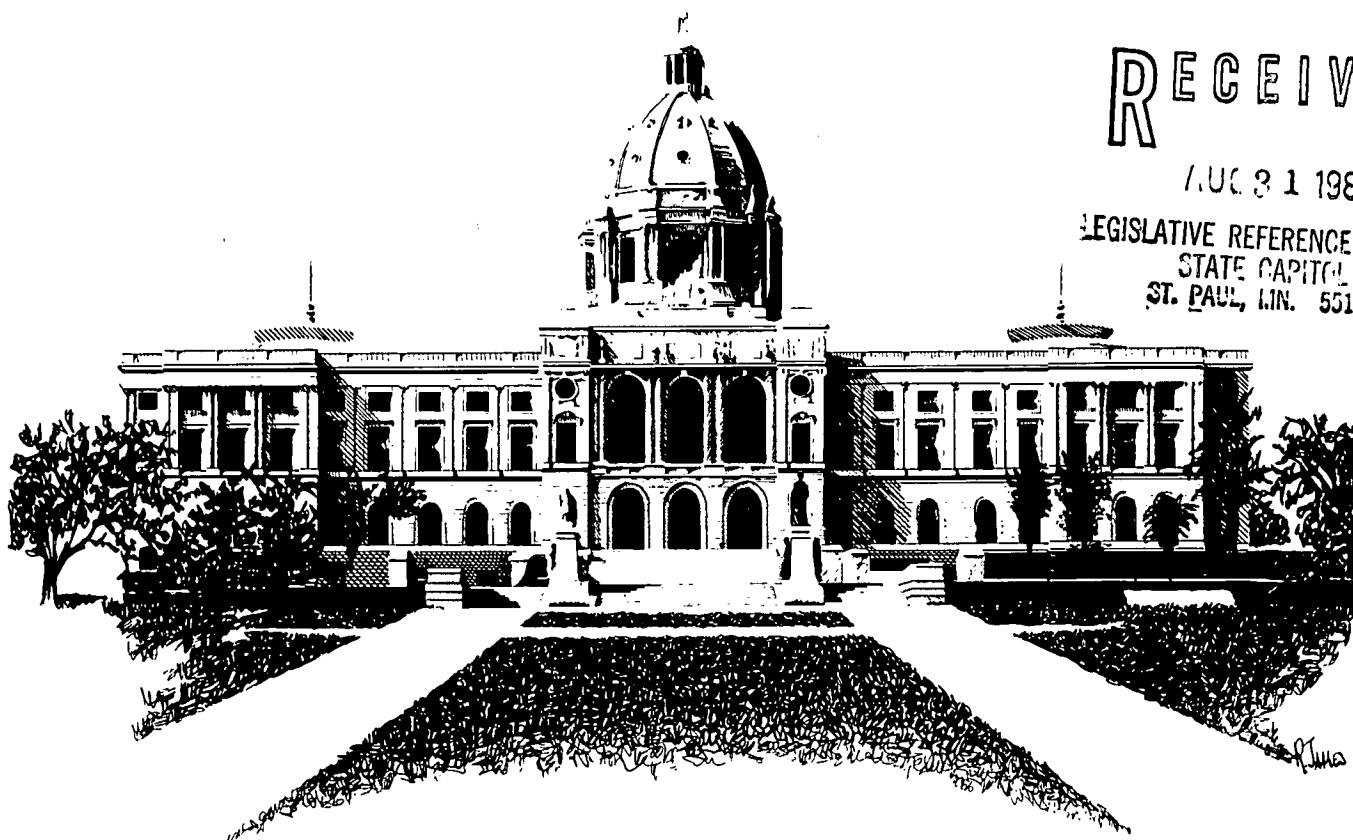


81 Aug. 31

STATE REGISTER

STATE OF MINNESOTA



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VOLUME 6, NUMBER 9

August 31, 1981

Pages 245-332



Printing Schedule for Agencies

Issue Number	*Submission deadline for Executive Orders, Adopted Rules and **Proposed Rules	*Submission deadline for State Contract Notices and other **Official Notices	Issue Date
SCHEDULE FOR VOLUME 6			
10	Monday Aug 24	Monday Aug 31	Friday Sept 4
11	Monday Aug 31	Friday Sept 4	Monday Sept 14
12	Friday Sept 4	Friday Sept 11	Monday Sept 21
13	Monday Sept 14	Monday Sept 21	Monday Sept 28

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

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

Instructions for submission of documents may be obtained from the Office of the State Register, 506 Rice Street, St. Paul, Minnesota 55103, (612) 296-0930.

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The *State Register* is the official publication of the State of Minnesota, containing executive orders of the governor, proposed and adopted rules of state agencies, and official notices to the public. Judicial notice shall be taken of material published in the *State Register*.

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How to Follow State Agency Rulemaking Action in the *State Register*

State agencies must publish notice of their rulemaking action in the *State Register*. If an agency seeks outside opinion before promulgating new rules or rule amendments, it must publish a **NOTICE OF INTENT TO SOLICIT OUTSIDE OPINION**. Such notices are published in the **OFFICIAL NOTICES** section. Proposed rules and adopted rules are published in separate sections of the magazine.

The **PROPOSED RULES** section contains:

- Calendar of Public Hearings on Proposed Rules.
- Proposed new rules (including Notice of Hearing and/or Notice of Intent to Adopt Rules without A Hearing).
- Proposed amendments to rules already in existence in the Minnesota Code of Agency Rules (MCAR).
- Proposed temporary rules.

The **ADOPTED RULES** section contains:

- Notice of adoption of new rules and rule amendments (those which were adopted without change from the proposed version previously published).
- Adopted amendments to new rules or rule amendments (changes made since the proposed version was published).
- Notice of adoption of temporary rules.
- Adopted amendments to temporary rules (changes made since the proposed version was published).

All **ADOPTED RULES** and **ADOPTED AMENDMENTS TO EXISTING RULES** published in the *State Register* will be published in the Minnesota Code of Agency Rules (MCAR). Proposed and adopted **TEMPORARY RULES** appear in the *State Register* but are not published in the MCAR due to the short-term nature of their legal effectiveness.

The *State Register* publishes partial and cumulative listings of rule action in the **MCAR AMENDMENTS AND ADDITIONS** list on the following schedule:

Issues 1-13, inclusive

Issues 14-25, inclusive

Issue 26, cumulative for 1-26

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Issue 39, cumulative for 1-39

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PROPOSED RULES

Pursuant to Minn. Laws of 1980, § 15.0412, subd. 4h, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing, as long as the agency determines that the rules will be noncontroversial in nature. The agency must first publish a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register*. The notice must advise the public:

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

If, during the 30-day comment period, seven 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 § 15.0412, subds. 4 through 4g, which state that if an agency decides to hold a public hearing, it must publish in the *State Register* a notice of its intent to do so. This notice must appear at least 30 days prior to the date set for the hearing, along with the full text of the proposed rules. (If the agency has followed the provisions of subd. 4h and has already published the proposed rules, a citation to the prior publication may be substituted for republication.)

Pursuant to Minn. Stat. § 15.0412, subd. 5, when a statute, federal law or court order to adopt, suspend or repeal a rule does not allow time for the usual rulemaking process, temporary rules may be proposed. Proposed temporary rules are published in the *State Register*, and for at least 30 days thereafter, interested persons may submit data and views in writing to the proposing agency.

Department of Public Welfare

Proposed Rule Governing Residential Programs for Adult Mentally Ill Persons (12 MCAR § 2.036)

Notice of Hearing

A public hearing concerning the above entitled matter will be held in Room 83 at the State Office Building, Wabasha Street (between Aurora and Fuller), St. Paul, Minnesota 55155, on October 1, 1981 commencing at 9:00 a.m. and continuing until all interested persons have an opportunity to be heard. The proposed rule may be modified as a result of the hearing process. Therefore, if you are affected in any manner by the proposed rule, you are urged to participate in the rule hearing process.

Following the agency's presentation at the hearing, all interested or affected persons will have an opportunity to ask questions and make comments. Statements may be made orally and written material may be submitted. In addition, whether or not an appearance is made at the hearing, written statements or material may be submitted to Richard C. Luis, Hearing Examiner, Office of Administrative Hearings, 1745 University Avenue, Room 300, St. Paul, MN 55104, (612) 296-8814, either before the hearing or within five working days after the public hearing ends. The hearing examiner may, at the hearing, order that the record be kept open for a longer period not to exceed 20 calendar days. The rule hearing procedure is governed by Minn. Stat. §§ 15.0411-15.0417 and 15.052, and by 9 MCAR §§ 2.101-2.112 (Minnesota Code of Agency Rules). If you have any questions about the procedure, call or write the hearing examiner.

Notice is hereby given that 25 days prior to the hearing, a statement of need and reasonableness will be available for review at the agency and at the Office of Administrative Hearings. This statement of need and reasonableness will include a summary of

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

all the evidence and argument which the agency anticipates presenting at the hearing justifying both the need for and the reasonableness of the proposed rule or rules. Copies of the statement of need and reasonableness may be obtained from the Office of Administrative Hearings at a minimal charge.

The purpose of 12 MCAR § 2.036 is to establish standards for the development, operation and maintenance of residential programs for five or more adult mentally ill persons. This rule is intended both as a means to ensure the human rights of adult mentally ill persons through enforcement of these provisions and as a way to ensure that mental health residential programs organize services consistent with the needs of residents.

The provisions of 12 MCAR § 2.036 are described in the following Sections A-S:

Section A identifies to whom the rule applies and which entities are excluded from coverage.

Section B contains the definition of terms used in the rule.

Section C describes the various steps in the process of obtaining a license.

Section D establishes certain restrictions for maintaining a license or provisional license after it has been issued.

Section E requires that each program develop a policy and procedure manual.

Section F identifies the requirement for a complete statement of program philosophy and goals.

Section G establishes provisions for the organization and administration of a program.

Section H outlines required documentation and reports to be completed by programs.

Sections I and J describe personnel policies and procedures and requirements for maintenance of personnel files.

Section K describes provisions for admission, discharge and transfer policies.

Section L identifies the services which a program is required to offer.

Section M outlines the requirements for policies and procedures guaranteeing resident rights.

Section N describes requirements for programs developing and maintaining resident records.

Section O establishes provisions regarding living units for the residents.

Section P describes additional requirements for Category I programs including such areas as maximum resident capacity, Department of Health standards, intake information, the types and qualifications of staff and staffing levels.

Section Q identifies additional requirements for Category II programs and includes the same type of information as that contained in Section Q.

Section R describes the process and provisions for the granting of variances of specific provisions of 12 MCAR § 2.036.

Section S identifies what actions by the Licensing Division may be appealed and the process to be followed.

The previous Rule 36 (12 MCAR § 2.036) effective February 4, 1974, will be repealed in its entirety with the adoption of this rule.

The agency's authority to adopt the proposed rule is contained in Minn. Stat. §§ 245.781-245.812 and Minn. Stat. § 256E.05.

See Attachment A which contains an estimate of the cost to local public bodies of implementing this rule for the two years immediately following its adoption within the meaning of Minn. Stat. § 15.0412, Subd. 7.

Copies of the proposed rule are now available and at least one free copy may be obtained by writing to Jay Bambery, Mental Illness Program Division, Mental Health Bureau, Department of Public Welfare, Centennial Building, St. Paul, Minnesota 55155, telephone (612) 296-3923. Additional copies will be available at the hearing. If you have any questions on the content of the proposed rule contact Jay Bambery.

Any person may request notification of the date on which the hearing examiner's report will be available, after which date the agency may not take any final action on the rules for a period of five working days. Any person may request notification of the date on which the hearing record has been submitted or resubmitted to the Attorney General by the agency. If you desire to be so notified, you may so indicate at the hearing. After the hearing, you may request notification by sending a written request to the hearing examiner, in the case of the hearing examiner's report, or to the agency, in the case of the agency's submission or resubmission to the Attorney General.

Minn. Stat. ch. 10A requires each lobbyist to register with the State Ethical Practices Board within five days after he or she commences lobbying. A lobbyist is defined in Minn. Stat. § 10A.01, subd. 11, as any individual:

(a) Engaged for pay or other consideration, or authorized by another individual or association to spend money, who spends more than five hours in any month or more than \$250, not including *his own* travel expenses and membership dues, in any year,

PROPOSED RULES

for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials; or

(b) Who spends more than \$250 not including *his own* traveling expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials.

The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 41 State Office Building, St. Paul, Minnesota 55155, telephone (612) 296-5615.

July 30, 1981

Arthur E. Noot, Commissioner
Department of Public Welfare

ATTACHMENT A

FISCAL STATEMENT

Rule 36-Residential Facilities for Adult MI

Methodology used to arrive at dollar projections for this bill:

There are currently 301 beds in community residential facilities which would come under Rule 36 Category I (intensive treatment/rehabilitation services) and 1996 beds which would come under Rule 36 Category II (semi-independent living). It is estimated that projected in hospitalization and provision of residential services to mentally ill persons who are now in the community but not receiving the residential care they need will require 1100 Category I beds and 3800 Category II beds by 1985.

Since the department has decided not to require licensure of facilities in the nursing care category under Rule 36, this budget does not include approximately 14,500 mentally ill persons residing in nursing care facilities; it also excludes certain other categories of MI residential care, e.g. psychiatric hospitals, which would not come under Rule 36.

MI residential care in State Hospitals will be covered by Rule 36, but is not included in these statistics because the state hospital budget is presented elsewhere in the Department's budget.

Category I

Projected program need over four years is 1100 beds. There presently exists 301 beds. For the purpose of this cost projection, upgrading the existing 301 beds will cost the same as establishing new beds.

Since the following figures are based on phasing in these beds over a 4 year period, bed days will be calculated by halving the total bed days being funded for the initial phase-in year.

1100 beds are needed over 4 years, $1100 \div 4$ or 275 are the number of beds needed each year. In the first year of the biennium, the per diem rate applied is \$8.21. In the second year of the biennium, the per diem rate applied is \$9.44. Below are the calculations:

1st Year 275 beds \times 365 days = 10,375 bed days
10,375 \times $\frac{1}{2}$ (phase-in calculation) = 50,188 bed days
50,188 \times \$8.21 (per diem) = \$412,039
\$412,039 + 20% fringe of \$82,408 = \$494,447 (Total 1st Year Costs)

2nd Year 275 beds \times 365 days = 100,375 bed days (carried over from 1st year)
100,375 \times 1 (phase-in complete by beginning of 2nd year) = 100,375 bed days
100,375 \times 9.44 (2nd year per diem) = \$947,540
947,540 + 20% fringe = \$1,137,048
275 beds \times 365 days = 100,375 bed days
100,375 \times $\frac{1}{2}$ (phase-in of 2nd 275 beds calculation) = 50,188 bed days
50,188 \times 9.44 (2nd year per diem) = \$473,770
\$473,770 + 20% fringe of \$94,754 = \$568,524
Total 2nd Year Costs = 1,137,048 + 568,524 = \$1,705,572

Category II

Projected program need over four years is 3800 beds. Since 3800 beds are needed over 4 years, $3800 \div 4$ (or 950) are the

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PROPOSED RULES

number of beds needed each year. In the first year of the biennium, the per diem rate applied is 4.72. In the second year the per diem rate applied is 5.43. Below are the calculations:

1st Year 950 beds \times 365 days = 346,750 bed days
 $346,750 \times \frac{1}{2}$ (phase-in calculation) = 173,375 bed days
 $173,375 \times 4.72 = \$818,330$
 $\$818,330 + 20\%$ fringe = $\$981,996$ (Total 1st Year Costs)

2nd Year 950 beds \times 365 days = 346,750 bed days (carried over from 1st year)
 $346,750 \times 1$ (Phase-in of 1st 950 beds complete by beginning of 2nd yr) = 346,750 bed days
 $346,750 \times 5.43$ (2nd year per diem) = $\$1,882,853$
 $1,882,853 + 20\%$ fringe = $\$2,259,424$
 950 beds \times 365 days = 346,750 bed days
 $346,750 \times \frac{1}{2}$ (phase-in of 2nd 950 beds calculation) = 173,375 bed days
 $173,375 \times 5.43$ (2nd year per diem) = $\$941,426$
 $941,426 + 20\%$ fringe = $\$1,129,711$
 Total 2nd Year Costs = $2,259,424 + 1,129,711 = \$3,389,135$

	Summary First Year	Summary Second Year
Category I	494,447	1,705,572
Category II	981,996	3,389,135
Total Year Cost	1,476,443	5,094,707
Total Biennium Cost		\$6,571,150

	First Year	Second Year
Local Share (25%)	369,111	1,273,677
State Share (75%)	1,107,332	3,821,030
Total State \$ for 1981-83 biennium		\$4,928,362

Summary of Rule 36 Funding Projections Over Five Years (Figures do not include an inflation factor after year 2)

	Category I	Category II	Total	State Share (75%)	Local Share (25%)
1st Year	494,447	981,996	1,476,443	1,107,332	369,110
2nd Year	1,705,572	3,389,135	5,094,707	3,821,030	1,273,676
3rd Year	2,842,620	5,648,559	8,491,179	6,386,385	2,122,794
4th Year	3,979,668	7,907,983	11,887,651	8,915,738	2,971,912
5th Year	4,548,192	9,037,694	13,585,886	10,189,414	3,396,471

Rule as Proposed (all new material)

12 MCAR § 2.036 Licensing of residential facilities for adult mentally ill persons.

A. Applicability.

1. Rule 12 MCAR § 2.036 applies to all providers offering residential care and treatment to five or more adult mentally ill persons at one time for more than 30 days in any 12-month period and is based, in part, on Minn. Stat. § 245.782, subs. 6 and 9. This rule applies to mental health residential treatment facilities which are Category I programs as defined in B.3. and semi-independent or supportive group living facilities which are Category II programs as defined in B.4. This rule applies to mental health residential programs for the adult mentally ill within state hospitals, and adult foster care homes or safe houses with five or more adult residents who are mentally ill. These entities must be licensed as either Category I or Category II facilities.

2. Rule 12 MCAR § 2.036 does not apply to a licensed private hospital which has a psychiatric or chemical dependency program located within the hospital or to a mental health residential program located within a nursing home.

