesota Statutes*, Chapter 41C on Behalf of Jay Place for Eight Acres of Farmland, Buildings, and Livestock in Des Moines Township, Jackson County

NOTICE IS HEREBY GIVEN that a public hearing will be held on July 9, 1999, at 9 A.M. in Room 145 Department of Agriculture Building, 90 West Plato Boulevard, Saint Paul Minnesota, on a proposal that the Minnesota Rural Finance Authority (the Authority) issue its revenue bond under *Minnesota Statutes*, Chapter 41C, in order to finance the purchase of approximately 8 acres of farmland; buildings and livestock located in Section 9, Des Moines Township, Jackson County, Minnesota on behalf of Jay Place, a single man (the Borrower/s). The maximum aggregate face amount of the proposed bond issue is \$175,000.00. The revenue bond will be a limited obligation of the Authority, payable solely from the revenue pledged to the payment thereof. No holder of such revenue bond will ever have the right to compel any exercise of the taxing power of the State of Minnesota to pay the bond or the interest thereon, nor to enforce payment against any property of the Authority or the State of Minnesota, except the revenues specifically pledged to the payment thereof. Before issuing the revenue bond, the Authority will enter into an agreement with the Borrower whereby the Borrower will be obligated to make payments at least sufficient at all times to pay the principal of and interest on such revenue bond when due. All persons interested may appear and be heard at the time and place set forth above, or may file written comments with the Executive Director of the Authority prior to the date of the hearing set forth above.

Dated: 2 June 1999

Jim Boerboom
RFA Director

Board of Chiropractic Examiners

REQUEST FOR COMMENTS on Planned Amendment to Rules Governing Licensing Status: Termination of Graduate Preceptorship Program

Subject of Rules. The Minnesota Board of Chiropractic Examiners (MBCE) requests comments on this planned amendment. The MBCE is considering rule amendments regarding Licensing Status: Termination of Graduate Preceptorship Program.

Persons Affected. The amendment to the rules would likely affect graduates wishing to participate in the Graduate Preceptorship Program.

The amendment to the rules would likely affect licensed chiropractors with acupuncture registration, who wish to perform acupuncture without concurrent chiropractic care.

Statutory Authority. *Minnesota Statutes*, section 148.08, subdivision 3 authorizes the MBCE to adopt rules necessary to administer its legislative authority.

Public Comment. Interested persons or groups may submit comments or information on these planned rules in writing until 4:30 p.m. on August 19, 1999. The MBCE does not contemplate appointing an advisory committee to comment on the planned rules.

Rules Drafts. The MBCE does not anticipate that a draft of the rules amendments will be available before the publication of the proposed rules.

Agency Contact Person. Written comments, questions, and requests for more information on these planned rules should be addressed to: Tari Vannelli, MBCE, 2829 University Avenue SE, Suite 300, Minneapolis, MN 55414, 612-617-2222. TTY users may call the MBCE at 1-800-627-3529.

Alternative Format. Upon request, this Request for Comments can be made available in an alternative format, such as large print, Braille, or cassette tape. To make such a request, please contact the agency contact person at the address or telephone number listed above.

Official Notices

Note: Comments received in response to this notice will not necessarily be included in the formal rulemaking record submitted to the administrative law judge when a proceeding to adopt rules is started. The agency is required to submit to the judge only those written comments received in response to the rules after they are proposed.

Dated: 27 May 1999

Larry A. Spicer, D.C., Executive Director
MN Board of Chiropractic Examiners

Department of Labor and Industry

CORRECTION TO: Request for Comments on Planned Amendment to Rule Governing Workers' Compensation Hourly Rates on File for Rehabilitation Services, *Minnesota Rules*, Part 5220.1900, subp. 1b

The Request for Comments published in the June 7, 1999 edition of the *State Register*, Vol. 23 #49, pages 2260-2261 (23 S.R. 2260) contained a typographical error in the paragraph entitled "Subject of Rules." The first sentence of that paragraph incorrectly cited *Minnesota Rules* Part 5221.1900, subp. 1b. The correct cite is *Minnesota Rules* Part 5220.1900, subp. 1b.

Dated: 9 June 1999

Department of Labor and Industry

Pollution Control Agency

Policy and Planning Division

Notice of Proposed Update of the Permanent List of Priorities Among Releases or Threatened Releases of Hazardous Substances or Pollutants or Contaminants

NOTICE IS HEREBY GIVEN that the Minnesota Pollution Control Agency (MPCA) is publishing for public comment a proposed deletion from the Permanent List of Priorities (PLP) which lists releases or threatened releases of hazardous substances, pollutants, or contaminants for which the MPCA may take removal or remedial actions under the Minnesota Environmental Response and Liability Act (MERLA), *Minnesota Statutes* §§ 115B.01 through 115B.241(1998) Pursuant to *Minnesota Statutes* § 115B.17 (1998) and *Minnesota Rules* 7044.0950 (1997), the MPCA is proposing the following change to the PLP.