B. Definitions. As used in 12 MCAR § 2.036, the following terms have the meanings given them.

1. Applicant. "Applicant" means an individual, organization, association, partnership, corporation or unit of a state institution which submits an application for licensure under 12 MCAR § 2.036 to provide care and treatment for five or more adult mentally ill persons in a mental health residential program.

2. Case management services. "Case management services" means the arranging and coordinating of direct services for a resident with the involvement of the resident. These direct services include, but are not limited to: assuring a diagnosis

when needed, assessing the resident's strengths and weaknesses in order to determine the resident's needs, developing an individual treatment plan, and evaluating the plan's effectiveness.

3. Category I program. "Category I program" means a mental health residential program which provides intensive treatment for persons who are mentally ill and in which there is an emphasis on services being offered on a regular basis within the facility with the use of community resources being encouraged and practiced.

4. Category II program. "Category II program" means a mental health residential program which provides either a transitional semi-independent living arrangement or a supervised group supportive living arrangement for mentally ill persons. This type of program offers a combination of in-house and community resource services with emphasis on securing community resources for most daily programming and employment.

5. Commissioner. "Commissioner" means the Commissioner of the Department of Public Welfare or a duly authorized representative.

6. Community representative. "Community representative" means an individual who represents a broad base of citizen interest and who is neither an employee or board member, nor has any other official affiliation with the mental health residential program.

7. Crisis services. "Crisis services" means a set of activities designed to respond to medical, situational, and psychiatric emergencies.

8. Department. "Department" means the Department of Public Welfare.

9. Full-time. "Full-time" means work time equalling at least 37½ hours per week.

10. Independent living services. "Independent living services" means services which both emphasize development of an individual's skills required to perform increasingly independent daily living functions and which are appropriate to the needs of the individual.

11. Individual program plan. "Individual program plan" or "individual treatment plan" means a written plan of intervention and treatment developed on the basis of assessment results and modified at frequent intervals. The plan specifies goals and objectives and a means for their accomplishment, and also identifies responsible staff persons.

12. License. "License" has the meaning given it in Minn. Stat. § 245.782, subd. 11.

13. Mental health counselor. "Mental health counselor" means an individual who, under the supervision of a mental health therapist or program director, provides treatment for mentally ill residents in a mental health residential program and who meets the requirements of P.7.

14. Mental health residential program. "Mental health residential program" means a planned combination of living conditions, services and resources for the treatment and rehabilitation of five or more mentally ill adults on a 24-hour per day basis.

15. Mental health therapist. "Mental health therapist" means an individual skilled in providing mental health therapy in a mental health residential program and who meets the requirements of P.6.

16. Mental health therapy. "Mental health therapy" means various treatment modalities which may reasonably be expected to improve the resident's condition.

17. Mental health worker. "Mental health worker" means an individual who, under the supervision of a mental health counselor, mental health therapist, or program director, provides care, support, or assistance to mentally ill residents in a mental health residential program and who meets the requirements of P.8. Possible job titles for this staff position are resident manager, human services technician, independent living skills worker and licensed practical nurse.

18. Mentally ill person. "Mentally ill person" means a person with a functional, nonorganic, emotional disorder which has been diagnosed by a physician or a licensed consulting psychologist, and who has demonstrated by his or her behavior an inability to interpret realistically the environment, cope with independent daily living or form meaningful relationships.

19. Motivation and remotivation services. "Motivation and remotivation services" means a set of activities which encourages the development of positive attitudes and self-concept, and which encourages the resident to develop goals and to use available community resources.

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20. Program director. "Program director" means a person who is responsible for the development and implementation of the mental health residential program and who meets the requirements of P.4.

21. Provisional license. "Provisional license" has the meaning given it in Minn. Stat. § 245.782, subd. 12.

22. Recreation and leisure time services. "Recreation and leisure time services" means a set of activities designed both to meet a resident's personal and therapeutic needs of self-expression, social interaction, and entertainment, and to develop skills and interests that lead to enjoyable and satisfying use of leisure time. A major objective of those services is the integration of residents into the recreational mainstream of the community.

23. Restraint. "Restraint" means any physical device that limits the free and normal movement of body and limbs.

24. Seclusion. "Seclusion" mean involuntary removal into a separate room which prevents social contact with other persons.

25. Socialization services. "Socialization services" means a set of activities in which residents learn interpersonal relationship and communication skills.

26. Social services. "Social services" includes psychosocial evaluation; counseling based on social work problem-solving methods; activities designed to assist residents in dealing with tasks of daily living; utilization of community resources; psychotherapy for individuals, families and groups; and education, planning, and advocacy for the social needs of residents.

27. Support group services. "Support group services" means a forum designed for residents to participate with other individuals in a group process of sharing feelings, experiences, and constructive feedback.

28. Vocational services. "Vocational services" means a set of activities emphasizing development of skills required to perform work functions in a competitive or quasi-competitive setting.

C. Licensing process.

1. License required. No mental health residential program shall operate in Minnesota unless it has a current and valid license or provisional license as required by Minn. Stat. §§ 245.781-245.812.

2. Information furnished. Upon written request, each individual, organization or agency shall be furnished with a copy of 12 MCAR § 2.036 and other pertinent materials such as an application form and instructions for obtaining a license.

3. Application. Persons interested in obtaining licensure under 12 MCAR § 2.036 shall submit to the commissioner a completed application on forms supplied by the department. The applicant shall either document compliance with all applicable building codes, fire and safety codes, health rules, zoning ordinances, and other applicable rules and regulations or submit documentation that appropriate variances have been granted.

4. Decision. The commissioner shall make a decision on licensure after completion of the following steps:

- a. A review of the application;
- b. A visit to the program site; and
- c. Interviews with a random sample of residents and staff, in the case of existing facilities.

5. Fee. Each applicant shall pay to the commissioner a nonrefundable fee not to exceed \$150 for the costs of processing the license application. Information regarding the specific amount and the timing of the payment shall be made available to the applicant.

6. Renewals. Application for renewal of a license shall be made on forms furnished by the department at least 30 days prior to the date of expiration of the license.

D. License changes; report. Any changes in the following areas shall be reported in writing to the department at least 20 days prior to the change:

1. A change in licensed capacity;
2. The location of the program;
3. A change in program director;
4. A change in ownership; or
5. Major changes in programming.

E. Program policy and procedures manual. Each mental health residential program shall develop a written policy and procedures manual. The manual shall contain all materials required by F.-M. The manual shall be available for inspection by the department.

F. Statement of purpose and policies. The manual shall contain a complete statement describing the mental health residential program's philosophy and goals. This statement shall include, but not be limited to a description of:

- a. The geographical area to be served;
- b. The treatment design and methodology; and
- c. The scope of services offered.

G. Program organization and administration.

1. Advisory committee. Each program shall have an advisory committee which provides for reasonably broad community representation and public participation in its operation. The advisory committee shall have a core group which comprises a quorum. The core group shall include at least one program resident, the facility's administrator, and a community representative. The advisory committee shall document the procedure whereby residents are assured access to the advisory committee. The committee shall meet at least quarterly. Minutes of the meetings shall be recorded and kept on file at the facility. Each program shall provide to the department a list of names and titles of the members of the advisory committee.

2. Governing body. All programs shall have a governing body which is accountable for, and has authority over, the policies and activities of the program. In the case of a program owned by a proprietor or partnership, the proprietor or partners shall be regarded as the governing body for the purpose of this part. Each program shall provide to the department a list of names and titles of the members of its governing body.

3. Designated authority. A program operating within Minnesota with headquarters outside of the state shall have a duly authorized representative with decision-making responsibility designated within this state.

H. Required documentation and reports.

1. Insurance coverage. Each program shall have written documentation of insurance coverage in an amount sufficient to protect the interests of residents and staff. Each program must document the specific types and amounts of coverage and the carrier or carriers.

2. Bonding. Each program shall have written documentation that all employees are bonded if they have access to or responsibility for handling money.

3. Financial information. Each program shall make available to the commissioner an annual fee schedule. A new program shall document in writing assurance of funding sufficient to meet total projected program costs for a period of at least one year in addition to start-up costs.

4. Maintenance. Each program shall document that the maintenance and upkeep of the facility is being done by staff hired by the program or through a written working agreement with an outside person or firm.

5. Non-discrimination policy. Each program shall have a written policy which requires that no resident be discriminated against in admission, termination, or treatment on the basis of race, creed, color, national origin, relation, physical handicap, sexual preference, public assistance status or marital status.

6. Accident reports. Each program shall have a written policy regarding accidents and missing persons. Each program shall maintain in central files at the facility reports regarding accidents or missing persons if the reports pertain to facility residents.

7. Annual comprehensive report. Each program shall give a comprehensive annual report to its governing body and its advisory committee. The report shall also be available to the commissioner. The report shall include documentation in at least the following areas:

- a. A current organizational chart listing the number of full-time equivalent positions in each category;
- b. Training, staff development, and continuing education activities of staff;
- c. Administrative policy and procedure changes;
- d. Program evaluation as required in 8.; and
- e. A financial report.

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8. Program evaluation.

a. Process required. Each program shall institute an evaluation process to be conducted on an ongoing basis. An annual report of this evaluation shall be submitted to the program's governing body and advisory committee and to the host county. The evaluation process shall be outcome-based and consistent with the emphasis of 12 MCAR § 2.036 on individual treatment planning.

b. General data. Each program shall systematically collect data that includes, but need not be limited to: resident demographic data, program service data, and data on concurrent services. Each program shall submit the data to the host county for combination with follow-up data collected by county case workers. In a format developed by the commissioner, the data shall be submitted by each program to the commissioner on an annual, aggregate basis for statewide summaries and for planning the use of state resources.

c. Individual data. Each program shall also, for the purpose of examining the program's impact, assess the progress of each resident relative to the resident's individual treatment plan. Progress shall be assessed by rating each resident within 30 days of admission and thereafter at the time of quarterly review on uniform level of functioning scales determined by the commissioner.

d. County technical assistance. Each program shall collaborate with county technical assistance staff to examine the evaluation results, to assess the overall progress of residents in the program, and to demonstrate how the results are used in administrative and program development.

e. Data restrictions. Each program shall collect the statistical data described in 8. for the purpose of program evaluation. The categories of data shall be compatible with the evaluation requirement of the Community Social Services Act, Minn. Stat. ch. 256E, and shall not require duplicate data collection. Dissemination shall be in accordance with provisions of the Minnesota Government Data Practices Act, Minn. Stat. §§ 15.1611-15.1699, and all applicable federal rules or laws.

1. Personnel policies and procedures.

1. General requirements. Each program shall have a written personnel policy and shall make a copy of it available to each employee upon employment and to the department for review. Personnel policies shall be carried out in accordance with affirmative action policies and equal employment opportunity regulations.

2. Job description. The personnel policy shall contain job descriptions for each position specifying responsibilities, degree of authority to execute job responsibilities, standards of job performance, and qualifications.

3. Job evaluation. The personnel policy shall provide for job performance evaluations conducted on a regular and ongoing basis with a written annual review. As part of the annual performance review, each staff member shall have a growth and development plan. Each program shall develop a policy and establish procedures for resident input into staff evaluations.

4. Conditions of employment. The personnel policy shall describe the employees' conditions of employment, including their benefits, hours of work, methods of promotion, the general conditions which constitute grounds for dismissal and suspension, and the ways in which staff stress will be recognized and addressed.

5. Organizational chart. The personnel policy shall also include a chart or definition of organizational structure indicating lines of authority.

6. Grievance procedure. The personnel policy shall describe a grievance procedure for use by staff. This procedure shall allow the aggrieved party to bring the grievance to the highest level of authority in the operation of the facility. A list of other community resources, such as the Health Facilities Complaint Office in the Department of Health, the Licensing Division in the Department of Public Welfare, and the Department of Human Rights, shall be made available to staff by the facility.

7. Personnel data. Program employee personnel data shall be accessible to the department.

8. Staff orientation. The personnel policy shall include a program of orientation for all new staff and the orientation shall be based on a written plan. At a minimum, the plan of orientation shall provide for training related to the specific job functions for which the employee was hired, facility policies and procedures, and the needs of mentally ill persons.

9. Staff training. The program shall have a staff development plan, including in-service or outside training opportunities. The plan shall be developed annually. The plan shall be relevant to the facility's program and resident population. There shall be at least 15 hours of in-service training, or training through community resources, or both, annually for each staff person working directly with mentally ill persons. The training shall include, but need not be limited to, the following areas:

- a. Red Cross certified first-aid training or equivalent, to be updated at least every three years;
- b. Crisis intervention training for psychiatric emergencies;
- c. Problems and needs of mentally ill persons and their families;

- d. Community resources locally available to mentally ill adults;
- e. Psychotropic medications and their side effects;
- f. Resident rights;
- g. Cultural awareness training;
- h. Rules governing the operation of residential facilities for adult mentally ill persons; and
- i. Other topics, such as case management, individualized goal planning, chemical use and abuse, health and nutrition, and services for multiple disability residents.

J. Personnel files.

1. Central training file. The orientation and in-service and training through community resources required by I. shall be documented by each program in a central training file. The file shall be available to the department for review. Documentation shall include, but need not be limited to: the date, the subject, the name of the person who conducted the training, the names of staff attending, and the number of hours attended.

2. Individual files. Each program shall maintain a separate personnel file for each employee. The files shall be available to the department for review. At a minimum, each file shall contain the following:

- a. An application for employment;
- b. Verification of employee's credentials;
- c. An annual job performance evaluation;
- d. An annual growth and development plan;
- e. Documentation of orientation; and
- f. A record of training and education activities during employment.

K. Admission, discharge, and transfer policies.

1. Admission criteria. Each program shall develop admission criteria delineating the types and characteristics of persons who can and cannot be served by the program. Intake policies and procedures shall be developed including the role and responsibility of community resources.

2. Discharge and transfer policies. Each program shall develop detailed discharge and transfer policies and procedures. The policies and procedures shall include:

- a. A planned discharge or transfer conference with the resident, staff representatives, and others requested by the resident;
- b. Identification of community resources which directly relate to the continuing needs of the resident;
- c. A description of the process by which a discharged or transferred resident would or would not have access to the staff and other residents in order to facilitate readjustment in the community.

L. Program services. The following services shall be offered either within the facility or through a contract with other community resources:

- a. Case management services;
- b. Crisis services;
- c. Independent living services;
- d. Mental health therapy;
- e. Motivation and remotivation services;
- f. Recreation and leisure time services;
- g. Socialization services;
- h. Support group services;

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- i. Social services;
- j. Vocational services; and
- k. Other services if their need is indicated by the resident assessment.

M. Policies and procedures guaranteeing resident rights.

1. Explanation of rights. A written statement of residents' rights and responsibilities shall be developed encompassing 2.-10. Program staff shall explain to each resident the resident's rights and responsibilities. A written statement of residents' rights and responsibilities shall be given to each resident and to his or her responsible party within 30 days of admission. A list of residents' rights and responsibilities shall be posted in a place accessible to the residents and shall be available to the department for review.

2. Grievance procedure. Within 30 days of admission each resident shall be informed of grievance procedures available to the resident, and a copy of the procedures shall be posted in a place accessible to the resident. The grievance procedures shall include the following:

a. An offer of assistance by the facility in development and process of the grievance; and

b. A list of internal resources for use by the resident, such as the resident council or a grievance committee, and a list of community resources available to the resident, such as the health facilities complaint office in the Department of Health, the Licensing Division in the Department of Public Welfare, and the Department of Human Rights.

3. Resident council. Each program shall have a resident council through which residents have an opportunity to express their feelings and thoughts about the program and to affect policies and procedures of the program. Minutes of council meetings shall be recorded and made available to the program director.

4. Personal funds policy. If staff supervises the use of residents' personal funds or property, policies governing the supervision shall be written. The resident shall sign a consent form prior to the exercise of supervision indicating an awareness of and consent to procedures governing the program's use of the resident's personal funds. In order to encourage independent living skills, any restriction of a resident's personal funds must be documented in the individual treatment plan. Resident fund accounts shall be maintained separately from program fund accounts.

5. Resident compensation. A resident who performs labor which contributes to the operation and maintenance of the facility for which the facility would otherwise employ someone shall be compensated appropriately and in compliance with applicable state and federal labor laws, including minimum wage and minimum wage reduction provisions. This provision shall not apply to labor of a personal housekeeping nature, nor to labor performed as a condition of residence in a small group living arrangement.

6. Physician appointments. A resident shall be allowed to see a private physician at any reasonable time.

7. Photographs of residents. Photographs may be taken and used for personal or social purposes unless the resident has indicated his or her objection. Photographs may be taken for informational purposes only upon written consent of the resident.

8. Telephone use. Residents shall have access to a telephone for incoming, local outgoing, and emergency calls. They shall have access to a pay phone or its equivalent for outgoing long distance calls. Any restriction on resident access to telephones shall be documented in the individual treatment plan.

9. Mail. Residents shall be allowed to receive and send uncensored mail. Any restrictions shall be documented in the individual treatment plan.

10. Restraints. The facility shall have a written policy that defines the uses of restraint, seclusion, and crisis medications as a treatment mode; the staff members who may authorize its use; and a mechanism for monitoring and controlling its use. Physical restraint and seclusion shall be used only when absolutely necessary to protect the resident from injury to himself or to others. Restraint, seclusion, and medications shall not be used as punishment, for the convenience of staff, or as a substitute for a program.

N. Resident records.

1. Individual program plan development. Each mental health program shall develop and complete a written individual program plan for each resident within 30 days of admission. Medical, social, psychological, and psychiatric histories of the resident shall be used in the development of the plan. The plan shall be developed by an interdisciplinary team including the resident, the program staff, a representative of the referring agency and other appropriate resources, such as family, concerned others, and health care providers requested by the resident. Each resident shall be actively involved in developing his or her plan, unless contraindicated. The persons involved in the development of the individual program plan shall be noted on the plan. The extent of the resident's participation in developing the program plan shall also be noted on the plan. The plan and documentation related to it shall be kept in the facility where the mental health program is located.

2. Plan contents. An individual program plan shall contain at least the following components:

- a. An assessment, including a strength and need list, of the resident in at least the following areas of life: social, medical, legal, family, leisure and recreation, spiritual or religious, psychological, financial, vocational and educational;
- b. The specific problems to be resolved;
- c. A list of goals in order of priority;
- d. Specific, measurable, and time-limited objectives which relate directly to the goals;
- e. Specific methods, strategies, and resources, including medications, to be used by the staff in assisting the resident to accomplish the goals and objectives;
- f. The agency, program staff or other persons designated to assist the resident in implementing the various components of the plan; and
- g. Notes indicating progress in achieving the goals and objectives.

3. Progress report. A quarterly review of the resident's response to the individual treatment plan and his or her involvement in the facility's overall program shall be written. Copies of this report shall be given to the resident and shall be sent to the representative of the referring agency and other persons deemed appropriate by the program director and resident. The resident's level of participation in the development and the review of the report shall be documented. The report shall be kept at the facility.

4. Discharge or transfer summary. A discharge or transfer summary shall be written for each person transferred or discharged. The summary shall include at least the following information:

- a. A brief review of the resident's problems, strengths and needs while a resident of the program;
- b. The response of the resident to his or her individual treatment plan and to the facility's overall program;
- c. An aftercare plan which identifies the persons, including at least the resident, a program staff member, and a representative of the referring agency, who participated in the development of the aftercare plan; goals and objectives for the first three months after discharge or transfer; and individuals or agencies who will be working with the resident after discharge or transfer; and
- d. A forwarding address and telephone number for follow-up contacts.

5. Accidents and missing persons. A copy of any report regarding accidents and missing persons must be documented in the individual's resident record if the resident is involved in the report.

6. Release of information. Private data regarding a resident shall not be used or released by the facility to any person or agency, except pursuant to the Minnesota Government Data Practices Act. The facility shall use written consent forms for any release of resident information or data.

O. Living unit requirements.

1. Structure. Each living unit of a mental health residential program shall be physically self-contained and shall include bedrooms, living rooms or lounge areas, bathrooms and connecting areas. Walls defining the living unit shall extend from floor to ceiling. These units shall be patterned after a home-like atmosphere, and shall include furnishings appropriate to the psychological, emotional, and developmental needs of each resident.

2. Ratios. For existing programs, there shall be one living room or lounge area for every 25 residents. For new programs there shall be one living room or lounge area for every 16 residents.

3. Program space. There shall be space available for program services as indicated in the individual treatment plans such as an area for learning recreation and leisure time skills, and an area for learning independent living skills, such as laundering and cooking.

4. Gender of residents. The unit or complex of units shall house both male and female residents insofar as this conforms to prevailing cultural norms, unless contraindicated by the facility's overall program plan. The unit shall provide for appropriate separation of male and female residents.

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5. Privacy. The living unit shall allow for individual privacy and group socialization. Each resident shall have the opportunity for privacy during assessment, interviews, counseling sessions and visitations.

6. Storage space. Each facility shall provide to each resident storage space for clothing and other personal property, including a secure place for valuables. Each facility may exclude particular kinds of personal property from the facility for reasons of space limitations or safety. Any exclusions shall be documented and included in the policies and procedures manual of the facility.

P. Additional requirements for Category I programs. In addition to the requirements of A.-O., Category I programs shall meet the requirements of 1.-9.

1. Capacity. Facilities, or treatment units within facilities existing as of July 1, 1980, not exceeding a maximum capacity of 40 beds shall be permitted. Facilities or units having over 40 beds shall have a three year period from the effective date of 12 MCAR § 2.036 to reduce the capacity to 40 beds or less. New facilities shall not exceed a maximum capacity of 25 beds.

2. Department of health licensing standards. Each program shall be licensed either as a supervised living facility or as a boarding care facility.

3. Intake information. Each facility shall maintain in the facility documentation that:

- a. A prospective resident has been diagnosed as being mentally ill and requires treatment;
- b. The diagnoses are based on medical, social, psychological, and psychiatric information; and
- c. Medical, social, psychological and psychiatric histories were obtained for each resident.

4. Program director. An individual shall be designated as the program director. The positions of program director and administrator may be filled by the same person. This individual shall meet the following qualifications:

a. A master's degree in the behavioral sciences or related field with at least two years of work experience providing services to mentally ill persons, or a bachelor's degree in the behavioral sciences or related field with a minimum of four years of work experience providing services to mentally ill persons; and

b. One year of experience or training in administration or supervision.

5. Administrator. An individual shall be designated as administrator of the mental health residential program. The administrator shall be responsible for continuous overall operation, including maintenance and upkeep of the facility. In the administrator's absence, a staff member who is familiar with operations of the organization shall be designated to assume the responsibilities of the administrator. An individual who is functioning as administrator but not as program director shall meet qualifications determined by the governing body which are consistent with the training and education needed to meet the stated goals of the facility.

6. Mental health therapist. If mental health therapy is provided within the mental health residential treatment facility, a mental health therapist shall be hired. The mental health therapist shall be qualified in the following ways:

a. A bachelor's degree in one of the behavioral sciences or related field;

b. A master's degree in the behavioral sciences or related field or two years of advanced level, certificate training in mental health therapy; and

c. One year of experience providing services to mentally ill persons.

7. Mental health counselors. If program services other than mental health therapy are provided within the mental health residential treatment facility, they shall be provided by mental health counselors or mental health workers, or both. Mental health counselors shall meet the following qualifications:

a. A bachelor's degree in one of the behavioral sciences or related field;

b. A minimum of one year's experience working with mentally ill persons; and

c. Supervision by a mental health therapist or the program director.

8. Mental health workers. Mental health workers shall qualify in one of the following ways:

a. One year of experience working with mentally ill persons;

b. One year as a resident of a mental health residential program with three months' training relevant to the job responsibilities of a mental health worker; or

c. Three months of on-the-job training with continued supervision by at least a mental health counselor.

9. Staffing ratios. Staffing patterns shall be developed to ensure 24-hour coverage within the mental health residential treatment facility. The hours of the day devoted to active treatment programming shall be identified. The following minimum

staff-to-resident ratios shall be maintained. The requirements of b. and c. represent full-time equivalencies and may be prorated based on licensed resident capacity.

a. The number of work hours performed by the program director shall be prorated based on resident capacity with a ratio of 1 to 40 (1:40 F.T.). No more than one program director per program is required.

b. The number of work hours performed by the mental health therapist and mental health counselor and mental health worker may be combined in different ways, depending on program needs, to achieve a ratio of one full-time equivalent position for each five residents (1:5 F.T.E.). When the work hours are combined, the facility shall have written documentation that the supervision required by 7.c. and 8.c. is provided.

c. The program shall have one quarter-time equivalent in-service training coordinator for each forty residents (1/4:40 F.T.E.). The number of work hours performed by this individual may be combined with those of another program staff position.

Q. Additional requirements for Category II programs. In addition to the requirements of A.-O., Category II programs shall meet the requirements of 1. to 8.

1. Capacity. Facilities existing as of July 1, 1980, with a capacity exceeding 25 beds shall have a three-year period from the effective date of 12 MCAR § 2.036 to divide the facility into living units which do not exceed 25 beds. Facilities existing as of July 1, 1980, with a capacity exceeding 25 beds per living unit shall not increase the total capacity of the facility. New facilities shall not exceed a maximum capacity of 25 beds.

2. Department of health licensing standards. Each program shall have a board and lodging license or a health care license.

3. Intake information. Each facility shall maintain in the facility documentation that:

a. A mental health assessment or reassessment has been completed to determine appropriateness of admission; and

b. Medical, social, psychological and psychiatric histories were obtained for each resident.

4. Medical information. Each program shall require that a physical exam be done 30 days prior to admission or within three days following admission. Each resident shall have an annual physical and dental examination. Records shall be kept of annual medical and dental examinations, including records on all prescription medications the resident is taking. Records shall also be maintained regarding the general medical condition of the resident, including any disabilities and limitations.

5. Program director. An individual shall be designated as the program director. The positions of program director and administrator may be filled by the same person. This individual shall meet the following qualifications:

a. A master's degree in the behavioral sciences or related field and at least one year of work experience providing services to mentally ill persons, or a bachelor's degree in behavioral sciences or related field with a minimum of two years' work experience providing services to mentally ill persons; and

b. One year of experience or training in administration or supervision.

6. Administrator. An individual shall be designated as administrator of the mental health residential program. The administrator shall be responsible for continuous overall operation, including maintenance and upkeep of the facility. In the administrator's absence, a staff member who is familiar with operations of the organization shall be designated to assume the responsibilities of the administrator. An individual who is functioning as administrator but not as program director shall meet qualifications determined by the governing body which are consistent with the training and education needed to meet the stated goals of the facility.

7. Mental health counselors and workers. If program services are offered within the facility, they shall be provided by mental health counselors or mental health workers, or both. The minimum qualifications for these positions shall be consistent with those of Category I specified in P.7. and P.8.

8. Staffing ratios. Staffing patterns shall be developed to ensure 24-hour coverage within the mental health residential treatment facility. The hours of the day devoted to treatment programming shall be identified. The following minimum staff-to-resident ratios shall be maintained. The requirement of b. represents a full-time equivalency and may be prorated based on licensed resident capacity.

a. The number of work hours performed by the program director shall be prorated based on resident capacity with the ratio of 1 to 40 (1:40 F.T.). No more than one program director per program is required.

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b. The number of work hours performed by the mental health counselor and mental health worker may be combined to achieve a ratio of one full-time equivalent staff position for each ten residents (1:10 F.T.E.). When the work hours are combined, the facility shall have written documentation that the supervision required by P.7.c. and P.8.c. is provided.

R. Variances. A residential program may request in writing a variance of a specific provision of 12 MCAR § 2.036. The request for a variance must cite the specification of the rule in question; reasons for requesting the variance; the period of time, not to exceed one year, the licensee wishes to have the provision varied; and the equivalent measures planned for assuring that programmatic needs of residents are met. Variances granted by the commissioner shall specify in writing the time limitation and required equivalent measures to be taken to assure that programmatic needs are met. Variances denied by the commissioner shall specify in writing the reasons for the denial. No variance shall be granted that would threaten the health, safety, or rights of residents.

S. Appeals. Revocation, suspension or denial of a license may be appealed pursuant to Minn. Stat. ch. 15.

Repealer. 12 MCAR § 2.036 which was effective February 4, 1974, is repealed.

ADOPTED RULES

The adoption of a rule becomes effective after the requirements of Minn. Stat. § 15.0412, subd. 4, have been met and five working days after the rule is published in the *State Register*, unless a later date is required by statutes or specified in the rule.

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

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

A temporary rule becomes effective upon the approval of the Attorney General as specified in Minn. Stat. § 15.0412, subd. 5. Notice of his decision will be published as soon as practicable, and the adopted temporary rule will be published in the manner provided for adopted rules under subd. 4.

Board of Accountancy

Adopted Rules Governing Licensure and Fees, Continuing Professional Education and the Professional Conduct of Certified Public Accountants and Licensed Public Accountants

The rules published and proposed at *State Register*, Volume 5, Number 48, pp. 1907-1913, June 1, 1981 (5 S.R. 1907) are now adopted with the following amendments:

Rules as Adopted

Chapter One: Definitions and General (4 MCAR §§ 6.001-6.019)

4 MCAR § 6.006 In public practice and rendering professional service. In public practice and rendering professional service mean:

A. When used in reference to a CPA or LPA, that he individually or as an employer performs professional accounting services for a fee within this state.

Chapter Four: Certificate; Qualifications of Accountant (4 MCAR §§ 6.040-6.049)

Certificate; To Whom Granted
Certificate; Examination

4 MCAR § 6.040 The following requirements are to be observed in submitting applications to the board for examination, and re-examination for the certificate as certified public accountant and reciprocal certificate as certified public accountant:-

C. ~~Applicants~~ Applications for CPA examination or re-examination not reaching the board 60 or more days prior to the initial examination date may, at the board's discretion, be deferred for consideration for a subsequent examination.

4 MCAR § 6.041 An application for CPA examination or ~~re-examination~~ reexamination shall expire five years from the date of the board's approval to sit for the initial examination. Once expired, the board may refuse to consider a new application or may require the applicant to be re-examined in all subjects.

4 MCAR § 6.043 Examinations for CPA applicants.

B. Ample notice will be given to each applicant of the time and place selected for holding the examination, and each applicant must be present and prepared to engage in the work promptly at the hours appointed. An applicant who is unable to be present must notify the board as soon as ~~reasonable~~ reasonably possible. Failure to do so will be considered, at the discretion of the board, just cause for exclusion and forfeiture of the amount of the fee. An applicant who is unable to be present at the examination for which his application was approved, shall notify the board at least 60 days prior to a subsequent examination to which he desires to be admitted and furnish current information on forms provided by the board. Cheating on the examination is conduct unbecoming to a professional person and upon discovery will incur severe penalties. Instances of cheating during the course of the examination may include, but shall not be limited to:

1. Communications between candidates inside or outside of the examination room, or copying another's answers.
2. Communication with others outside of the examination room.
3. Substitution by a candidate of another person to sit in the examination room in his stead and write one or more of the examination papers for him.
4. Use of crib sheets, notes or other unauthorized materials.

Penalties imposed for cheating may include the following: Grade of zero on the examination, immediate expulsion from the examination room, and temporary or permanent suspension of the candidate's right to take the examination again.

E. Where an applicant has passed the examination, a certificate as certified public accountant shall be issued to him without an additional fee. Such certificate shall indicate that this certificate is not a license to practice.

Chapter Five: Certificate without Examination (4 MCAR §§ 6.050-6.059)

4 MCAR § 6.050 Reciprocity. Ordinarily a reciprocal CPA certificate will not be granted unless the state of origin grants similar privileges to holders of Minnesota certificates, and the applicant conforms to all requirements which would be imposed by the state ~~or~~ of origin upon the holder of a Minnesota CPA certificate seeking reciprocal recognition in that jurisdiction.

Chapter Seven: ~~License~~ Licensure as Certified Public Accountants or Licensed Public Accountants (4 MCAR §§ 6.070-6.079)

4 MCAR § 6.070 A license shall be granted to any person who meets the requirements of Minn. Stat. § 326.19, subd. ~~(2)~~ 2 as a certified public accountant or Minn. Stat. § 326.191 as a licensed public accountant who applies for licensure on forms provided by the board.

4 MCAR § 6.071 Each individual holder of an unrevoked Minnesota certificate or license as a Certified Public Accountant or Licensed Public Accountant who engages in or intends to be engaged in the practice of public accounting within the state of Minnesota during all or part of a calendar year is required to apply for and obtain from the board an annual license for that year. The application for the annual license and the appropriate fee shall be submitted to the board within thirty (30) days after engaging in public practice in any year.

4 MCAR § 6.072 Each November the board will notify each current licensee of the ~~license~~ licensing requirements for the succeeding year. However, it is the responsibility of each licensee in public practice to apply for a license and pay the appropriate fee.

4 MCAR § 6.073 The following requirements are to be observed in making applications for annual license issued to an individual holder of a Minnesota certificate.

4 MCAR § 6.074 Failure to apply for license and pay the appropriate fee by a CPA or LPA at the beginning of the year in public practice shall be deemed unprofessional conduct and may be cause for suspension or revocation of his certificate.

4 MCAR § 6.075 The annual license granted by the Board to a licensee shall be prominently displayed in the principal office of the licensee.

4 MCAR §§ 6.076-6.079 [Reserved for future use.]

Chapter Eleven: Fee for License and Renewal (4 MCAR §§ 6.110-6.119)

4 MCAR § 6.110 Applications shall be accompanied by fees in the following amounts:

- A. Application for certified public accountant examination by first time applicants. \$100.00.

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ADOPTED RULES

B. Application for certified public accountant re-examination in failed subjects. \$25.00 per subject but not in excess of \$100.00 (Accounting practice is considered to be two subjects.) 4 MCAR § 6.044 ~~D~~ E. provides that applicants must apply for re-examination in all failed subjects.

C. Application for reciprocal certificate and license for certified public accountant. \$75.00.

D. Application for certificate and license for licensed public accountant. \$75.00.

E. Application for reciprocal certificate and license for licensed public accountant. \$75.00.

Chapter Fifteen: Code of Professional Conduct (4 MCAR §§ 6.150-6.159)

4 MCAR § 6.150 In practice of accounting and in rendering professional accounting services a CPA and LPA shall adhere to the following code.

DEFINITIONS

The following definitions of terminology are applicable wherever such terminology is used in the rules and interpretations.

Board- means the Minnesota State Board of Accountancy.

Certified Public Accountant or licensee- means a person holding such certificate or license issued under the Accountancy Law of Minnesota.

Licensed Public Accountant or licensee- means a person holding such certificate or license issued under the Accountancy Law of Minnesota.

Client- means the ~~persons(s)~~ person or entity which retains a certified public accountant or his firm or a licensed public accountant or his firm, engaged in the practice of public accounting, for the performance of professional services.

Enterprise- means any ~~person(s)~~ person or entity, whether organized for profit or not, for which a CPA or LPA provides services.

Firm- means a partnership or professional corporation or association engaged in the practice of public accounting, including individual partners or shareholders ~~hereof~~ thereof.

Financial statements- means statements and footnotes related thereto that purport to show financial position which relates to a point in time or changes in financial position which related to a period of time, and statements which use cash or other incomplete basis of accounting. Balance sheets, statements of income, statements of retained earnings, statements of changes in financial position and statements of changes in owners' equity are financial statements.

Incidental financial data included in management advisory services reports to support recommendations to a client, and tax returns and supporting schedules do not, for this purpose, constitute financial statements; and the statement, affidavit or signature of preparers required on tax returns neither constitutes an opinion on financial statements nor requires a disclaimer of such opinion.

Institute- means the American Institute of Certified Public Accountants.

Interpretations of Rules of Professional Conduct- means pronouncements issued by the Division of Professional Ethics to provide guidelines as to the scope and application of the Code of Professional Conduct.

Practice of public accounting- means holding oneself out to be a CPA or LPA and at the same time performing for a client one or more types of services rendered by public accountants.

Professional services- means one or more types of services performed in the practice of public accounting.