The MPCA is proposing to delete a portion of the Boise Cascade/Medtronic & Boise Cascade/Onan Sites (Boise Sites), Fridley, Anoka County. That portion of the Boise Sites proposed for deletion is defined as Outlot A of the Onan Addition. Previously on May 17, 1999, the MPCA proposed the deletion of only that portion of the Boise Sites defined as Lot 3, Block 1 of the Onan Addition. The MPCA has determined that Outlot A does not pose a threat to public health or the environment and that deletion of this parcel of the Site is in compliance with State Rules concerning deletion of sites from the PLP. (See *Minnesota Rules* 7044.0950) Boise is required under a court order to continue long term monitoring, with MPCA oversight, at the Boise Cascade Sites.

The MPCA invite members of the public to submit written comments on this proposed deletion from the PLP. All written comments with regard to this proposed deletion must be received no later than 4:30 p.m., July 15, 1999, and should be submitted to: Gary L. Krueger, Regular Facilities and Site Remediation Section, Policy and Planning Division, Minnesota Pollution Control Agency, 520 Lafayette Road North, St. Paul, Minnesota 55155-4194.

An interested person may submit a petition to the Commissioner of the MPCA requesting that the MPCA Board make the decision on whether to adopt this proposed deletion from the PLP. To be considered timely, the MPCA contact person, Gary L. Krueger must receive the petition, by 4:30 p.m. on July 15, 1999. The decision whether to adopt the proposed deletion from the PLP will be made by the MPCA Board if: (1) the Commissioner grants the petition requesting the matter to be presented to the MPCA Board; or (2) a MPCA Board member requests to hear the matter prior to the time the Commissioner makes a final decision on the proposed deletion from the PLP.

Requests for a complete updated PLP or information on a specific site currently listed on the PLP can be directed to the MPCA's Public Information Office at the above address, or by telephoning 651-296-6300 or toll free at 800-657-3864.

All written comments received by the above deadline will be considered by the MPCA in establishing the updated PLP

Karen A. Studders
MPCA Commissioner

Department of Revenue

REQUEST FOR COMMENTS on Planned Amendment to Rules Governing Valuation and Assessment of Electric, Gas Distribution and Pipeline Companies, *Minnesota Rules*, parts 8100.0100 - 8100.0300 and 8100.0500

Subject of Rules. The Minnesota Department of Revenue requests comments on its planned amendment to rules governing valuation and assessment of electric, gas distribution and pipeline companies. The Department is considering rule amendments that change the source of information for cooperatives to the Rural Utility Service, repeal the earnings growth rate, allow cooperatives to elect to be valued using unit valuation, and change the method of deducting locally assessed and non-taxable property from the Minnesota apportionable value.

Persons Affected. The amendments to the rules would likely affect electric, gas distribution and pipeline companies and units of local government in which they are located.

Statutory Authority. *Minnesota Statutes*, section 270.06 (14), authorizes the Department of Revenue to adopt rules for the administration and enforcement of state tax laws.

Public Comment. Interested persons or groups may submit comments or information on these planned rules in writing until 4:30 p.m. on August 13, 1999. The Department does not contemplate appointing an advisory committee to comment on the planned rules.

Rules Drafts. The Department does not anticipate that a draft of the rule amendments will be available before the publication of the proposed rules.

Agency Contact Person. Written or oral comments, questions, requests to receive a draft of the rules when it has been prepared, and requests for more information on these planned rules should be directed to: Ron Cook at Minnesota Department of Revenue, MS 3340, St. Paul, MN 55146-3340, 651-296-0392, FAX 651-297-2166. TTY users may call the Department at 651-297-2196.

Alternative Format. Upon request, this Request for Comments can be made available in an alternative format, such as large print, Braille, or cassette tape. To make such a request, please contact the agency contact person at the address or telephone number listed above.

Dated: 14 June 1999

Matthew G. Smith, Commissioner
Minnesota Department of Revenue

State Grants & Loans

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

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

Department of Agriculture

Commissioner's Office

Notice of Availability of Grant Funds for Agricultural Information Centers

The Minnesota Department of Agriculture announces the availability of \$350,000 in grant funds for agricultural information centers for the period through June 30, 2001. The purpose of these grants is to help fund nonprofit centers that provide a variety of services to farmers such as financial planning, social and legal service referrals, assistance with mediation and peer counseling.

To receive a grant application contact:

Pat Schuna
Farm Advocate Program
Minnesota Department of Agriculture
90 West Plato Blvd.
St. Paul, MN 55107
Phone: 651-296-1484
FAX: 651-297-7449

All grant applications must be received by Ms. Schuna at the address above by 4:30 p.m., June 28, 1999.

Department of Agriculture

Farm Advocate Program

Notice of Availability of Contracts for Minnesota Farm Advocates

The Minnesota Department of Agriculture announces the availability of contracts for farm advocates for the period of July 1, 1999, through June 30, 2000. Applicants must be farmers or former farmers; be familiar with or experienced in farm financial planning (cash flows through financial statements); be knowledgeable of farmers' borrowers rights and responsibilities with the ability to comprehend state and federal rules and regulations governing agricultural credit; have good communications skills (written, oral and listening); and have compassion for and an interest in helping other farmers. Resumes will be accepted through June 28, 1999.