APPLICABILITY OF RULES

These rules are adopted under the authority granted by Minn. Stat. § 326.18 (1974) which delegates to the board the power and duty to make rules of professional conduct. The reliance of the public and the business community on sound financial reporting and advice on business affairs imposes on the accounting profession an obligation to maintain high standards of technical competence, morality and integrity. To this end, a certified public accountant or licensed public accountant shall at all times maintain independence of thought and action, hold the affairs of his clients in strict confidence, strive continuously to improve his professional skills, observe ~~general~~ generally accepted auditing standards, promote sound and informative financial reporting, uphold the dignity and honor of the accounting profession, and maintain high standards of personal conduct.

Acceptance of licensure as a CPA or LPA implies that the licensee has assumed an obligation to be diligent in the performance of professional service, and fair and honest in relations with clients, fellow practitioners and the public, and has a proper appreciation of his duties to the community and state. In recognition thereof the board has promulgated the following rules of professional conduct which each licensee agrees to regard as binding upon him.

Chapter Sixteen: Continuing Education (4 MCAR § 6.160)

4 MCAR § 6.160 Continuing education rules. Pursuant to the provision of Minn. Stat. § 214.12 (~~1976~~), the board prescribes the following rules establishing requirements of continuing education to be met from time to time by licensees in order to maintain their professional knowledge and competence, as a condition to continuing to practice as certified public accountants or licensed public accountants. These rules shall become effective for certified public accountants on January 1, 1978, and for licensed public accountants on January 1, 1981 ~~or at such later date as the board may prescribe at the time of final adoption of these rules.~~

D.6. Reciprocity. An individual who holds a valid and unrevoked certified public accountant or licensed public accountant certificate issued by any state or political subdivision of the United States or a comparable certificate or degree issued by any foreign country, and who receives a license to practice in this state under the appropriate provisions of the accountancy law, will be required to comply with the continuing education requirement on a pro rata basis when his license is next renewed and each succeeding three year period ~~thereafter.~~

Chapter Twenty: Professional Corporations (4 MCAR §§ 6.200-6.209)

4 MCAR § 6.200 A corporation shall not include the words "Certified Public Accountant," "Licensed Public Accountant," or the initials CPA or LPA in its corporate name.

Department of Administration Data Privacy Division

Adopted Rules Governing the Enforcement and Administration of the "Minnesota Government Data Practices Act"

The rules proposed and published at *State Register*, Volume 3, Number 9, pp. 346-368, September 4, 1978 (3 S.R. 346) are adopted with the following amendments:

Rules as Adopted

2 MCAR § 1.201. Scope and purpose. These rules relate to and shall apply to the provisions of Minn. Stat. §§ ~~15.162~~ 15.1611 through ~~15.1671~~ 15.1699.

A. These rules shall apply to those governmental entities as defined by Minn. Stat. § ~~15.1671~~ 15.162, subds. 5, 7, and 8, which collect, create, use store, and disseminate data on individuals as defined in Minn. Stat. § 15.162, subd. 3.

These rules shall only apply to data on individuals, as defined by Minn. Stat. § 15.162, subd. 3, which is created, collected, maintained, used or disseminated by governmental entities.

B. Non-profit social service agencies meeting the requirements of Minn. Stat. § 15.162, subd. 5 shall include, but are not limited to, agencies providing mental health, physical health, counseling and day-activities services.

1. These rules shall only apply in the instance where such an agency is required, by the terms of a written contract with a state agency, political subdivision, or statewide system to collect, create, store, use, or disseminate data on individuals.

2. In the event of such a contract, these rules shall only apply to the data on individuals that is actually generated by the social service agency because of the contract.

3. Any data generated by activities of the social service agency that are independent of the contractually based activities shall not be subject to these rules.

4. These rules shall not apply to personnel data maintained on employees of such social service agencies.

C. These rules shall not apply to any governmental data collected, created, used, stored, or disseminated which is not data on individuals as defined in Minn. Stat. § 15.162, subd. 3, except these rules shall apply to summary data.

D. Nothing in these rules shall limit the discovery procedures available at law to any party in a civil or criminal action or

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administrative proceeding as described in the Minnesota Rules of Civil Procedure and the Minnesota Rules of Criminal Procedure as adopted by the Minnesota Supreme Court or in Minnesota Statutes and rules adopted thereunder.

E. Nothing in these rules shall restrict or limit the scope or operation of any judicial order or rule issued by a state or federal court.

In the event of the issuance of a subpoena duces tecum for any private or confidential data or a subpoena requiring any agent of an entity to testify concerning any private or confidential data, the court's attention shall be called, through the proper channels, to those statutory provisions, rules, or regulations which restrict the disclosure of such information.

F. Nothing in these rules shall be construed to diminish the rights conferred on subjects of data by Minn. Stat. § 15.165, or any other statute.

G. The purpose of these rules is to aid governmental entities in implementing and administering Minn. Stat. §§ ~~15.162~~ 15.1611 through ~~15.1671~~ 15.1699 as those sections relate to data on individuals. These rules are intended to guide entities so that while protection is given to individual privacy, neither necessary openness in government nor the orderly and efficient operation of government is curtailed.

2 MCAR § 1.202 Definitions. All terms shall have the meanings given them by Minn. Stat. § 15.162. Those terms and additional terms as used in these rules shall have the meanings as follows:

A. Act means Minn. Stat. §§ ~~15.162~~ 15.1611 through ~~15.1671~~ 15.1699, as amended, ~~commonly referred to as the "Data Privacy Act" or the Minnesota Fair Information Practices Act"~~ officially entitled the "Minnesota Government Data Practices Act".

~~B. Arrest Information means only those elements of data that are expressly listed in § 15.162, subd. 1a of the Act. Arrest information shall only include data which is collected, created, or maintained by an entity whose officers, employees, or agents are given arrest powers by statute, or the power to take into custody any person arrested by another citizen of this state.~~

~~1. Such entities include, but are not limited to, municipal police departments, county sheriff departments, the Minnesota State Patrol, and officers deputized as game wardens under the provisions of Minn. Stat. § 97.50.~~

~~C. B. Data means "data on individuals" as defined in § 15.162, subd. 3 of the Act, unless stated otherwise.~~

1. Data can be maintained in any form, including, but not limited to, paper records and files, microfilm, computer medium, or other processes.

2. The duration of the existence of data, including whether certain data is temporary rather than permanent, is not relevant to compliance with these rules.

3. All data, in whatever form it is maintained, is "data on individuals" if it can in any way identify any particular a ~~unique~~ individual.

~~4. Code numbers representing unique individuals in certain data constitute "data on individuals", provided a list or index of any type is made available by which the code number can be crossreferenced to identify unique individuals. Such data may qualify for treatment as summary data, pursuant to 2 MCAR § 1.209.~~

4. Code numbers, which are used to represent particular individuals, constitute "data on individuals" if a list or index of any type is available by which the code number can be cross referenced to a name or other unique personal identifier so that any individual's identity is revealed. Code numbers, lists of code numbers or data associated with code numbers may qualify for treatment as summary data, pursuant to 2 MCAR § 1.209.

a. Code number means the labeling or enumeration of data by use of a letter, number, or combination thereof, which is used in place of an individual's name, including but not limited to index numbers, dummy numbers, SOUNDEX codes, and social security numbers.

5. Data is "data on individuals" if it identifies an individual in itself, or if it can be used in connection with other data elements to uniquely identify an individual. Such data shall include, but is not limited to, street addresses, job titles and so forth where the particular data could only describe or identify one individual.

~~DC.~~ Confidential data, as defined in § 15.162, subd. 2a of the Act, shall only include data which is expressly classified as confidential by either a state statute, including the provisions of § 15.1642 of the Act, or federal law.

1. Data is confidential only if a state statute or federal law provides substantially that:

a. Certain data shall not be available either to the public or to the data-subject; or

b. Certain data shall not be available to anyone for any reason except agencies which need the data for agency purposes.

c. Certain data shall be confidential if a state statute or federal law provides that the data may be shown to the data subject only at the discretion of the person holding the data, and if such state statute or federal law provides standards which limit the exercise of the discretion of the person maintaining the data.

2. Data is not confidential if:

a. A state statute or federal law provides that the data is confidential, but the context of the statute or federal law, in which the term confidential appears, reasonably indicates the data is accessible by the data subject, or if the data subject is given access to the data only upon the discretion of the person holding the data and the state statute or federal law does not provide any standards which limit the exercise of such discretion. In such cases, the proper classification of the data is private.

3. A state agency rule, an executive order, an administrative decision, or a local ordinance shall not classify data as "confidential", or use wording to make data inaccessible to the data subject unless there is a state statute or federal law as the basis for the classification.

ED. Private data, as defined in § 15.162, subd. 5a of the Act, shall only include data which is expressly classified by either a state statute, including the provisions of § 15.1642 of the Act, or federal law.

1. Data is private if a state statute or federal law provides substantially that:

- a. Certain data shall not be available to the public but shall be available to the subject of that data;
- b. Certain data shall not be available to anyone, except the data subject or his designated representative such as an attorney;
- c. Certain data shall be confidential and the person the data is about may view the data at reasonable times; or
- d. Certain data shall be confidential and may be shown to the data subject at the discretion of the person holding the data. Such data shall be private if the state statute or federal law does not provide standards which limit the exercise of the discretion of the person maintaining the data.

e. Certain data is confidential, but the context of the statute or federal law in which the term confidential appears, reasonably indicates the data is accessible by the individual who is the subject of the data.

2. Data is not private if:

a. A federal agency rule provides substantially that as a part of its plan for implementation of a certain federal program, a state agency, statewide system, or political subdivision must provide for the confidentiality of data obtained from program subjects.

3. A state agency rule, an executive order, an administrative decision, or a local ordinance shall not classify data as "private", or use wording to make data inaccessible to the public unless there is a state statute or federal law as the basis for the classification.

FE. Public data shall mean "data on individuals", as defined in § 15.162, subd. 5b of the Act, which is neither private nor confidential data, and which is data that is an official record pursuant to Minn. Stat. § 15.17. not classified by state statute, including Section 15.1642, or federal law as private or confidential data.

~~1. Data is public if:~~

~~a. A state statute or federal law substantially provides that certain data shall be made available to the public, pursuant to Minn. Stat. § 15.17, or any other similar wording.~~

~~b. A state statute or federal law substantially requires the collection of certain data by a state agency, political subdivision or state-wide system, and does not classify that data as private or confidential.~~

~~c. A state agency, statewide system, or political subdivision, without any express enabling authority to do so, collects certain data because that data is necessary to its operations, as defined at 2 MCAR § 1.216, B.1.~~

1. This rule shall not limit the ability of an entity to apply for temporary classifications of data pursuant to § 15.1642 of the Act.

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~~GF.~~ Designee means any person designated by a responsible authority to be in charge of individual file(s) or system(s) containing "data on individuals" shall have the meaning given that term by Minn. Stat. Section 15.162, subd. 10.

~~H-G.~~ Entity means any governmental agency subject to the requirements of the Act, including state agencies, political subdivisions, and statewide systems as those terms are defined in § 15.162 of the Act.

1. State agency shall include any entity which is given power of statewide ~~impact~~ effect by statute or executive order.

2. Political subdivision shall include those local government entities which are given powers of less than statewide ~~impact~~ effect by statute or executive order.

3. Statewide systems shall include, but are not limited to, record keeping and data administering systems established by statute, federal law, administrative decision or agreement, or joint powers agreement.

a. Statewide systems shall include, but are not limited to, the Criminal Justice Information System administered by the Bureau of Criminal Apprehension, the Statewide Accounting System, ~~the Minnesota Education Computing Consortium,~~ and the various welfare systems primarily administered by the Department of Public Welfare.

~~I~~H. Federal Law means United States Code, rules and regulations of federal agencies as published in the ~~Federal Register~~ Code of Federal Regulations, and federal case law, including decisions of any court in the federal judicial system.

~~I~~I. Individual means any living human being. Individual shall not include any fictional entity or business such as a corporation, association, partnership, or sole proprietorship even in those instances where the name of such an entity or business includes the name of a natural person.

~~K~~J. RecordsManagement Act means Minn. Stat. § 138.17.

~~L~~K. Responsible Authority means the individual in each entity who is designated or appointed pursuant to § 15.162, subd. 6 of the Act.

1. In state agencies, the Responsible Authority shall be as follows, unless otherwise provided by state law:

a. Departments: the commissioner of the department.

b. Constitutional Offices: the constitutional officer.

c. University of Minnesota: the individual appointed by the Board of Regents.

d. All other state agencies: the chief executive officer, or if none, then an individual chosen by the agency's governing body.

2. In political subdivisions, the Responsible Authority shall be as follows, unless otherwise provided by state law:

a. Counties: each elected official of the county shall be the Responsible Authority for his respective office. An individual who is an employee of the county shall be appointed by the county board to be the Responsible Authority for any data administered outside the offices of elected officials.

b. Cities: the city council shall appoint an individual who is an employee of the city.

c. School Districts: the school board shall appoint an individual who is an employee of the school district.

d. Nonprofit Corporations or Nonprofit Social Service Agencies: unless a statute or the governmental entity which created the corporation or agency appoints an individual, the governing body of the corporation or agency shall appoint an individual. If no appointment is made, the chief executive officer of the nonprofit corporation or agency shall be the Responsible Authority. If the corporation or agency is part of a statewide system, the Responsible Authority for the statewide system shall be the Responsible Authority for the corporation or agency as determined by this rule.

e. All other political subdivisions: the governing body shall appoint an individual who is an employee of the political subdivision.

3. In "Statewide Systems", the Responsible Authority shall be as follows, unless otherwise provided by state law.

a. The commissioner of any state department or any executive officer designated by statute or executive order as responsible for such a system; or

b. If a state statute or executive order does not designate an individual as Responsible Authority, the Commissioner of Administration shall appoint the Responsible Authority after the entities which participate in the system jointly apply for such as appointment in a form provided by the Commissioner of Administration.

~~M~~L. Summary Data, as defined in § 15.162, subd. 9 of the Act, means data which has been extracted, manipulated, or summarized from private or confidential data, and from which all data elements that could link the data to a specific individual have been removed.

ADOPTED RULES

1. Summary data includes, but is not limited to, statistical data, case studies, reports of incidents, and research reports.

2. Once it is summarized from private or confidential data, summary data remains ~~Data is summary data if the Responsible Authority maintains any list of numbers or other data which could uniquely identify any individual in the summary data is physically separated from the summary data and the Responsible Authority does is not made~~ make such a list or other data available to persons who gain access to, or possession of the summary data.

2 MCAR § 1.203. Access to public data. The Responsible Authority shall comply with the following general rules governing access to public data.

A. The Responsible Authority shall provide access to public data to any person, without regard to the nature of that person's interest in the data.

1. The Responsible Authority shall establish procedures to describe how such access may be gained. The procedures established shall be in compliance with Section 15.1621 of the Act.

a. In such procedures, the Responsible Authority may limit the time during which ~~that public~~ access to public data is available to the time during which the normal operations office hours of the agency are conducted.

b. In such procedures, the Responsible Authority shall provide for a response to a request for access within a reasonable time.

c. The Responsible Authority ~~shall~~ may charge a reasonable fee for providing copies of public data; ~~unless the costs incurred by the entity in providing the copies are minimal.~~

d. In determining the amount of the reasonable fee, the Responsible Authority shall be guided by the following:

(1) The cost of materials, including paper, used to provide the copies.

(2) The cost of the labor required to prepare the copies.

(3) Any schedule of standard copying charges as established by the agency in its normal course of operations.

(4) Any special costs necessary to produce such copies from machine based record keeping systems, including but not limited to computers and microfilm systems.

(5) Mailing costs.

2 MCAR § 1.204. Access to private data. Pursuant to §§ ~~15.1641~~ 15.163 and 15.162, subd. 5a of the Act, the Responsible Authority shall comply with the following rules concerning access to private data:

A. Access to private data shall be available only to the following:

1. The subject of such data, as limited by any applicable statute or federal law.

2. Individuals within the entity, whose work assignments reasonably require access.

3. Entities and agencies as determined by the Responsible Authority who are authorized by statute, including § ~~15.1641~~ (e) 15.163, subd. 4 of the Act, or federal law to gain access to that specific data.

4. Entities or individuals given access by the express written direction of the data subject.

B. The Responsible Authority shall establish written procedures to assure that access is gained only by those parties identified in Part A of this rule.

~~1. In those procedures, the Responsible Authority shall provide for reasonable measures that will assure that the person seeking to gain access to the private data is actually the subject of that data or the authorized representative of the data subject.~~

1. In those procedures, the Responsible Authority shall provide for reasonable measures to assure, in those instances where an individual who seeks to gain access to private data asserts that he or she is the subject of that data or the authorized representative of the data subject, that the individual making the assertion is in fact the subject of the data or the authorized representative of the data subject.

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2. Examples of such reasonable measures include, but are not limited to, the following:

a. Requiring the person seeking to gain access to appear at the offices of the entity to gain such access, or, in lieu of a personal appearance, requiring the notarized signature of any data subject who is unable to appear at the offices of the entity.

b. Requiring the person to provide reasonable identification.

C. The Responsible Authority may limit the time that access is available to the data subject to the normal working hours of the agency.

D. The Responsible Authority shall not charge the data subject any fee in those instances where the data subject only desires to view private data.

E. The Responsible Authority ~~shall~~ may charge the data subject a reasonable fee for providing copies of private data.

1. In determining the amount of the reasonable fee, the Responsible Authority shall be guided by the criteria set out in 2 MCAR § 1.203 concerning access to public data.

2 MCAR § 1.205. Access to private data concerning data subjects who are minors. Pursuant to §§ ~~15.164~~, and 15.162, subd. 4 and subd. 5a and 15.163 of the Act, the Responsible Authority shall comply with the following rules concerning access:

A. In addition to the particular requirements of this rule, access to private data concerning a minor data subject shall be subject to the requirements of 2 MCAR § 1.204 concerning access to all private data.