For more information contact:

Pat Schuna
Farm Advocate Program
Minnesota Department of Agriculture
90 W. Plato Blvd.
St. Paul, MN 55107
651-296-1484

Department of Agriculture

Rural Finance Authority

Notice of Application Period for Ethanol Facility Loan Applications

NOTICE IS HEREBY GIVEN that the Rural Finance Authority (RFA) has scheduled an application period for submitting applications for assistance through the Ethanol Production Facility Loan Program. Applications will be accepted from 8:00 a.m. on Monday, June 14, 1999 through 4:00 p.m. on Friday, August 13, 1999. Applications are to be delivered to the Rural Finance Authority at the Minnesota Department of Agriculture, 90 W. Plato Blvd., St. Paul, MN 55107.

To obtain an application packet, please call the RFA at 651-296-1748.

Center for Crime Victim Services

Notice of Availability of Funds for Battered Women Program

The Minnesota Center for Crime Victim Services, Battered Women's Program, announces the availability of grant funds for special time-limited projects, made available through appropriations by the Minnesota State Legislature.

1. **Residential Program for Women Leaving Prostitution:** One grant of \$600,000 is available for the development and administration of a residential program for women leaving prostitution. Private non-profit organizations with a major program focus of serving women used in systems of prostitution are eligible to apply. The grant is for the two-year period from July 1, 1999, through June 30, 2001. This is a one-time appropriation by the State Legislature, and the applicant must provide a 25% match.

The following are for the twelve-month period from July 1, 1999, through June 30, 2000:

2. **Emergency Shelter Services - Bloomington:** One grant of \$103,000 is available for emergency shelter services for battered women and their children in the city of Bloomington, Minnesota. An existing battered women's shelter in Bloomington is eligible to apply.
3. **Emergency Shelter Services - Duluth:** One grant of \$103,000 is available for emergency shelter services for American Indian battered women and their children in the city of Duluth, Minnesota. An American Indian battered women's shelter in Duluth is eligible to apply.

All applications are due Friday, July 23, 1999. To receive a request for proposals that provides complete information and describes how to apply, contact:

Minnesota Center for Crime Victim Services
245 East Sixth Street, Suite 705
St. Paul, Minnesota 55101-1940
651-282-6256 or 1-888-622-8799 outside the Twin Cities metropolitan area
TTY (hearing impaired): 651-205-4827

Office of Environmental Assistance (OEA)

Notice of Availability of Solid Waste Processing Facilities Grant Funds

The Solid Waste Management Processing Facilities Capital Assistance Program (CAP) was established by the Minnesota Legislature to provide financial and technical assistance to local governments to encourage the proper management of solid waste. The objective of the CAP program is to minimize land disposal of municipal solid waste (MSW) through solid waste processing and resource recovery.

This notice is issued by the OEA Director under authority provided in *Minnesota Rules* Parts 9210.0100 to 9210.0180. The purposes of this notice are to solicit applications for projects that meet the CAP Program objectives and to outline the application process.

Eligible applicants are Minnesota cities, counties, solid waste management districts, and sanitary districts. The applicant, or their county, must have an OEA approved County Solid Waste Management Plan.

The project, inclusive of land, building, and equipment, must be owned by the Applicant. This funding round is divided into two types of eligible projects:

- A. Eligible projects for funding available July 1, 1999: the retrofit and reconstruction of a solid waste resource recovery facility located in the city of Perham that serves a seven-county area. Three Million Dollars (\$3,000,000) is available as of July 1, 1999. The deadline for applications is July 16, 1999.
- B. Eligible projects for funding that will be available July 1, 2000: solid waste processing facilities that include resource recovery. Examples of eligible facilities are waste-to-energy facilities, composting facilities, recycling/household hazardous waste facilities, energy facilities, composting facilities, recycling/household hazardous waste facilities, projects to improve control of or reduce air emissions, and transfer stations that will serve waste processing facilities. The amount of funding available is subject to bonding during the year 2000 Legislative Session. The deadline for application is August 20, 1999.

Professional, Technical & Consulting Contracts

Depending on the project type, a project may receive funding of 25 to 50% of the eligible capital cost, up to a maximum of \$2 million. Multi-county projects with an intercounty cooperative agreement may receive 25 to 50% of the eligible capital costs, or up to \$2 million times the number of participating counties, whichever is less. A project to construct a new mixed municipal solid waste transfer station that has an enforceable commitment of at least 10 years, or of sufficient length to retire bonds sold for the facility, to serve an existing resource recovery facility may receive grant assistance up to 75% of the capital cost of the project if the addition of the transfer station will substantially increase the geographical area served by the resource recovery facility.

Copies of the CAP Procedures Manual and Application Forms, including the statutes and rules applicable to the program, are available by contacting:

Mary L. James
Office of Environmental Assistance
520 Lafayette Road No., Second Floor
St. Paul, Minnesota 55155-4100
651-215-0194, or 1-800-657-3843 (toll-free in Minnesota)

OEA staff is available to meet with interested applicants to discuss the CAP program, the grant process, and proposed projects prior to applicants submission of preliminary grant applications. All submissions should be unbound, single-sided, page numbered, and on 8 1/2" by 11" paper.

Preliminary applications meeting the requirements of *Minnesota Statutes* 115A.51, 115A.54, and *Minnesota Rules* Parts 9210.0100 to 9210.0180 must be received by the OEA at the above address by 4:30 p.m., CST, **Friday, July 16, 1999** for project "A" funding and **Friday, August 20, 1999** for project "B" funding.

Preliminary applications should be mailed or hand delivered to the OEA. Faxed submittals will not be accepted.

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 (651) 296-2600 or [TTY (651) 297-5353 and ask for 296-2600].

Department of Administration

State Designer Selection Board

Request for Proposals for the University of Minnesota, Minneapolis Campus, New Facilities for the Art Department (Project 5-99)

To Minnesota Registered Design Professionals:

The State Designer Selection Board has been requested to select consultants for a project. Design firms who wish to be considered for this project must deliver proposals on or before 12 p.m. (Noon), Monday, June 28, 1999, to:

Lisa Blue, Executive Secretary
State Designer Selection Board
Department of Administration
c/o Materials Management Division
50 Sherburne Avenue, Room 112
St. Paul, Minnesota 55155-3000
651-297-5526

PROPOSALS RECEIVED AFTER THE SUBMISSION DEADLINE WILL NOT BE CONSIDERED.

Questions concerning the Board's procedures herein described, or the schedule in Item 8.h, should be referred to the Executive Secretary at 651-297-5526. Questions relating to the project must be referred to the project contact(s) in Item 8.i.

Professional, Technical & Consulting Contracts

NOTE TO RESPONDERS: CHANGES MAY HAVE BEEN MADE IN THE CONTENT AND FORMAT REQUIREMENT. PROPOSALS WHICH DO NOT CONFORM TO THE FOLLOWING CONTENT, ORDER AND FORMAT REQUIREMENTS AS OUTLINED IN ITEMS 1 THROUGH 5 BELOW MAY BE DISQUALIFIED.

1. **The front cover of the proposal should be clearly labeled** with the project number and project title as shown at the top of this request for proposal, together with the designer's firm name, address, telephone number, fax number and the name of the contact person. The back cover should remain blank.
2. **All data should be on 8 1/2" x 11" sheets, soft bound.** No more than 20 printed faces should be included (see the following for clarification):
 - a. All letters directed to the Board should be bound into the proposal and all pages will be counted as printed face(s). It is not necessary to do a cover letter to the Executive Secretary.
 - b. Blank dividers (with printed tab headings only) will not be counted as faces.
 - c. Front and back covers of proposals will not be counted as faces.
 - d. None of the statutory or mandatory information, except as requested in Item 3 below, should appear on the dividers or covers.
 - e. All pages should be numbered.

Proposals that deviate from the above may be disqualified.

3. BRIEF PROPOSAL SUMMARY:

All proposals shall begin with a summary which includes only the following items:

- a. Name of firm and its legal status;
- b. Names of persons in leadership roles for project management, design and production of architecture; design of civil, structural, mechanical and electrical engineering, landscape architecture, land surveying, fire protection and geoscience for each and every discipline called for in Section 8.b. The name of each person so mentioned must also include their Minnesota registration number. Fire protection engineering requires a licensed fire protection engineer, identified by their number OR the engineering registration number accompanied in Section 4.b by a listing of past projects demonstrating competency in this field.

Consultants and assistants to the persons in leadership roles, as identified above, need not provide a Minnesota registration number. These individuals should be listed separately from those above.

- c. A statement indicating that the consultants listed have been contacted and have agreed to be a part of the design team;
- d. A commitment to enter into the work promptly, if selected, by engaging the consultants and assigning the persons named in Item 3.b above, along with adequate staff to meet the requirements of work;
- e. At least one copy of the proposal must contain an original signature by an authorized member of the firm submitting the proposal, in ink, on the bottom of the first page of the proposal.
- f. A list of all State and University of Minnesota current and past projects and studies awarded to the prime firm(s) responding to this request for proposal during the four years immediately preceding the date of this request for proposal.

Projects and studies shall mean those projects and studies (1) funded by the state legislature, by state/user agencies or University of Minnesota operating funds, or by funding raised from the private sector or individuals by state/user agencies or the University of Minnesota; (2) awarded as a result of the State Designer Selection Board process or awarded directly by state/user agencies or the University of Minnesota without employing the State Designer Selection Board process; or (3) related to design-bid-build or design/build project delivery systems.

The prime firm(s) shall list and total all fees associated with the above projects and studies, whether the fees have been received or are anticipated. In addition, the prime firm(s) shall indicate the amount of fees listed which were paid, or are anticipated to be paid, to engineering or other specialty consultants employed, or anticipated to be employed, on the projects and studies listed pursuant to the above.

NOTE: Please call the Executive Secretary at 651-297-5526 and leave your name and address or fax number to receive a copy of the acceptable format for providing fee information.

Professional, Technical & Consulting Contracts

4. ADDITIONAL MANDATORY PROPOSAL CONTENTS:

- a. A section containing graphic material (e.g., photos, plans, drawings, etc.) as evidence of the firm's qualifications for the work. The graphic material shall be identified. It shall be work in which the personnel listed in Item 3.b above have had significant participation and their roles shall be clearly described. It shall be noted if the personnel were, at the time of the work, employed by other than their present firms.
- b. Expanded resumes showing qualification of individuals, listed in Item 3.b above, administering or producing the major elements of the work, including consultants. Identify roles which such persons played in projects which are relevant to the project at hand.
- c. A discussion of the firm's understanding of and approach to the project.
- d. A listing of relevant past projects.