B. Access to private data concerning minors shall be available only to the following:

1. Those parties identified as having access to private data under ~~part A.~~ of 2 MCAR § 1.204.

2. Subject to the provisions of Minn. Stat. § 15.162, subd. 4, any other applicable statute, and the exception set out at ~~part C~~ 1.205, C. 1. below, the parents of the minor data subject.

a. For purposes of this rule, the Responsible Authority shall presume the parent has the authority to exercise the rights inherent in the Act unless the Responsible Authority has been provided with evidence that there is a state law or court order governing such matters as divorce, separation, or custody, or a legally binding instrument which provides to the contrary.

C. Pursuant to the provisions of Minn. Stat. § 15.162, subd. 4, the Responsible Authority shall establish procedures to provide access by the parents of a minor data subject to provide data concerning that minor, subject to the following:

1. The Responsible Authority may deny parental access to private data when the minor, who is the subject of that data, requests that the Responsible Authority deny such access.

a. The Responsible Authority shall provide minors from whom the entity collects private or confidential data with a notification that the minor individual has the right to request that parental access to private data be denied.

ab. The Responsible Authority may require the minor data subject to submit a written request that the data be withheld. The written request shall set forth the reasons for denying parental access and shall be signed by the minor.

2. Upon receipt of such a request, the Responsible Authority shall determine if honoring the request to deny parental access would be in the best interest of the minor data subject.

a. In making the determination, the Responsible Authority shall be guided by at least the following:

(1) Whether the minor is of sufficient age and maturity to be able to explain the reasons for and to understand the consequences of the request to deny access.

(2) Whether the personal situation of the minor is such that denying parental access may protect the minor data subject from physical or emotional harm.

(3) Whether there is ground for believing that the minor data subject's reasons for precluding parental access are reasonably accurate.

(4) Whether the data in question is of such a nature that disclosure of it to the parent could lead to physical or emotional harm to the minor data subject.

~~(5) Whether the data in question is subject to the rights of parental access outlined in the "Family Educational Rights and Privacy Act of 1974", Public Law 93-380, and the rules promulgated thereunder.~~

~~(6)~~ (5) Whether the data concerns medical, dental, or other health services provided pursuant to Minn. Stat. §§ 144.341 through 144.347. If so, the data may be released only if failure to inform the parent would seriously jeopardize the health of the minor.

3. The Responsible Authority shall not deny access by parents to data that is considered an "education record", as that

term is defined in Title 45 Code of Federal Regulations, Part 99, Section 99.3, unless the minor to whom the data pertains is enrolled as a full time student in a post-secondary educational institution or the student has attained the age eighteen. As of the date of the adoption of these rules, the term "education records" was defined by Title 45 Code of Federal Regulations, Part 99, Section 99.3 as follows: "'Education Records' (a) Means those records which: (1) Are directly related to a student, and (2) are maintained by an educational agency or institution or by a party acting for the agency or institution. (b) The term does not include: (1) Records of instructional, supervisory, and administrative personnel and educational personnel ancillary thereto which: (i) Are in the sole possession of the maker thereof, and (ii) Are not accessible or revealed to any other individual except a substitute. For the purpose of this definition, a "substitute" means an individual who performs on a temporary basis the duties of the individual who made the record, and does not refer to an individual who permanently succeeds the maker of the record in his or her position. (2) Records of a law enforcement unit of an educational agency or institution which are: (i) Maintained apart from the records described in paragraph (a) of this definition; (ii) Maintained solely for law enforcement purposes, and (iii) Not disclosed to individuals other than law enforcement officials of the same jurisdiction; Provided. That education records maintained by the educational agency or institution are not disclosed to the personnel of the law enforcement unit. (3) (i) Records relating to an individual who is employed by an educational agency or institution which; (A) Are made and maintained in the normal course of business; (B) Relate exclusively to the individual in that individual's capacity as an employee, and (C) Are not available for use for any other purpose. (ii) This paragraph does not apply to records relating to an individual in attendance at the agency or institution who is employed as a result of his or her status as a student. (4) Records relating to an eligible student which are: (i) Created or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his or her professional or paraprofessional capacity, or assisting in that capacity; (ii) Created, maintained, or used only in connection with the provision of treatment to the student, and (iii) Not disclosed to anyone other than individuals providing the treatment; Provided. That the records can be personally reviewed by a physician or other appropriate professional of the student's choice. For the purpose of this definition, "treatment" does not include remedial educational activities or activities which are part of the program of instruction at the educational agency or institution. (5) Records of an educational agency or institution which contain only information relating to a person after that person was no longer a student at the educational agency or institution. An example would be information collected by an educational agency or institution pertaining to the accomplishments of its alumni."

4. Without a request from a minor, the Responsible Authority may deny parental access to private data on a minor, pursuant to the provisions of Minn. Stat. § 144.335 or any other statute or federal law that allows or requires the Responsible Authority the authority to do so, if such state statute or federal law provides standards which limit the exercise of the discretion of the Responsible Authority.

2 MCAR § 1.206. Access to confidential data. Pursuant to Minn. Stat. §§ ~~15.164~~ 15.163 and 15.162, subd. 2a, the Responsible Authority shall comply with the following rules concerning access to confidential data:

A. Access to confidential data is available only to the following:

1. Individuals within the entity, whose work assignments reasonably require access.

2. Entities and agencies who are authorized by statute, including § ~~15.164~~ 15.163 of the act, or federal law to gain access to that specific data.

B. The Responsible Authority shall establish written procedures to assure that access may be gained only by those parties identified in Part A of this rule.

1. In the drafting and administration of those procedures, the Responsible Authority shall provide measures by which data subjects or their authorized representatives shall be informed, upon request, if they are the subjects of confidential data.

a. The Responsible Authority shall not disclose the actual confidential data to the data subjects, but shall inform them whether confidential data concerning them is or is not retained.

b. The Responsible Authority shall take reasonable measures to assure that the person making inquiry is actually the individual data subject or the authorized representative of the data subject.

c. Reasonable measures ~~may~~ include, but are not limited to:

(1) Requiring the inquiring person to appear at the office of the entity to make his/her request;

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(2) Requiring the inquiring person to provide identification- ; or

(3) Requiring the notarized signature of any data subject who is unable to appear at the offices of the entity.

[2 MCAR § 1.207, "Access to Arrest Information," and 2 MCAR § 1.208, "Access to Investigative Data," as proposed by the Department of Administration have been withdrawn by the department. Subsequent sections of these rules have been re-numbered accordingly.]

2 MCAR § ~~1.209~~ 1.207 Access to summary data. Pursuant to Minn. Stat. § ~~15.1641 (d)~~ 15.163, subd. 7, the Responsible Authority shall comply with the following general rules concerning access to summary data:

A. Summary data is public data , unless classified by statute, federal law or temporary classification as not public. The Responsible Authority shall comply with 2 MCAR § 1.203, concerning access to public data.

B. The Responsible Authority shall prepare and implement procedures in his/her agency to assure that access to summary data is given to anyone who requests such data provided pursuant to Section 15.163, subd. 7 of the Act. In the preparation and administration of such procedures, the Responsible Authority shall comply with the following:

1. Preparation of summary data may be requested by any person. The request shall be in writing in a form provided by the Responsible Authority. Within ten days of the receipt of such a request, the Responsible Authority shall inform the requestor of the estimated costs if any, pursuant to Section 2 of this rule and subject to the provisions of that section either:

a. Provide the summary data requested; or

b. Provide a written statement to the requestor, describing a time schedule for preparing the requested summary data, including reasons for any time delays; or

c. Provide access to the requestor to the private or confidential data for the purpose of the requestor's preparation of summary data, pursuant to § ~~15.1641 (d)~~ 15.163, subd. 7, of the Act and subd. 4 of this section- ; or

d. Provide a written statement to the requestor stating reasons why the Responsible Authority has determined that the requestor's access would compromise the private or confidential data.

2. Any costs incurred in the preparation of summary data shall be borne by the requesting person. In assessing the costs associated with the preparation of summary data, the Responsible Authority shall:

a. Be guided by the provisions of 2 MCAR § 1.203 in determining costs.

b. Provide to the requesting person an estimate of the costs associated with the preparation of the summary data.

c. Prior to preparing or supplying the summary data, collect any funds necessary to reimburse the entity for its costs.

d. Charge no more than reasonable copying costs when the summary data being requested requires only copying and no other preparation.

e. Take into account the reasonable value to the entity of the summary data prepared- and where appropriate reduce the costs assessed to the requesting person.

3. For the purposes of administering Minn. Stat. § ~~15.1641 (d)~~ 15.163, subd. 7, the following terms shall have the meanings given them.

a. "Administrative officer" includes, but is not limited to, the entity's research director, statistician, or computer center director.

b. "Person outside" the entity includes the person requesting the summary data or any other person designated by the person requesting the data.

4. A non-disclosure agreement, as required by § ~~15.1641 (d)~~ 15.163, subd. 7 of the Act shall contain at least the following:

a. A general description of the private or confidential data which being used to prepare summary data.

b. The purpose for which the summary data is being prepared.

c. A statement that the preparer understands he/she may be subject to the civil or criminal penalty provisions of the Act in the event that the private or confidential data is disclosed.

5. Methods of preparing summary data include but are not limited to the following:

a. Removing from a set of data, a file, or a record keeping system all unique personal identifiers so that the data that remains fulfills the definition of summary data as defined by § 15.162, subd. 9 of the Act.

b. Removing from the entity's report of any incident, or from any collection of data similar to an incident report, all unique personal identifiers so that the resulting report fulfills the definition of summary data in § 15.162, subd. 9 of the Act.

c. For the purpose of this rule, "removing all unique personal identifiers" includes but is not limited to:

(1) Blacking out personal identifiers on paper records.

(2) Tearing off or cutting out the portions of paper records that contain the personal identifiers.

(3) Programming computers in such a way that printed ~~or~~ terminal or other forms of output do not contain personal identifiers.

2 MCAR § 1.210 1.208. Classification of data. In order to comply with the provisions of §§ 15.162, ~~15.164~~, 15.165 and 15.163 of the Act the Responsible Authority shall:

A. Review and identify all of the types of data maintained by the entity, including data retained as active and inactive.

B. ~~Determine the private, confidential, or public classification for each type of data.~~ Determine what types of data maintained by the entity are classified as private or confidential, according to the definitions of those terms pursuant to § 15.162 of the Act and 2 MCAR § 1.202.

C. Identify either a state statute or provisions of federal law supporting any determination that certain data is either private or confidential.

D. Administer all agency data in accordance with the determinations made under 2 MCAR § 1.210 B.

2 MCAR § ~~1.211~~ 1.209. Authority of the Responsible Authority. ~~Jurisdiction, as that term is used in § 15.164 (a) of the Act, means that the Responsible Authority shall have the authority to:~~ Pursuant to § 15.162 through 15.1642 of the Act, the Responsible Authority shall have the authority to:

A. Implement the Act and these rules in each entity.

B. Make good faith attempts to resolve all administrative controversies arising from the entity's practices of creation, collection, use and dissemination of data.

C. Prescribe changes to the administration of the entity's programs, procedures, and design of forms to bring those activities into compliance with the Act and with these rules.

D. Take all administrative actions necessary to comply with the general requirements of the Act, particularly Minn. Stat. § 15.165, and these rules.

E. Where necessary, direct designees to perform the detailed requirements of the Act and these rules under the general supervision of the Responsible Authority.

2 MCAR § ~~1.212~~ 1.210. Appointment of the Responsible Authority.

A. Pursuant to § 15.162, subd. 6 of the Act, the governing body of each political subdivision and the governing body of each state agency whose activities are subject to the direction of a governing body shall, within 30 days of the effective date of these rules, if it has not done so, appoint a Responsible Authority.

1. This rule shall not affect the appointments of Responsible Authorities made previous to the adoption of this rule.

2. The governing body shall confer on the Responsible Authority full administrative authority to carry out the duties assigned by the Act and by these rules.

3. Governing bodies may use the forms set forth in the appendix to these rules to appoint the Responsible Authority.

2 MCAR § ~~1.213~~ 1.211. Appointment power of the Responsible Authority. Pursuant to § ~~15.164~~ ~~(a)~~ 15.1621, subd. 2 of the Act, the Responsible Authority shall, if he deems it to be in the best interest of the administration and enforcement of the Act, appoint designees who shall be members of the staff of the entity. In the exercise of this appointment power, the Responsible Authority shall comply with the following:

A. The appointment order shall be in writing and copies of the order constitute public data on individuals, pursuant to Minn. Stat. § 15.162, subd. 5(b) of the Act.

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B. The Responsible Authority shall instruct any designees in the requirement of the Act and of these rules. If the Responsible Authority deems it necessary, such instruction shall include:

1. Distribution to designees of written materials describing the requirements of the Act and of these rules.
2. Preparation of training programs whose objective is to familiarize agency personnel with the requirements of the Act and of these rules.
3. Requiring attendance of designees and other entity personnel at training programs held within or outside the entity.

2 MCAR § ~~1.214~~ 1.212. Duties of the Responsible Authority relating to public accountability. Pursuant to § 15.163 of the Act, the duties of the Responsible Authority shall include, but not be limited to the following:

A. For the purposes of public accountability, the Responsible Authority shall, within sixty days of the effective date of these rules, or until August 1 of each year when the requirements of Part B of this rule are fully complied with, place his/her name, job title and business address, and the name(s) and job titles of any designees selected by the Responsible Authority on a document.

1. Such document shall be made available to the public and/or posted in a conspicuous place by each entity.
2. The document shall identify the Responsible Authority or designees as the persons responsible for answering inquiries from the public concerning the provisions of the Act or of these rules.

B. In the public document to be prepared or updated by August 1 of each year as required by § 15.163 of the Act, the Responsible Authority shall identify and describe by type all records, files, or processes maintained by his/her entity, which contain private or confidential data.

1. In addition to the items to be placed in the public document as required by § 15.163 of the Act, the Responsible Authority shall include the following:

- a. The name, title, and address of designees appointed by the Responsible Authority.
 - b. Identification of the files or systems for which each designee is responsible.
 - c. A citation of the state statute or federal law which classifies the each type of data as private or confidential.
2. The Responsible Authority shall draft the descriptions of the types of records, files, and processes in easily understandable English. Technical or uncommon expressions, understandable only by a minority of the general public shall be avoided, except where required by the subject matter.

3. The Responsible Authority may use the form set forth in the appendix to these rules to prepare this public document.

2 MCAR § ~~1.215~~ 1.213. Duties of the Responsible Authority relating to the administration of private and confidential data. In order to administer the requirements of § ~~15.164~~ (e) 15.163, subd. 4 of the Act, the Responsible Authority shall determine for each type of record, file, or process identified in 2 MCAR § 1.214 whether the data contained therein was collected prior or on or subsequent to August 1, 1975.

A. For each type of record, file or process containing data collected prior to August 1, 1975, the Responsible Authority shall:

1. Review the federal, state or local legal enabling authority which mandated or necessitated the collection of the private or confidential data.
2. Based on that review, determine the lawful purpose for the collection of the data at the time it was originally collected.
3. Direct the staff of the entity that private or confidential data collected prior to August 1, 1975, shall not be used, stored, or disseminated for any purpose, unless that purpose is was authorized by the enabling authority which was in effect at the time the data was originally collected.

B. For each type of record, file, or process containing private or confidential data collected on or subsequent to August 1, 1975, the Responsible Authority shall:

1. Review the legal enabling authority which mandates or necessitates the collection of the data.
2. Identify the purposes for the collection of and the intended uses of all private or confidential data that have been communicated to data subjects or should have been communicated to data subjects at the time of data collection, pursuant to § 15.165, subd. 2 of the Act.

C. Using the purposes and uses identified in A. and B. of this rule, the Responsible Authority shall:

1. Prepare lists which identify the uses of and purposes for the collection of private or confidential data for each type of record, file or process identified in 2 MCAR § 1.214.
 - a. Each list shall identify all persons, agencies, or entities authorized by state or federal law to receive any data disseminated from the particular record, file or process.

2. Pursuant to § 15.165, subd. 2 of the Act, either:

a. Attach each list identifying purposes, uses and recipients of data to all agency forms which collect the private or confidential data that will be retained in each record, file or process; or

b. Communicate, in any reasonable fashion, the contents of each list to data subjects at the time particular data that will be retained in each record, file, or process is collected from them. For purposes of this section, "reasonable fashion" shall include, but not be limited to:

(1) Oral communications made to data subjects.

(2) Providing data subjects with brochures that describe the entity's purposes for the collection of and the uses to be made of private and confidential data.

D. In administering the entity's private or confidential data consistent with the provisions of ~~the~~ these rules, the Responsible Authority shall:

1. Educate entity personnel as to authorized purposes and uses.

2. Prepare administrative procedures that will acquaint entity personnel with authorized purposes and uses.

3. Distribute policy directives requiring compliance with the entity's determination of authorized purposes and uses.

E. The Responsible Authority shall authorize a new purpose for the collection of private or confidential data or a new use for private or confidential data under any one of the following conditions:

1. If subsequent passage of federal or state legislation requires initiation of a new or different purpose or use pursuant to ~~§ 15.1641 (e) (2), of the Act,~~ 15.163, subd. 4(b), of the Act, or

2. The Responsible Authority, prior to initiation of the new or different purpose or use, complies with the provisions of either ~~§ 15.1641, (e) (1) or (3)~~ 15.163, subd. 4(a), subd. 4 (c) or subd. 4(d) of the Act.

a. For the purposes of administration of Minn. Stat. ~~§ 15.1641 (e) (1)~~ 15.163, subd. 4(a) or subd. 4(c), the Responsible Authority shall file a statement ~~on~~ in a form ~~provided~~ prescribed by the commissioner.

b. For the purposes of Minn. Stat. ~~§ 15.1641 (e) (3)~~ 15.163, subd. 4(d) the following term shall have the meaning given it:

(1) "Informed consent" means the data subject possesses and exercises sufficient mental capacity to make a decision which reflects an appreciation of the consequences of allowing the entity to initiate a new purpose or use of the data in question.

c. For the purposes of the administration of Minn. Stat. ~~§ 15.1641 (e) (3)~~ 15.163, subd. 4(d), the Responsible Authority shall comply with the following:

(1) The Responsible Authority shall not take any action to coerce any data subject to give an "informed consent." The Responsible Authority shall explain the necessity for or consequences of the new or different purpose or use.