5. Eight copies of the proposal should be submitted.

6. Design firms wishing to have their proposals returned after the Board's review shall follow one of the following procedures:

- a. Enclose a *self-addressed, stamped* postal card with the proposals. Design firms will be notified when material is ready to be picked up. Design firms will have two weeks to pick up their proposals, after which time the proposals will be discarded; or
- b. Enclose a *self-addressed, stamped* mailing envelope with the proposals. When the Board has completed its selection, proposals will be returned using this envelope.

7. BOARD SELECTION CRITERIA:

In making its selection of designers the Board shall consider the criteria listed below:

Credit for the following criteria will equal not less than sixty percent.

- a. Qualifications and technical competence in the required field of design;
- b. Ability to deal with aesthetic factors;
- c. Project understanding and approach.

Credit for the following criteria will equal up to forty percent.

- d. Capacity to accomplish the work and services within the required constraints
- e. Availability of appropriate personnel;
- f. Geographic relationship of the designer's base to the project site; and
- g. Awards previously made to a designer by the state. This is in the interest of equitable distribution of commissions.

The criteria do not necessarily have the same weight, nor are their relative weights necessarily constant from one project to another. The Board may issue statements regarding criteria as they relate to individual projects.

Evaluations of the proposals shall be made independently by the Board members.

8. PROJECT 5-99

University of Minnesota
Minneapolis West Bank Campus

a. PROJECT DESCRIPTION:

The University of Minnesota is planning to construct new 150,000 GSF facilities for the Art Department and Nash Gallery program on the University of Minnesota Minneapolis West Bank Campus. The program for these facilities requires 137,966 square feet. The purpose of this project is to adequately accommodate the program; and replace an existing unsafe facility that, due to building configuration and physical degeneration of the 1920's era structure, has been determined to be too costly to renovate to correct general repair, fire and life safety, and accessibility deficiencies. The new facilities will provide classrooms and instructional studios/laboratories for both undergraduate and graduate students, as well as, multi-media research space for professional graduate students.

The new facilities for the Art Department will be constructed on two sites. One on the west side of 21st Avenue South, and one on the east side of the street, south of Fourth Street South.

Professional, Technical & Consulting Contracts

The new facilities will provide: flexible-multiple media seminar rooms; presentation/critique rooms; instructional classrooms; light industrial type studios for drawing and painting, sculpture, printmaking, papermaking, and photographic processes; medium industrial type studios for ceramics and metal foundry; graduate student multimedia research studios; departmental, staff and faculty offices; a digitizing library; bulk materials handling and storage; and a new facility for the Nash Gallery. The design of the new facilities will include high tech instructional spaces incorporating advanced electronic and communications equipment. In addition, electronic imaging (computer art) laboratories will be provided to ensure the program's viability into the future. Utilities infrastructure must be planned to support these new facilities, and includes new or extended service for domestic and fire suppression water supply, central chilled water extensions, central high pressure steam extensions, natural gas, primary electric, telecommunications, sanitary and storm sewer.

b. REQUIRED SERVICES:

Full architectural/engineering services will be required, including program review; architectural design; mechanical, electrical, civil, and structural engineering; landscape architecture, acoustic/vibration isolation, cost estimating, and implementation scheduling.

c. SERVICES PROVIDED BY OTHERS:

None

d. SPECIAL CONSIDERATIONS:

The designers must have recent applicable experience in the design and construction of Art production and instructional environments in a university setting. The design team selected must have proven experience in working with and directing the efforts of building committees. The design team must have a strong background in the design of similar facilities requiring complex mechanical ventilation solutions for systems separation and compliance with air quality codes and permitting. In addition, the design team must demonstrate the capability of contributing to the development of a campus Arts District. The design team must provide a list of clients for similar projects implemented within the last five years, including the names, phone numbers, and addresses of references.

e. PROJECT BUDGET/FEES:

The total project cost, including infrastructure and demolition of the existing Art Building, is not to exceed \$44 million. Consultant fees will be based on a percentage of the estimated construction budget. Construction funding will be requested from the legislature in the next biennium.

f. PROJECT SCHEDULE:

Predesign programming was completed by the University in April 1999. Program review, district analysis, and schematic design will commence immediately thereafter.