(2) All informed consents shall be given in writing. Prior to any signature being affixed to it by the data subject, such writing shall identify the consequences of the giving of informed consent.

(3) If the Responsible Authority makes reasonable efforts to obtain the informed consent of a data subject and if those efforts are not acknowledged in any way, the Responsible Authority shall interpret the silence of the data subject as the giving of an implied consent to the new or different purpose or use of the data.

(a) For purposes of this section, "reasonable efforts" shall include:

(i) Depositing in the United States Mail, postage pre-paid and directed to the last known address of the data subject, at least two communications requesting informed consent.

(ii) Waiting for a period of not less than 60 days for a response to the second request.

(4) The data subject may give informed consent to less than all of the data elements in any list of data elements presented by a Responsible Authority, thereby giving only partial consent.

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ADOPTED RULES

(a) Only those elements that the data subject has expressly consented to shall become part of the new or different purpose or use.

D. If the Responsible Authority seeks an individual's informed consent to the release of private data to an insurer or the authorized representative of an insurer, the Responsible Authority shall comply with the provisions of Minn. Stat. § 15.163, subd. 4 (d), (1) through (7).

2 MCAR § 1.216 1.214. Duties of the Responsible Authority as they relate to the administration of all entity data. Pursuant to § ~~15.164~~ ~~(b)~~ 15.163, subd. 3 of the Act, the Responsible Authority shall, within eighteen months of the effective date of these rules, formulate a plan that will provide for the review and analysis of the data administration practices of the entity.

A. In the formulation of this plan, the Responsible Authority shall at least provide for the preparation of a list of or index to all data or types of data currently collected, stored, used, or disseminated by the entity.

1. The list or index developed shall include the identification of the state statute(s), federal law(s), or local ordinance(s) that authorize(s) the programs or functions for which data or types of data are ~~is~~ collected, or which authorize(s) the actual data collection, storage, use or dissemination of data or types of data.

a. The plan shall further provide for the list or index to be updated when new or different data collection, storage, use or dissemination is authorized.

b. This list or index shall be available to members of the general public, upon request.

B. The Responsible Authority shall use this plan and the list or index developed to aid in the determination of whether collection and storage of data and use and dissemination of private or confidential data is necessary.

1. For purposes of this section, data is necessary if:

a. The particular data is both:

(1) Required to carry out programs and functions that are expressly or impliedly authorized by a provision of state statute, federal law or a local ordinance; and

(2) Periodically examined, updated, modified or referred to by the entity; or

b. The entity would be unable to fulfill its duties without undue or increased burden or expense, if the particular data were not collected, stored, used or disseminated; or

c. Retention of the particular data is required in the event that a legal action is brought against or by the entity; or

d. Retention of the particular data is essential to comply with a state or federal requirement that data be retained for a specified period for the purposes of auditing, records retention, historical interest, and other similar purposes.

C. For any data determined to be not necessary pursuant to B. of this rule, the Responsible Authority shall provide for the following activities in the entity's plan.

1. Taking all actions ~~which include making changes to forms designs, rewriting procedures, and so forth,~~ including modification of the entity's data collection forms and data collection procedures, to assure that all ~~such unnecessary~~ data is no longer collected and stored and all ~~such private and confidential data determined to be not necessary~~ is no longer used and disseminated. Private data shall continue to be disseminated upon request by the data subject.

2. Disposing of ~~such~~ data determined to be not necessary pursuant to the procedures of the Records Management Act.

a. Inquiries concerning procedures for disposition of data may be directed to the Records Management Division, Department of Administration, St. Paul, Minnesota, 55155.

D. In the formulation of the plan described in A., of this rule, the Responsible Authority shall provide for the establishment of administrative mechanisms and procedures that comply with § ~~15.164~~ ~~(e)~~ 15.163, subd. 5 of the Act. For purposes of this section,

1. "Accurate" means that the data in question is reasonably correct and free from error.

2. "Complete" means that the data in question reasonably reflects the history of an individual's transactions with the particular entity. Omissions in an individual's history that place the individual in a false light shall not be permitted.

3. "Current" means that the data in question must be logically related to the entity's required and actual use of the data in its day-to-day operations.

[2 MCAR § 1.217, "Duties of the Responsible Authority as they relate to computerized data", as proposed by the Department of Administration has been withdrawn by the department. Subsequent sections of these rules have been re-numbered accordingly.]

2 MCAR § ~~1.218~~ 1.215. Administrative appeal. Pursuant to § 15.165, subd. 4 of the Act, an individual may appeal an adverse determination of a Responsible Authority to the Commissioner of Administration.

A. The appeal shall follow the procedures established in Minnesota Statutes, Chapter 15, as amended, and the rules of the Office of ~~Hearing Examiners~~ Administrative Hearings relating to Contested Case Proceedings.

B. Notice of an appeal must be submitted to the commissioner within a reasonable time of the determination made by the Responsible Authority pursuant to § 15.165, subd. 4 of the Act. For purposes of this section, "reasonable time" shall mean 180 days unless the Responsible Authority has provided the individual with a written statement which informs the individual of the right to appeal the determination to the commissioner. In the event this statement is provided, "reasonable time" for purposes of this section shall mean 60 days.

1. The notice shall be in writing and addressed to the Commissioner of Administration, State of Minnesota, 50 Sherburne Avenue, St. Paul, Minnesota 55155.

2. The notice shall contain the following information:

- a. The name, address, and phone number if any, of the appealing party.
- b. The name of the Responsible Authority and the entity which he or she represents.
- c. A description of the nature of the dispute, including a description of the data.
- d. A description of the desired result of the appeal.

~~3. The Commissioner may require additional information if it is reasonably necessary in order to establish the Contested Case Proceeding.~~

~~3. 4.~~ Upon written request of the data subject stating reasons, the appeal may be processed under the name of a pseudonym.

C. The hearing examiner, at any stage of the proceedings, after all parties have had an opportunity to present their views, may recommend dismissal of any sham, capricious, or frivolous case, or any case not within the jurisdiction of the Department of Administration.

~~ED.~~ The Department of Administration shall be reimbursed for all costs associated with the Contested Case Proceeding by the entity whose Responsible Authority has been the impetus for the individual's appeal to the Commissioner.

1. The commissioner shall establish appropriate accounting procedures to provide to the entity an itemized invoice.

2 MCAR § 1.219 1.216. General powers of the commissioner. Pursuant to § 15.163, subd. 2 of the Act and to assist in the general implementation and enforcement of the Act, the commissioner shall have the following powers:

A. If the commissioner determines that certain information is relevant to monitoring any entity's data collection and handling practices, policies and procedures, the commissioner shall require the Responsible Authority of such entity to submit the information.

B. Any inquiries concerning the Act or these rules and any information submissions required to be made by A. of this rule shall be directed to the Data Privacy ~~Unit~~ Division, Department of Administration, State of Minnesota, 50 Sherburne Avenue, St. Paul, Minnesota 55155.

C. The Data Privacy ~~Unit~~ Division shall respond promptly to all inquiries within personnel and budgetary limitations.

2 MCAR § ~~1.220~~ 1.217. Duties of the commissioner relating to temporary classification of data. Pursuant to Minn. Stat. § 15.1642, the commissioner and Responsible Authorities shall comply with the following:

A. The Responsible Authority, pursuant to § 15.162, subd. 6 of the Act, shall prepare any application for ~~emergency~~ temporary classification in writing in a form provided by the commissioner. Copies of the form are available from the Data Privacy Division.

~~1. The form for an application is set out in the appendix to these rules. Copies of the form are available from the Data Privacy Unit.~~

B. For the purposes of the administration of § 15.1642 of the Act, the following terms have the meanings given to them:

1. "Days" means calendar, not working days.

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ADOPTED RULES

2. "Upon filing" means upon receipt of either an original or amended application by the commissioner.

3. "Date of disapproval" means the date the Responsible Authority actually receives the disapproval notification from the Commissioner.

4. "Within ~~20~~ 25 days of submission to the Attorney General" means within ~~20~~ 25 days of the date that the Attorney General's Office in the Department of Administration actually receives the record from the Commissioner.

C. Applications for ~~emergency~~ temporary classification of data shall be submitted to the Data Privacy ~~Unit~~ Division, Department of Administration, State of Minnesota, St. Paul, Minnesota 55155.

D. If the Data Privacy ~~Unit~~ Division requires the Responsible Authority to submit additional information in support of the application, that application is deemed to have been filed on the date the additional material is received by the Data Privacy ~~Unit~~ Division. The commissioner shall return any application to the applicant if the additional information requested is not received within 30 days.

~~E. The provisions of this rule shall terminate and cease to have force and effect on whichever of the following dates or events occurs later:~~

~~1. On August 1, 1979; or~~

~~2. On the effective date of a statute that repeals the Commissioner's authority to rule on emergency classification of data, pursuant to Minn. Stat. § 15.1642, subd. 3.~~

2 MCAR § ~~1.221~~ 1.218. Severable provisions. If any provisions of these rules are found invalid for any reason, the remaining provisions shall remain valid.

ADVISORY FORM A

RESOLUTION APPOINTING A COUNTY RESPONSIBLE AUTHORITY

State of Minnesota

County of _____ (name of county)

WHEREAS, Minnesota Statutes, Section 15.162, Subdivision 6, requires that _____ (name of county) County appoint one person as the Responsible Authority to administer the requirements for collection, storage, use and dissemination of data on individuals within the county and,

WHEREAS, the _____ (name of county) County Board of Commissioners shares the concern expressed by the legislature on the responsible use of all County data and wishes to satisfy this concern by immediately appointing an administratively and technically qualified Responsible Authority as required under the statute.

BE IT RESOLVED, the County Board of Commissioners appoints _____ (name of individual) as the Responsible Authority for the purpose of meeting all requirements of Minnesota Statutes, Sections 15.162 through 15.169, as amended, and with rules as lawfully promulgated by the Commissioner of Administration as published in the State Register on _____ (insert appropriate date).

ADOPTED BY _____ (name of county) COUNTY COMMISSIONERS ON _____ (date)

ATTESTED TO: _____ (signature of appropriate official)

(title of appropriate official)

ADVISORY FORM B

RESOLUTION APPOINTING A CITY RESPONSIBLE AUTHORITY

State of Minnesota

City of _____ (insert name of city)

Resolution Title: Appointment of Responsible Authority

WHEREAS, Minnesota Statutes, Section 15.162, Subdivision 6, as amended, requires that the City of _____ (insert name of city) appoint one person as the Responsible Authority to administer the requirements for collection, storage, use and dissemination of data on individuals, within the City and,

ADOPTED RULES

WHEREAS, the (insert name of city) City Council shares concern expressed by the legislature on the responsible use of all City data and wishes to satisfy this concern by immediately appointing an administratively qualified Responsible Authority as required under the statute.

BE IT RESOLVED, the City Council of _____ (insert name of city) _____ appoints _____ (name of individual appointed) _____ as the Responsible Authority for the purposes of meeting all requirements of Minnesota Statutes, Section 15.162 through 15.169, as amended, and with rules as lawfully promulgated by the Commissioner of Administration as published in the State Register on _____ (insert appropriate date) _____.

ADOPTED BY _____ (insert name of city) CITY COUNCIL ON _____ (date)

ATTESTED TO BY THE:

(Signature of Mayor) on (date)

(Signature of City Clerk) (date)

ADVISORY FORM C

RESOLUTION APPOINTING A SCHOOL DISTRICT RESPONSIBLE AUTHORITY

State of Minnesota
(name of district) _____ School District
School District Number _____

Pursuant to the provisions of Minnesota Statutes, Section 15.162, Subdivision 6, as amended, (Insert name of individual), is hereby appointed Responsible Authority for the (insert name of district) School District Number

_____ (insert name of individual appointed) is hereby authorized to take all actions necessary to assure that all programs, administrative procedures and forms used within School District _____ (insert number) are administered in compliance with the

provisions of Minnesota Statutes, Sections 15.162 through 15.169, as amended, and with rules as lawfully promulgated by the Commissioner of Administration as published in the State Register on (insert appropriate date) .

ADVISORY FORM D

RESOLUTION APPOINTING A RESPONSIBLE AUTHORITY FOR STATE OR LOCAL BOARDS OR COMMISSIONS

State of Minnesota
(insert name of board or commission)

Under the provisions of Minnesota Statutes, Section 15.162, Subdivision 6, as amended, (name of individual) is hereby appointed Responsible Authority for (insert name of board or commission).

_____(insert name of individual appointed)_____ is hereby authorized to take all actions necessary to assure that all programs, administrative procedures and forms used by the _____(insert name of board or commission)_____ are administered in compliance with the provisions of Minnesota Statutes, Sections 15.162 through 15.169, as amended, and with rules as lawfully promulgated by the Commissioner of Administration and published in the State Register on _____(insert date)_____.

ADVISORY FORM E

PUBLIC DOCUMENT AS REQUIRED BY MINNESOTA STATUTES, SECTION 15.163

GOVERNMENTAL	(Name of Entity)	RESPONSIBLE	(Name)
ENTITY:	(Address)	AUTHORITY:	(Title)
			(Address)

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Small Business Finance Agency

Adopted Rules Relating to Amendment of the General Provisions Section of Existing Rules of the Agency and the Making of Business Loans

The rules proposed and published at *State Register*, Volume 5, Number 50, pp. 2000-2003, are now adopted with the following amendments:

Rules as Adopted

4 MCAR § 14.020 C. Acceptance for processing. Upon the determination by the executive director that the business loan requested meets the eligibility requirements of 4 MCAR § 14.021, the agency shall determine pursuant to 4 MCAR § 14.023 if the agency intends to fund the requested business loan subject to final authorization by the agency.

4 MCAR § 14.022 Application content. ~~Applications shall be on forms of the agency and shall include such information as the agency reasonably deems necessary~~ The executive director shall prepare uniform loan application forms for use by the public setting forth the information necessary for the determination of eligibility for a business loan pursuant to the Act and these rules.

4 MCAR § 14.023 Evaluation procedure. Applications approved for processing by the executive director shall be presented to the agency for approval or disapproval. If the agency disapproves the application, the executive director shall so notify the applicant. If the agency approves the business loan for funding it shall forthwith pass a preliminary resolution giving preliminary approval to the project to be financed from the loan proceeds and stating the name of the owner, a brief description of the project, and the amount of the loan. Such a resolution shall not obligate the agency to issue bonds or to fund any loan, but shall only constitute an expression of current intention of the agency to issue such bonds or to fund such a loan. The preliminary resolution may contain a time limit with respect to the issuance of the bonds, may be revoked or amended by the agency at any time prior to the final resolution of the agency without liability to the agency and may impose any conditions or requirements which the agency deems desirable. The executive director shall forthwith notify the applicant of the agency's approval and furnish the applicant a copy of the preliminary resolution.

The agency shall review and consider approval of an application for a business loan, on the basis of effectuating the purposes of the Act, including determinations regarding the following:

- A. That the applicant is an owner as defined in the Act,
- B. That the small business reasonably can be expected to maintain a sound financial condition and to retire the principal and pay the interest on the loan made or guaranteed in accordance with the terms of the loan agreement,
- C. That the project is economically feasible with a reasonable expectation that the life of its economic feasibility will exceed the maturity of the loan,
- D. That the project will create or maintain a sufficient number and type of jobs to justify agency participation in its financing,
- E. That the project feasibility is sufficient to allow the agency to sell the bonds required for its financing,
- F. That the project and its development is economically advantageous to the state, that the provision to meet increased demand upon public facilities as a result of the project is reasonably assured, and that energy sources to support the successful operation of the project are adequate,
- G. That if the project shall have the effect of a transfer of employment from one area of this state to another the agency determines that the project is economically advantageous to the state or that the project is necessary to the continued operation of the business enterprise within the state,
- H. That ~~other criteria have been met which the agency has determined~~ project will effectuate assist in fulfilling the purposes of the Act.

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ADOPTED RULES

Department of Natural Resources

Establishment and Description of Deer and Bear Registration Blocks, Superseding Commissioner's Order No. 2014 and Amendments Thereto

Commissioner's Order No. 2099

Pursuant to authority vested in me by law, I, Joseph N. Alexander, Commissioner of Natural Resources, hereby establish and prescribe the following system of deer and bear registration blocks.

Section 1. A series of registration blocks for the registration of deer and bear is hereby established. These registration blocks are designated and described by the registration block numbers and boundaries set forth in this section. Additional regulations concerning the registration of deer and bear shall be provided in those Commissioner's Orders regulating the taking of deer and bear.

Registration Block 1

Beginning at Noyes on the north boundary of the state; thence along U.S. Highway 75 to U.S. Highway 2; thence along U.S. Highway 2 to the west boundary of the state; thence along the west and north boundaries of the state to the point of beginning.

Registration Block 2

Beginning on the west boundary of the state at East Grand Forks; thence along U.S. Highway 2 to State Trunk Highway (STH) 9; thence along STH 9 to U.S. Highway 10; thence along U.S. Highway 10 to the west boundary of the state; thence along the west boundary of the state to the point of beginning.

Registration Block 3

Beginning at the intersection of State Trunk Highway (STH) 9 and STH 102; thence along STH 102 to STH 32; thence along STH 32 to U.S. Highway 10; thence along U.S. Highway 10 to STH 9; thence along STH 9 to the point of beginning.

Registration Block 4

Beginning at the intersection of State Trunk Highway (STH) 32 and County State Aid Highway (CSAH) 1, Polk County; thence along CSAH 1 to U.S. Highway 59; thence along U.S. Highway 59 to the north boundary of the White Earth Indian Reservation; thence west, south, and east along the boundaries of said Reservation to U.S. Highway 59; thence along U.S. Highway 59 to U.S. Highway 10; thence along U.S. Highway 10 to STH 32; thence along STH 32 to the point of beginning.

Registration Block 5

Beginning at the intersection of State Trunk Highway (STH) 1 and U.S. Highway 75 at Warren; thence along STH 1 to STH 32; thence along STH 32 to STH 102; thence along STH 102 to STH 9; thence along STH 9 to U.S. Highway 2; thence along U.S. Highway 2 to U.S. Highway 75; thence along U.S. Highway 75 to the point of beginning.

Registration Block 6

Beginning at the intersection of U.S. Highway 59 and State Trunk Highway (STH) 32 in Thief River Falls; thence along U.S. Highway 59 to County State Aid Highway (CSAH) 1, Polk County; thence along CSAH 1 to STH 32; thence along STH 32 to the point of beginning.

Registration Block 7

Beginning at the intersection of State Trunk Highway (STH) 11 and U.S. Highway 75; thence along STH 11 to U.S. Highway 59; thence along U.S. Highway 59 to STH 1; thence along STH 1 to U.S. Highway 75; thence along U.S. Highway 75 to the point of beginning.

Registration Block 8

Beginning at the intersection of U.S. Highway 75 and the north boundary of the state at Noyes; thence along north boundary of the state to U.S. Highway 59; thence along U.S. Highway 59 to State Trunk Highway (STH) 11; thence along STH 11 to U.S. Highway 75; thence along U.S. Highway 75 to the point of beginning.

Registration Block 9

Beginning at the junction of the west boundary of Roseau County and the north boundary of the state; thence along the west boundary of Roseau County to its junction with County State Aid Highway (CSAH) 7, Roseau County; thence along CSAH 7 to CSAH 10, Roseau County; thence along CSAH 10 to CSAH 3, Roseau County; thence along CSAH 3 to the southwest corner of Section 31, T. 164 N., R. 41 W.; thence due north along the section lines to a junction with the north boundary of the state; thence along the north boundary of the state to the point of beginning.

Registration Block 10

Beginning at the intersection of State Trunk Highway (STH) 32 and County State Aid Highway (CSAH) 6, Marshall County; thence along CAH 6 to the junction with STH 89; thence along County Road (CR) 133, Marshall County, to the junction with CSAH 54, Marshall County; thence along CSAH 54 to the junction with CR 134, Marshall County; thence along CR 134 to the junction with STH 89; thence along STH 89 to the junction with CSAH 48, Marshall County; thence along CSAH 48 to the junction with CSAH 49, Marshall County; thence along CSAH 49 to the Marshall-Roseau County boundary; thence along the Marshall-Roseau County boundary to the junction with STH 32; thence along STH 32 to the point of beginning.

Registration Block 11

That portion of the state within the boundaries of Agassiz National Wildlife Refuge plus the Elm Lake, Eckvoll, and Mud Lac Wildlife Areas.

Registration Block 12

Beginning at the intersection of U.S. Highway 59 and the north boundary of the state; thence along the north boundary of the state to the west boundary of Roseau County; thence along the west boundary of Roseau County to its junction with County State Aid Highway (CSAH) 7, Roseau County; thence along CSAH 7 to CSAH 10, Roseau County; thence along CSAH 10 to CSAH 3, Roseau County; thence along CSAH 3 to the southwest corner of Section 31, T. 164 N., R. 41 W.; thence due north along the section lines to a junction with the north boundary of the state; thence along the north boundary of the state to State Trunk Highway (STH) 310; thence along STH 310 to STH 11; thence along STH 11 to U.S. Highway 59; thence along U.S. Highway 59 to the point of beginning.

Registration Block 13

Beginning at the intersection of State Trunk Highway (STH) 11 and U.S. Highway 59; thence along STH 11 to STH 32; thence along STH 32 to STH 1; thence along STH 1 to U.S. Highway 59; thence along U.S. Highway 59 to the point of beginning.

Registration Block 14

Beginning at the intersection of State Trunk Highway (STH) 32 and STH 11; thence along STH 11 to STH 89; thence along STH 89 to County State Aid Highway (CSAH) 2, Roseau County; thence along CSAH 2 to CSAH 9, Roseau County; thence along CSAH 9, to CSAH 54, Marshall County; thence along CSAH 54 to the junction with CR 134, Marshall County; thence along CR 134 to the junction with STH 89; thence along STH 89 to the junction with CSAH 48, Marshall County; thence along CSAH 48 to the junction with CSAH 49, Marshall County; thence along CSAH 49 to the Marshall-Roseau County boundary; thence along the Marshall-Roseau County boundary to the junction with STH 32; thence along STH 32 to the point of beginning.

Registration Block 15

That portion of the state within the following described boundary, excepting that portion described as Registration Block 11. Beginning at the intersection of State Trunk Highway (STH) 32 and County State Aid Highway (CSAH) 6, Marshall County; thence along CSAH 6 to the junction with STH 89; thence along County Road (CR) 133, Marshall County; to the junction with CSAH 54, Marshall County; thence along CSAH 54 to CSAH 28, Pennington County; thence along CSAH 28 to STH 1; thence along STH 1 to STH 32; thence along STH 32 to the point of beginning.

Registration Block 16

Beginning at the intersection of State Trunk Highway (STH) 1 and U.S. Highway 59; thence along STH 1 to the west boundary of the Red Lake Indian Reservation; thence along the westerly boundary of the Reservation to County State Aid Highway (CSAH) 5, Beltrami County; thence along CSAH 5 to STH 92; thence along STH 92 to U.S. Highway 59; thence along U.S. Highway 59 to the point of beginning.

Registration Block 17

Beginning at the intersection of State Trunk Highway (STH) 92 and U.S. Highway 59; thence along STH 92 to the north boundary of the White Earth Indian Reservation; thence westward along said boundary to U.S. Highway 59; thence along U.S. Highway 59 to the point of beginning.

Registration Block 18

Beginning at the intersection of State Trunk Highway (STH) 310 with the north boundary of the state; thence along the north

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ADOPTED RULES

boundary of the state (49th parallel of North Latitude) to the easterly 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 the southeast corner of Section 36, T. 162 N., R. 35 W.; 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.

Registration Block 19

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 Road to the South Branch of the Rapid River; thence along the northerly shore of the river to the Faunce Butterfield Forest Road; thence along the Faunce Butterfield 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, T. 162 N., R. 36 W.; thence due east to an intersection with STH 11; thence along STH 11 to the point of beginning.

Registration Block 20

Beginning at the intersection of County State Aid Highway (CSAH) 18, Roseau County, and CSAH 9, Roseau County; thence along CSAH 18 to the Winner Forest Road; thence along the Winner Forest Road to Dick's Parkway; thence along Dick's Parkway to the Faunce Butterfield Forest Road; thence along the Faunce Butterfield Forest Road to the South Branch of the Rapid River; thence along the northerly bank of the river to Rapid River Forest Road; thence along the Rapid River Forest Road to CSAH 77, Lake of the Woods County; thence along CSAH 77 to State Trunk Highway (STH) 72; thence along STH 72 to the Tamarac River; thence along the southerly shore of the Tamarac River to Upper Red Lake; thence along the northerly shore of Upper Red Lake to the boundary of the Red Lake Indian Reservation; thence along the north boundary of the Reservation to the west boundary of Beltrami County; thence due west to CSAH 54, Marshall County; thence northward along CSAH 54 to CSAH 9, Roseau County; thence along CSAH 9, Roseau County, to the point of beginning.

Registration Block 21

That portion of the state known as the Red Lake Indian Reservation.

Registration Block 22

Beginning on the north boundary of the state at State Trunk Highway (STH) 72; thence along the north boundary of the state to a point due north of the intersection of STH 11 and County State Aid Highway (CSAH) 32 Koochiching County; thence due south to CSAH 32; thence along CSAH 32 to the Hay Creek-Indian Pine Forest Road; thence along the Hay Creek-Indian Pine Road to CSAH 82, Lake of the Woods County; thence along CSAH 82 to STH 72; thence along STH 72 to the point of beginning.

Registration Block 23

Beginning on the north boundary of the state at a point due north of the intersection of State Trunk Highway (STH) 11 and County State Aid Highway (CSAH) 1, Koochiching County; thence along CSAH 1 to CSAH 13, Koochiching County; thence along CSAH 13 to U.S. Highway 71; thence along U.S. Highway 71 to CSAH 30, Koochiching County; thence along CSAH 30 to the Pine Island Forest Road; thence along the Pine Island Road to CSAH 48, Beltrami County; thence along CSAH 40 to STH 72; thence along STH 72 to CSAH 82, Lake of the Woods County; thence along CSAH 82 to the Hay Creek-Indian Pine Forest Road; thence along the Hay Creek-Indian Pine Road to CSAH 32; thence along CSAH 32 to STH 11; thence due north to the north boundary of the state; thence along the north boundary of the state to the point of beginning.

Registration Block 24

Beginning at the intersection of State Trunk Highway (STH) 6 and U.S. Highway 71 at Big Falls; thence along STH 6 to STH 1; thence along STH 1 to the east boundary of the Red Lake Indian Reservation; thence along the easterly boundary of the Reservation to the south shore of Upper Red Lake; thence along the southerly and easterly shores of Upper Red Lake to the mouth of the Tamarac River; thence along the southerly shore of the Tamarac River to STH 72; thence along STH 72 to County State Aid Highway (CSAH) 40, Beltrami County; thence along CSAH 40 to the Pine Island Forest Road; thence along the Pine Island Road to CSAH 30; thence along CSAH 30 to the intersection of U.S. Highway 71 and STH 6, the point of beginning.

Registration Block 25

That portion of the state within the boundaries of the Nett Lake Indian Reservation.

Registration Block 26

Beginning on the north boundary of the state at a point due north of the junction of State Trunk Highway (STH) 11 and County State Aid Highway (CSAH) 1, Koochiching County; thence along the north boundary of the state to the west boundary of Voyageur's National Park; thence along the westerly boundary of the Park to the public access to Lake Kabetogama at

Gappa's Landing; thence along County Highway 153, St. Louis County, to CSAH 123, St. Louis County; thence along CSAH 123 to CSAH 122, St. Louis County; thence along CSAH 122 to U.S. Highway 53; thence along U.S. Highway 53 to the Lost River; thence along the Lost River to the east boundary of the Nett Lake Indian Reservation; thence along the east, north, and west boundaries of the Reservation to STH 65; thence along STH 65 to CSAH 31, Koochiching County; thence along CSAH 31 to U.S. Highway 71; thence along U.S. Highway 71 to CSAH 13, Koochiching County; thence along CSAH 13 to CSAH 1; thence along CSAH 1 to the point of beginning.

Registration Block 27

Beginning at the intersection of U.S. Highway 71 and State Trunk Highway (STH) 6 at Big Falls; thence along U.S. Highway 71 to County State Aid Highway (CSAH) 31, Koochiching County; thence along CSAH 31 to STH 65; thence along STH 65 to the west boundary of the Nett Lake Indian Reservation; thence along the west and south boundaries of said Reservation to STH 65; thence along STH 65 to STH 1; thence along STH 1 to STH 6; thence along STH 6 to the point of beginning.

Registration Block 28

Beginning at the intersection of State Trunk Highway (STH) 1 and U.S. Highway 53; thence along STH 1 to STH 65; thence along STH 65 to the south boundary of the Nett Lake Indian Reservation; thence along the south and east boundaries of the Nett Lake Indian Reservation to the Lost River; thence along the Lost River to U.S. Highway 53; thence along U.S. Highway 53 to the point of beginning.

Registration Block 29

Beginning at the intersection of U.S. Highway 53 and County State Aid Highway (CSAH) 23 St. Louis County at Orr; thence along CSAH 23 to CSAH 24, St. Louis County; thence along CSAH 24 to County Road (CR) 24, St. Louis County; thence along CR 24 to the public access to Crane Lake at Harding; thence along the easterly shore of Crane Lake to the Voyageurs National Park boundary at King William's Narrows; thence along the southerly boundary of the Park to the public access to Lake Kabetogama at Gappa's Landing; thence along County Highway 153, St. Louis County, to CSAH 123, St. Louis County; thence along CSAH 123 to CSAH 122, St. Louis County; thence along CSAH 122 to U.S. Highway 53; thence along U.S. Highway 53 to the point of beginning.

Registration Block 30

That portion of the state within the following described boundary: Beginning at the intersection of U.S. Highway 53 and County State Aid Highway (CSAH) 23, St. Louis County; thence along CSAH 23 to CSAH 24 St. Louis County; thence along CSAH 24 to the public access to Crane Lake at Harding; thence across Crane Lake and through King William's Narrows to Sand Point Lake; thence due north to the boundary of the state; thence along the north boundary of the state to the west boundary of the Boundary Waters Wilderness Canoe Area (BWCA); thence along the westerly and southerly boundaries of the BWCA to the Little Indian Sioux River; thence southward along said river to the boundary of the BWCA (Trout Lake block); thence along the westerly boundary of the BWCA to the northeast corner of Section 28, T. 63 N., R. 16 W., thence south along the east line of said section to the north shore of Lake Vermillion; thence southerly across open water to the east of St. Mary's Island and St. Paul's Island to the easterly end of Moccasin Point; thence southeasterly, west of the island off Moccasin Point, passing east of the Isle of Pines, east of Moose Island, Cherry Island and Echo Point to the boat landing at McKinley Park on the south shore of Lake Vermillion, thence along the only road from McKinley Park through Soudan, to State Trunk Highway (STH) 1; thence along STH 1 to U.S. Highway 53; thence along U.S. 53 to the point of beginning.

Registration Block 31

That portion of the state within the following described boundary: Beginning at the intersection of U.S. Highway 169 and State Trunk Highway (STH) 135 at Tower, thence along U.S. Highway 169 to County State Aid Highway (CSAH) 18, Lake County; thence along CSAH 18 to the north fork of the Kawishiwi River; thence along the easterly bank of said river to Fall Lake; thence along the southerly shore of Fall Lake to its intersection with the boundary of the BWCA; thence along the southerly, westerly, and northerly boundaries of the BWCA to the South Kawishiwi River; thence along the southerly shore of said river to Birch Lake; thence along the southerly shore of Birch Lake to its intersection with the boundary line between Ranges 12 and 13 west of the Fourth Principal Meridian; thence southward along said range line to its intersection with the Partridge River; thence along said river to the Soudan-Two Harbors branch of the Duluth, Mesabi and Iron Range (DM & IR) Railroad; thence northward along the DM & IR to CSAH 26, St. Louis County; thence along CSAH 26 to STH 135; thence along STH 135 to the point of beginning.

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ADOPTED RULES

Registration Block 32

That portion of the state within the boundaries of Voyageur's National Park.

Registration Block 33

That portion of the state within the following described boundary: Beginning with County State Aid Highway (CSAH) 18, Lake County at the terminus of U.S. Highway 169; thence along CSAH 18 to the north fork of the Kawishiwi River; thence along the easterly bank of said river to Fall Lake; thence along the southerly shore of Fall Lake to its intersection with the boundary of the BWCA; thence westerly along the boundary of the BWCA to the Little Indian Sioux River; thence southward along said river to the boundary of the BWCA (Trout Lake Block); thence along the westerly boundary of the BWCA to the northeast corner of Section 28, T. 63 N., R. 16 W.; thence south along the east line of said section to the north shore of Lake Vermillion; thence southerly across open water to the east of St. Mary's Island and St. Paul's Island to the easterly end of Moccasin Point; thence southeasterly, west of the island off Moccasin Point, passing east of the Isle of Pines, east of Moose Island, Cherry Island and Echo Ppoint to the boat landing at McKinley Park on the south shore of Lake Vermillion; thence along the only road from McKinley Park, through Soudan, to U.S. Highway 169; thence along U.S. Highway 169 to the point of beginning.

Registration Block 34

Beginning at the intersection of the boundary of the Boundary Waters Wilderness Canoe Area (BWCA) and the north boundary of the state at Little Vermillion Lake, St. Louis County; thence along the west and south boundaries of the BWCA to Moose Lake, Lake County; thence along the easterly shores of Moose, Newfound and Sucker Lakes to the north boundary of the state; thence along the north boundary of the state to the point of beginning.

Registration Block 35

Beginning at the intersection of the boundary of the Boundary Waters Wilderness Canoe Area (BWCA) and the north boundary of the state on Magnetic Lake; thence along the south, west, north, and east boundaries of the BWCA to Moose Lake, Lake County; thence along the easterly shores of Moose, Newfound and Sucker Lakes to the north boundary of the state; thence along the north boundary of the state to the point of beginning.

Registration Block 36

Beginning at the intersection of the Boundary Waters Wilderness Canoe Area (BWCA) boundary and the north boundary of the state at the west end of Moose Lake, Cook County; thence along the east, south, and west boundaries of the BWCA to the north boundary of the state in Fowl Lake, Cook County; thence along the north boundary of the state to the point of beginning.

Registration Block 37

That portion of the state known as the Grand Portage Indian Reservation.

Registration Block 38

Beginning at the intersection of the South Brule River and the Gunflint Trail; thence along the southerly shore of the South Brule River to the Brule River; thence along the southerly shore of the Brule River to the Greenwood River; thence up the Greenwood River drainage to the boundary line between T. 63 N. and T. 64 N.; thence eastward along said boundary line to Esther Lake; thence along the south and east shores of Esther Lake to the public access at the Esther Lake State Forest Road; thence easterly along said Forest Road to the Beaver Dam Creek State Forest Road; thence easterly along said Forest Road to Beaver Dam Creek; thence northerly along Beaver Dam Creek to Portage Brook; thence northeasterly along Portage Brook to the north boundary of the state; thence along the north boundary of the state to the west boundary of the Grand Portage Indian Reservation; thence along the west boundary of the Reservation to the shore of Lake Superior; thence along the shore of Lake Superior to a point due south of the junctoin of the Gunflint Trail and U.S. Highway 61; thence due north to said junction; thence along the Gunflint Trail to the point of beginning.

Registration Block 39

Beginning at the intersection of the Boundary Waters Wilderness Canoe Area (BWCA) boundary and the southerly shore of Lower Trout Lake, Cook County; thence along the southerly shore of Lower Trout Lake to the South Brule River; thence along the southerly shore of the South Brule River to the Brule River; thence along the southerly shore of the Brule River to the Greenwood River; thence up the Greenwood River drainage to the boundary line between T. 63 N. and T. 64 N.; thence eastward along said boundary line to Esther Lake; thence along the south and east shores of Esther Lake to the public access at the Esther Lake State Forest Road; thence easterly along said Forest Road to the Beaver Dam Creek State Forest Road; thence easterly along said Forest Road to Beaver Dam Creek; thence northerly along Beaver Dam Creek to Portage Brook; thence northeasterly along Portage Brook to the north boundary of the state; thence along the north boundary of the state to the east boundary of the BWCA (west end of Moose Lake, Cook County); thence along the east, south, and west boundaries of the

BWCA to the north boundary of the state at South Lake; thence along the north boundary of the state to the BWCA boundary on Magnetic Lake, Cook County; thence along the south, west, east, and north boundaries of the BWCA to the point of beginning.