An Executive Summary copy of the predesign project information is available to all interested parties by contacting Ms. Sue Ward, University Architect's Office, at 612-624-5758. A full copy of the predesign information will be distributed prior to the final interview, and will be limited to the firms shortlisted by the State Designer Selection Board for final interviews.

g. PROJECT INFORMATIONAL MEETING/SITE VISIT:

An informational meeting and site visit will be held for shortlisted firms before the final interviews. The University will contact the shortlisted firms with the meeting information.

h. STATE DESIGNER SELECTION BOARD SCHEDULE:

Project Proposals Due: June 28, 1999, by 12 p.m. (Noon)

Project Shortlist: July 13, 1999

Project Interviews and Award: July 27, 1999

Professional, Technical & Consulting Contracts

I. PROJECT CONTACT(S):

Questions concerning the project should be referred to:

Roger Wegner, Owner's Representative
University of Minnesota
300 Donhowe Building
319 15th Avenue SE
Minneapolis, MN 55455
PHONE: 612-626-6625
FAX: 612-625-5164
E-Mail: wegnerr@fm.facm.umn.edu

9. CONTRACT REQUIREMENTS:

- a. The amended Minnesota Human Rights Act (*Minnesota Statute 363.073*) divides the contract compliance program into two categories. Both categories apply to any contracts for goods or services in excess of \$100,000. The first category applies to businesses who have more than 40 full-time employees within Minnesota on a single working day during the previous 12 months. The businesses in this category must have submitted an affirmative action plan to the Commissioner of the Department of Human Rights prior to the date and time set for the solicitation opening and must have received a Certificate of Compliance prior to the execution of the contract or agreement. The second category applies to businesses who have more than 40 full-time employees on a single working day in the previous 12 months in the State in which they have their primary place of business. The business in this category must either have an unexpired Certificate of Compliance previously issued by the Department of Human Rights, or certify to the contracting State agency that they are in compliance with federal affirmative action requirements before execution of the contract. This Certificate is valid for two (2) years. For further information, contact the Department of Human Rights, 190 East Fifth Street, Suite 700, St. Paul, MN 55101, 651-296-5663 or 800-657-3704.

The Department of Administration is under no obligation to delay award or execution of this contract until a vendor has completed the human rights certification process. It is solely the responsibility of the vendor to apply for, and obtain, a human rights certificate prior to contract award.

- b. Costs incurred in responding to this RFP shall be borne by the responder. In accordance with existing statutes, the Board shall retain one copy of each proposal submitted. Responses to this RFP become public information under the Freedom of Information Act after the final selection has been made.
- c. *Laws of Minnesota 1997*, require the successful responder to submit acceptable evidence of compliance with workers' compensation insurance coverage requirements prior to execution of the contract.
- d. *Laws of Minnesota 1997*, Chapter 202, Article 1, Section 12, Subdivision 2, require that during the biennium ending June 30, 1999, for an executive agency contract that is subject to *Minnesota Statutes*, Section 363.073 (over \$100,000 and subject to Human Rights Certification requirements), before the agency enters into the contract, should to the extent practical and to the extent consistent with the business needs of the State, ensure that the company to receive the contract attempts to recruit Minnesota welfare recipients to fill vacancies in entry level positions if the company has entry level employees in Minnesota.
- e. This RFP does not obligate the State to complete the project, and the State reserves the right to cancel the solicitation if it is considered to be in its best interest.

Department of Administration (Admin)

Request for Proposals for Consultant Services for the Minnesota State Retirement System, Public Employees Retirement Association, and Teacher's Retirement Association (Minnesota Retirement Systems)

Admin is undertaking the project to construct an office building to house the Minnesota Retirement Systems. Admin, on behalf of the Minnesota Retirement Systems, is soliciting proposals from registered professionals in good standing with the State of Minnesota to provide consulting services including space planning to the Minnesota Retirement Systems throughout the project.

This RFP does not obligate Admin to complete the proposed project and Admin reserves the right to cancel this solicitation if it is considered to be in its best interest.

To receive a full request for proposal write:

Thomas Ulness, A.I.A., Assistant Commissioner
Minnesota Department of Administration
50 Sherburne Avenue, Room 200
Saint Paul, MN 55155
FAX: 651-297-7909
E-Mail: *Tom.Ulness@state.mn.us*

Completed proposals are due by 4:00 p.m. Wednesday, June 30, 1999.

Minnesota State Colleges and Universities (MnSCU)

Finance Division

Facilities Section

Business Support Unit

Notice of Request for Proposals for Facilities Reinvestment Study

NOTICE IS HEREBY GIVEN that the Minnesota State Colleges and Universities (MnSCU) is issuing a Request for Proposals for a reinvestment study of the facilities of the Revenue Fund at the seven state universities. The study will encompass marketing, facilities (building on an already completed physical condition assessment study), and programs. The types of facilities studied will include student housing, dining services, and student unions.

The proposals will be due July 15, 1999 and it is expected that the study will commence on July 26 and be completed by December 1, 1999,

If you wish to receive a Request for Proposal, please contact:

Sieglinde A. Bier
Facilities Business Support
ETC Building, Suite 300
1450 Energy Park Drive
St. Paul, MN 55108-5227
FAX: 651-649-5779
Voice: 651-649-5780
E-mail: *sieglinde.bier@so.mnscu.edu*

This is the only person designated to answer questions regarding this process.

Professional, Technical & Consulting Contracts

Colleges and Universities, Minnesota State (MnSCU)

Anoka-Ramsey Community College

Request for Proposals to Replace Theater Lighting System

Description: Replace theater lighting system including demolition, electrical conduit runs, low voltage and power migration and house light system installation. For detailed bid specifications contact Sheila Provost at 612-422-3373.

Sealed bids must be received by 10 a.m. on July 6, 1999. All bids will be opened the same day in the AnokaRamsey/Coon Rapids cafeteria. Mail sealed bids to: ARCC c/o: Roger Freeman, 11200 Mississippi Blvd., Coon Rapids, MN 55433.

- Must participate in theatre walk through June 29, 1999 at 9 a.m.
- Must include certificate of insurance with bid package.
- Bids must include those costs associated with normal shipping and handling of each system to Anoka-Ramsey Community College (also known as ARCC). The College will accept NO additional charges.
- Complete installation must occur between August 16, 1999 and September 1, 1999.
- Complete system must be Year 2000 Compliant.

Department of Health

Notice of Availability of Funds to Develop Direct Mail Materials as Part of a Nationally-Funded Research Project to Increase Mammography Use Among Minnesota Women

The Cancer Control Section of the Minnesota Department of Health is issuing this Request for Proposals (RFP) to enlist the creative, design, and printing services of an agency with a track record in the marketing field. Specific experience in health issues and direct mail design is a plus.

Up to \$100,000 is available to fund one agency to develop, produce, and print concepts for pilot testing, and to revise, produce, and print finished copies within a research-driven time line. The funding period is August 2, 1999 to June 30, 2000.

For a copy of the complete RFP, please contact:

Sarah Phillips
Cancer Control Section
Minnesota Department of Health
717 Delaware Street Southeast
P.O. Box 9441
Minneapolis, MN 55440-9441
612-676-5717
Sarah.Phillips@health.state.mn.us

Proposals are due by 4:00 p.m., Tuesday, July 6, 1999.

Department of Human Services

Ah-Gwah-Ching Center Residential Facility

Notice of Request for Proposal for Pharmacy Consulting Services

To be qualified to render services under this contract, the contractor shall at all times during the course of the contract possess a valid license to practice pharmacy in the State of Minnesota.

Contractor's Duties:

1. Provide the facility with a written record of each resident's medication review, particularly those on neuroleptic medication, on a regular basis.
2. Report any irregularities in a client's medication regimen to the prescribing physician and the interdisciplinary team.
3. Ensure adverse reactions are reported to the vendor pharmacist.
4. Review medication administration of standing orders.
5. Ensure a proper system of security is in place including storage, handling, and destruction of medications.
6. Provide in-service training to staff.
7. Provide support and assistance to the facility staff pharmacist.
8. Provide direction for Pharm.D. clerkship program.
9. Provide emergency telephone consultations.
10. Assist with projects which may involve special research.

The contractor shall prepare and sign written reports with respect to all patient services rendered under this contract on a form prescribed by Ah-Gwah-Ching Center.

The contractor's records relevant to this contract must be retained by the contractor for a period of five years following expiration of this contract and shall be accessible at reasonable hours to Ah-Gwah-Ching Center.

A standard state consultant contract will be utilized for these services.

In compliance with *Minnesota Statutes* 16B.167, the availability of this contracting opportunity is being offered to state employees. We will evaluate the responses of any state employee along with other responses to this Request for Proposal.

Term of Contract: July 1, 1999 through June 30, 2001.

Cost Estimate: \$35,000.00 per year

Responses must be received by 4:30 p.m. on July 6, 1999.

Direct inquiries to:

Jeff Smith, Chief Executive Officer
Ah-Gwah-Ching Center
P.O. Box 40
Ah-Gwah-Ching, MN 56430
218-547-8300

Professional, Technical & Consulting Contracts

Department of Human Services

Ah-Gwah-Ching Center Residential Facility

Notice of Request for Proposal for Physician Services

To be qualified to render services under this contract, the contractor shall at all times during the course of the contract:

1. Provide physicians that possess a valid and unlimited license to practice medicine in accordance with *Minnesota Statute*, Chapter 147.
2. Provide physicians that possess a valid federal narcotics number.

The contractor shall provide a clinic liaison and staff physician services to the residents of Ah-Gwah-Ching Center as listed below:

1. Participate in the resident care management system including continuous quality improvement effort and participation in multi-disciplinary team meetings and medication reviews with nurse practitioners, pharmacist, and consulting psychiatrist.
2. Participate in monthly surgical consultation via in-house visit of surgeon.
3. Be available 24 hours a day.
4. Rapidly identify infectious disease problems, provide help with steps in isolation, and work with the Minnesota Department of Health when needed.
5. Provide direction to the physical therapist on treatment of post-surgical patients.
6. Provide other services as may be requested by the Chief Executive Officer.

The contractor will designate a doctor as the clinic liaison who will coordinate medical care in the facility and comply with required physician schedule of visits in accordance with applicable level of care standards for residents.

A standard state consultant contract will be utilized for these services.

In compliance with *Minnesota Statutes* 16B.167, the availability of this contracting opportunity is being offered to state employees. We will evaluate the responses of any state employee along with other responses to this Request for Proposal.

Term of Contract: July 1, 1999 through June 30, 2001.

Cost Estimate: \$32,500 per year

Responses must be received by 4:30 p.m. on July 6, 1999.

Direct inquires to:

Jeff Smith, Chief Executive Officer
Ah-Gwah-Ching Center
P.O. Box 40
Ah-Gwah-Ching, MN 56430
218-547-8300

Minnesota House of Representatives

Public Notice of Request for Bid for Television Broadcast, Transmission and Production Equipment

NOTICE IS HEREBY GIVEN that the Minnesota House of Representatives Administrative Services Office is seeking bids from qualified vendors for Television Broadcast, Transmission and Production Equipment to include broadcast quality cameras, lenses, camera control and robotic camera controls. Transmission equipment will include fiber optics for audio, video and control signals. Production equipment will include videotape machines and a video production switcher.

All bids must be submitted on the forms accompanying the specifications in a sealed envelope and delivered to Room 198, State Office Building, no later than **Tuesday, June 29, 1999 at 2 p.m.** Bid submittals will be open publicly on that date and time.

A copy of the Request for Bid Packet can be obtained by calling: Barry LaGrave, 216C State Capitol Building, 75 Constitution Avenue, St. Paul, Minnesota 55155, 651-297-1338.

Other department personnel are NOT to discuss the Request for Bid with anyone, including responders, before the proposal submission deadline.

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.

City of Saint Paul

Request for Proposal (A-20721-1) for Information Technology Workforce Program

The City of Saint Paul is seeking proposals from qualified entities to develop and implement an expanded information technology workforce program to train low income people for information technology positions. The successful proposer will be expected to achieve the City's training goals by using \$75,000 of public funds to leverage a minimum of \$400,000 in additional resources to finance this program. Proposers are invited to submit a plan for generating the required private sector and other funding and implementing the information technology job training program. Sufficient private resources must be in place by October 1, 1999 in order that all training is completed by July 31, 2000.

Interested parties may contact the Contract and Analysis Division, Room 280 City Hall/Court House, 15 West Kellogg Blvd., Saint Paul, MN 55102 (651-266-8900) and request a copy of RFP 20721-1. Qualified providers must submit their proposals on or before 2:00 p.m., Wednesday, July 14, 1999.

Metropolitan Airports Commission

Qualifications Sought for Environmental Consulting Services at Minneapolis-St. Paul International Airport

The Metropolitan Airports Commission invites a Submittal of Qualifications for environmental consulting services at the Minneapolis-St. Paul International Airport. Support Services are required but not limited to: hydrogeology, storm water management, containment, collections and management of spent aircraft deicing fluid, soil and groundwater contamination, hazardous materials handling, solid waste cleanup, audits and investigation of releases by others.

Deadline for receipt of qualifications submittals is July 16, 1999.

A copy of the invitation is available from Richard B. Keinz, Director of Environment, Metropolitan Airports Commission, 6040 28th Avenue South, Minneapolis, MN 55450 612-726-8134.

Non-State Public Bids, Contracts & Grants

Metropolitan Council

Notice of Intent to Request Proposals for the Utilization of Wastewater Incinerator Ash

The Metropolitan Council ("Council") is a public corporation and a political subdivision of the State of Minnesota organized under *Minnesota Statutes*, chapter 473 and having jurisdiction in the Minneapolis St. Paul Area.

The Council through its Environmental Services Division owns and operates the Metropolitan Wastewater Treatment Plant (Metro) and the Seneca Wastewater Treatment Plant (Seneca). Metro and Seneca produce waste incinerator ash (WIA) from the combustion of wastewater solids. The total production of WIA is approximately 15,000 dry tons annually.

The Council has a continuing need to regularly remove WIA from storage silos at the Metro plant and at the Seneca plant. The Council for several years has successfully contracted with the private sector to beneficially utilize WIA and desires to continue this practice. The Council operates its utilization program under permit SW 292 issued by the Minnesota Pollution Control Agency. The current contract for WIA utilization will terminate on or about February 12, 2000. A new contract needs to be in place by that date.

It is the intent of the Council to request proposals from qualified Companies for WIA utilization. In order to qualify a Company must enter into a five-year agreement with the Council. To be considered, a Company must be experienced in the utilization of WIA and meet certain other requirements that include, but are not limited to, the following: (1) obtain and have in hand all applicable environmental approvals and permits (2) prepare a written work plan for all utilization methods, (3) be capable of transporting, of storing and of utilizing 15,000 tons of WIA per contract year; (4) provide payment and performance bonds each in the penal sum of \$4,000,000.

If you believe your company can meet the necessary qualifications and you desire to receive proposal information, write or FAX by June 25, 1999 to

Mr. Harry C. Grounds, Manager of Plant Design
The Metropolitan Council
230 East 5th Street
St. Paul, Minnesota 55101
FAX: 651-602-1183

Bryce J. Pickart
Assistant General Manager, Technical Services

University of Minnesota

Notice of Bid Information Service (BIS) Available for All Potential Vendors

The University of Minnesota offers 24 hour/day, 7 day/week access to all Requests for Bids/Proposals through its fax back Bid Information Service (BIS). Subscriptions to BIS are \$75/per fiscal year (not prorated). Call 612-625-5534 for information or visit our web site at <http://purchserv.finop.umn.edu>. Choose BID Information Service.

Requests for Bids/Proposals are available to the public at no charge each business day from 8:00 a.m. - 4:30 p.m. in Purchasing Services lobby, Suite 560, 1300 S. 2nd Street, Mpls, MN 55454.