Registration Block 40

Beginning at the public access to Sawbill Lake, Cook County; thence along the east shore of Sawbill Lake to the southerly boundary of the Boundary Waters Wilderness Canoe Area (BWCA); thence along the southerly and easterly boundary of the BWCA to Bower Trout Lake; thence along the southerly shore of Bower Trout Lake to the South Broule River; thence along the southerly shore of the South Brule River to the Gunflint Trail; thence along the Gunflint Trail to U.S. Highway 61; thence from said junction due south to the shore of Lake Superior; thence along the shore of Lake Superior to Taconite Harbor; thence along the Erie Mining Company Railroad to County State Aid Highway (CSAH) 7, Lake County; thence along CSAH 7 to Forest Road (FR) 357; thence along FR 357 to FR 1224; thence along FR 1224 to FR 346; thence along 346 to FR 170; thence along FR 170 to the Sawbill Trail; thence along the Sawbill Trail to the point of beginning.

Registration Block 41

Beginning at the intersection of State Trunk Highway (STH) 1 and the South Kawishiwi River, Lake County; thence along the South Kawishiwi River to the southerly boundary of the Boundary Waters Wilderness Canoe Area (BWCA); thence along the southerly boundary of the BWCA to Alton Lake; thence along the easterly shore of Alton Lake to the portage to Sawbill Lake; thence across the portage to Sawbill Lake; thence along the west and south shores of Sawbill Lake to the Sawbill Lake public access; thence southerly along the Sawbill Trail (Lake County Road 2) to Forest Road (FR) 170; thence along FR 170 to FR 346; thence along FR 346 to FR 357; thence along FR 357 to County State Aid Highway (CSAH) 7; thence along CSAH 7 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.

Registration Block 42

Beginning at the intersection of the Reserve Mining Company railroad and the Isabella branch of the Duluth, Mesabi and Iron Range railroad; thence along the Isabella Branch to the Erie Mining Company railroad; thence along the Erie Mining Company railroad to the shore of Lake Superior; thence along the shore of Lake Superior to Silver Bay; thence along the Reserve Mining Company railroad to the point of beginning.

Registration Block 43

Beginning at the intersection of Isabella branch of the Duluth, Mesabi and Iron Range (DM & IR) railroad and County State Aid Highway (CSAH) 14, Lake County; thence along the Isabella branch of the DM & IR to the Reserve Mining Company railroad; thence along the Reserve Mining Company railroad to the shore of Lake Superior at Silver Bay; thence along the shore of Lake Superior to Two Harbors; thence along the Two Harbors-Soudan branch of the DM & IR railroad to the Isabella branch of the DM & IR; thence along the Isabella branch to the point of beginning.

Registration Block 44

Beginning at the intersection of the Two Harbors-Soudan branch of the Duluth, Mesabi and Iron Range (DM & IR) railroad and the Partridge River, St. Louis County; thence upstream along the Partridge River to the boundary line between Ranges 12 and 13 west of the Fourth Principal Meridian; thence along said Range line to Birch Lake (an impoundment of the South Kawishiwi River); thence along the southerly shore of Birch Lake to State Trunk Highway (STH) 1; thence along STH 1 to the Erie Mining Company railroad, Lake County; thence along the Erie Mining Company railroad to the Isabella branch of the Duluth, Mesabi and Iron Range (DM & IR) railroad; thence along the Isabella branch of the Duluth, Mesabi and Iron Range (DM & IR) to the Two Harbors—Soudan branch of the Duluth, Mesabi & Iron Range railroad; thence along the Two Harbors—Soudan branch of the Duluth, Mesabi and Iron Range railroad to the point of beginning.

Registration Block 45

Beginning at the intersection of State Trunk Highway (STH) 135 and U.S. Highway 53 at Virginia; thence along STH 135 to County State Aid Highway (CSAH) 100, St. Louis County; thence along CSAH 100 to CSAH 110, St. Louis County; thence along CSAH 110 to County Road (CR) 565; thence along CR 565 to Allen Jct.; thence along the Duluth, Mesabi and Iron Range (DM & IR) railroad to CSAH 547, St. Louis County; thence along CSAH 547 to CSAH 4, St. Louis County; thence along CSAH

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ADOPTED RULES

4 to CSAH 49, St. Louis County; thence along CSAH 49 to U.S. Highway 53; thence along U.S. Highway 53 to the point of beginning.

Registration Block 46

Beginning at the intersection of State Trunk Highway (STH) 1 and U.S. Highway 53; thence along STH 1 to STH 135; thence along STH 135 to County State Aid Highway (CSAH) 26, St. Louis County; thence along CSAH 26 to the Soudan-Two Harbors branch of the Duluth, Mesabi and Iron Range (DM & IR) railroad; thence along the Duluth, Mesabi & Iron Range railroad to Allen Jct.; thence along CR 565 to County State Aid Highway (CSAH) 110, St. Louis Co.; thence along CSAH 110 to CSAH 100, St. Louis County; thence along CSAH 100 to STH 135; thence along STH 135 to U.S. Highway 53; thence along U.S. Highway 53 to the point of beginning.

Registration Block 47

Beginning at the intersection of State Trunk Highway (STH) 1 and STH 65; thence along STH 1 to U.S. Highway 53; thence along U.S. Highway 53 to U.S. Highway 169; thence along U.S. Highway 169 to STH 65; thence along STH 65 to the point of beginning.

Registration Block 48

Beginning at the intersection of U.S. Highway 169 and U.S. Highway 53 at Virginia; thence along U.S. Highway 53 to County State Aid Highway (CSAH) 133, St. Louis County; thence along CSAH 133 to CSAH 5, St. Louis County; thence along CSAH 5 to U.S. Highway 169; thence along U.S. Highway 169 to the point of beginning.

Registration Block 49

Beginning at the intersection of U.S. Highway 169 and State Trunk Highway (STH) 65 at Nashwauk; thence along U.S. Highway 169 to County State Aid Highway (CSAH) 5, St. Louis County; thence along CSAH 5 to CSAH 133, St. Louis County; thence along CSAH 133 to CSAH 25, Itasca County; thence along CSAH 25 to U.S. Highway 2; thence along U.S. Highway 2 to STH 65; thence along STH 65 to the point of beginning.

Registration Block 50

Beginning at the intersection of U.S. Highway 2 and State Trunk Highway (STH) 6 at Deer River; thence along STH 6 to County State Aid Highway (CSAH) 19, Itasca County; thence along CSAH 19 to STH 38; thence along STH 38 to CSAH 60, Itasca County; thence along CSAH 60 to CSAH 49, Itasca County; thence along CSAH 49 to CSAH 59, Itasca County; thence along CSAH 59 to CSAH 7, Itasca County; thence along CSAH 7 to CSAH 57, Itasca County; thence along CSAH 57 to CSAH 8; thence along CSAH 8 to STH 65; thence along STH 65 to STH 200, thence along STH 200 to U.S. Highway 169, thence along U.S. 169 to U.S. Highway 2; thence along U.S. Highway 2 to the point of beginning.

Registration Block 51

Beginning at the intersection of State Trunk Highway (STH) 1 and STH 38; thence along STH 1 to STH 65; thence along STH 65 to County State Aid Highway (CSAH) 8; thence along CSAH 8 to CSAH 57; thence along CSAH 57 to CSAH 7; thence along CSAH 7 to CSAH 59; thence along CSAH 59 to CSAH 49; thence along CSAH 49 to CSAH 60; thence along CSAH 60 to STH 38; thence along STH 38 to the point of beginning.

Registration Block 52

Beginning at the intersection of State Trunk Highway (STH) 1 and STH 46; thence along STH 1 to STH 38; thence along STH 38 to County State Aid Highway (CSAH) 19, Itasca County; thence along CSAH 19 to the east boundary of the Leech Lake Indian Reservation; thence along the east and north boundaries of said Reservation to STH 46; thence along STH 46 to the point of beginning.

Registration Block 53

Beginning at the Intersection of State Trunk Highway (STH) 1 and STH 72; thence along STH 1 to STH 46; thence along STH 46 to the north boundary of the Leech Lake Indian Reservation; thence along the north and west boundaries of said Reservation to County State Aid Highway (CSAH) 39, Beltrami County; thence along CSAH 39 to U.S. Highway 71; thence along U.S. Highway 71 to STH 72; thence along STH 72 to the point of beginning.

Registration Block 54

Beginning at the intersection of State Trunk Highway (STH) 89 and U.S. Highway 2; thence along STH 89 to the southern boundary of the Red Lake Indian Reservation; thence along the southern boundary of said Reservation to STH 1; thence along STH 1 to STH 72; thence along STH 72 to U.S. Highway 71; thence along U.S. Highway 71 to County State Aid Highway (CSAH) 39, Beltrami County; thence along CSAH 39 to the north boundary of the Leech Lake Indian Reservation; thence along the north and west boundaries of said Reservation to U.S. Highway 2; thence along U.S. Highway 2 to the point of beginning.

Registration Block 55

Beginning at the intersection of State Trunk Highway (STH) 92 and U.S. Highway 2; thence along STH 92 to County State Aid Highway (CSAH) 5, Clearwater County; thence along CSAH 5 to the southern boundary of the Red Lake Indian Reservation; thence along the southern boundary of said Reservation to STH 89; thence along STH 89 to U.S. Highway 2; thence along U.S. Highway 2 to the point of beginning.

Registration Block 56

Beginning at the intersection of U.S. Highway 2 and State Trunk Highway (STH) 92; thence along U.S. Highway 2 to U.S. Highway 71; thence along U.S. Highway 71 to STH 200; thence along STH 200 to the east boundary of Itasca State Park; thence along the east, north, and west boundaries of said Park to STH 113; thence westerly along STH 113 to the line between R. 37 W. and R. 38 W.; thence northward along said range line to the north boundary of the White Earth Indian Reservation; thence easterly along the north boundary of said Reservation to STH 92; thence along STH 92 to the point of beginning.

Registration Block 57

That portion of the state known as Itasca State Park.

Registration Block 58

Beginning at the intersection of State Trunk Highway (STH) 200 and U.S. Highway 71; thence along STH 200 to STH 371; thence along STH 371 to STH 87; thence along STH 87 to U.S. Highway 71; thence along U.S. Highway 71 to the boundary of Itasca State Park; thence along the easterly boundaries of said Park to U.S. Highway 71; thence along U.S. Highway 71 to the point of beginning.

Registration Block 59

Beginning at the intersection of U.S. Highway 2 and U.S. Highway 71; thence along U.S. Highway 2 to the west boundary of the Leech Lake Indian Reservation; thence along said boundary to State Trunk Highway (STH) 200; thence along STH 200 to U.S. Highway 71; thence along U.S. Highway 71 to the point of beginning.

Registration Block 60

Beginning at the intersection of State Trunk Highway (STH) 371 and the southerly boundary of the Leech Lake Indian Reservation; thence along said boundary to STH 200; thence along STH 200 to STH 6; thence along STH 6 to County State Aid Highway (CSAH) 1, Crow Wing County; thence along CSAH 1 to CSAH 2, Cass County; thence along CSAH 2 to STH 371; thence along STH 371 to the point of beginning.

Registration Block 61

Beginning at the intersection of U.S. Highway 2 and U.S. Highway 169 at Grand Rapids; thence along U.S. Highway 169 to State Trunk Highway (STH) 200; thence along STH 200 to the easterly boundary of the Leech Lake Indian Reservation; thence along the easterly and southerly boundaries of said Reservation to U.S. Highway 2 at Deer River; thence along U.S. Highway 2 to the point of beginning.

Registration Block 61

Beginning at the intersection of U.S. Highway 2 and U.S. Highway 169 at Grand Rapids; thence along U.S. Highway 169 to State Trunk Highway (STH) 200; thence along STH 200 to the easterly boundary of the Leech Lake Indian Reservation; thence along the easterly and southerly boundaries of said Reservation to U.S. Highway 2 at Deer River; thence along U.S. Highway 2 to the point of beginning.

Registration Block 62

Beginning at the intersection of State Trunk Highway (STH) 200 and STH 6; thence along STH 200 to U.S. Highway 169; thence along U.S. Highway 169 to STH 210; thence along STH 210 to STH 6; thence along STH 6 to the point of beginning.

Registration Block 63

Beginning at the intersection of U.S. Highway 169 and State Trunk Highway (STH) 200; thence along STH 200 to STH 65; thence along STH 65 to STH 210; thence along STH 210 to U.S. Highway 169; thence along U.S. Highway 169 to the point of beginning.

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ADOPTED RULES

Registration Block 64

Beginning at the intersection of U.S. Highway 2 and State Trunk Highway (STH) 65; thence along U.S. Highway 2 to County State Aid Highway (CSAH) 25, Itasca County; thence along CSAH 25 to CSAH 133, St. Louis County; thence along CSAH 133 to STH 73; thence along STH 73 to STH 210; thence along STH 210 to STH 65; thence along STH 65 to the point of beginning.

Registration Block 65

That portion of the state within the following described boundary excepting that portion known as the Fond du Lac Indian Reservation: Beginning at the intersection of State Trunk Highway (STH) 73 and STH 210; thence along STH 73 to County State Aid Highway (CSAH) 133, St. Louis County; thence along CSAH 133 to U.S. Highway 53; thence along U.S. Highway 53 to U.S. Highway 61; thence along U.S. Highway 61 to STH 210; thence along STH 210 to the point of beginning.

Registration Block 66

Beginning at the intersection of U.S. Highway 53 and the eastern boundary of the state at Duluth; thence along U.S. Highway 53 to County State Aid Highway (CSAH) 49; thence along CSAH 49 to CSAH 4; thence along CSAH 4 to County Road (CR) 52/547; thence along CR 52/547 to the Duluth, Mesabi and Iron Range Railroad (DM & IR); thence along the DM & IR railroad to the shore of Lake Superior; thence due south to the eastern boundary of the state; thence along the eastern boundary of the state to the point of beginning.

Registration Block 67

Beginning at the intersection of State Trunk Highway (STH) 210 and STH 73; thence along STH 73 to Interstate Highway 35 (I-35); thence along I-35 to STH 23; thence along STH 23 to County State Aid Highway (CSAH) 32; thence along CSAH 32 to the eastern boundary of the state; thence along the eastern boundary of the state to U.S. Highway 53; thence along U.S. Highway 53 to U.S. Highway 61; thence along U.S. Highway 61 to STH 210; thence along STH 210 to the point of beginning.

Registration Block 68

Beginning at the intersection of State Trunk Highway (STH) 210 and STH 65; thence along STH 210 to STH 73; thence along STH 73 to Interstate Highway 35 (I-35); thence along I-35 to STH 23; thence along STH 23 to STH 18; thence along STH 18 to STH 65; thence along STH 65 to the point of beginning.

Registration Block 69

That portion of the state known as the Rice Lake National Wildlife Refuge.

Registration Block 70

That portion of the state within the following described boundary, excepting that part comprising Block 69: Beginning at a point on the shore of Mille Lacs Lake due west of the intersection of State Trunk Highway (STH) 47 and STH 18 at Malmo; thence due east to said intersection; thence along STH 47 to U.S. Highway 169; thence along U.S. Highway 169 to STH 210; thence along STH 210 to STH 65; thence along STH 65 to STH 18; thence along STH 18 to STH 47; thence due west from said intersection to the shore of Mille Lacs Lake; thence to the center of Mille Lacs Lake; thence to the point of beginning.

Registration Block 71

Beginning at the intersection of State Trunk Highway (STH) 210 and STH 6 at Deerwood; thence along STH 210 to STH 47; thence along STH 47 to STH 18 at Malmo; thence due west to the shore of Mille Lacs Lake; thence to the center of Mille Lacs Lake; thence to a point on the shore of Mille Lacs Lake due east of the junction of U.S. Highway 169 and STH 18 at Garrison; thence due west to the junction of U.S. Highway 169 and STH 18; thence along STH 18 to STH 6; thence along STH 6 to the point of beginning.

Registration Block 72

That portion of the state within the following described boundary, but exclusive of that part comprising Block 73: Beginning on the easterly shore of Mille Lacs Lake at a point due west of the intersection of State Trunk Highway (STH) 42 and STH 18; thence due east to said intersection; thence along STH 18 to STH 65; thence along STH 65 to STH 23; thence along STH 23 to U.S. Highway 169; thence along U.S. Highway 169 to a junction with County State Aid Highway (CSAH) 35, Mille Lacs County; thence from said junction due north to the shore of Mille Lacs Lake; thence to the center of Mille Lacs Lake; thence to the point of beginning.

Registration Block 73

That portion of the state known as the Mille Lacs Wildlife Area.

Registration Block 74

Beginning at the intersection of State Trunk Highway (STH) 18 and STH 65; thence along STH 18 to STH 23; thence along

STH 23 to the entrance to Interstate Highway 35 (I-35); thence along I-35 to STH 70; thence along STH 70 to STH 65; thence along STH 65 to the point of beginning.

Registration Block 75

That portion of the state known as St. Croix State Park.

Registration Block 76

That portion of the state within the following described boundary, excepting that part comprising Block 75: Beginning at the interchange of Interstate Highway 35 (I-35) and State Trunk Highway (STH) 23; thence along STH 23 to County State Aid Highway (CSAH) 32, Pine County; thence along CSAH 32 to the eastern boundary of the state; thence along the eastern boundary of the state to STH 70; thence along STH 70 to I-35; thence along I-35 to the point of beginning.

Registration Block 77

That part of the state known as the Tamarac National Wildlife Refuge.

Registration Block 78

Beginning at the intersection of U.S. Highway 59 and the south boundary of the White Earth Indian Reservation; thence along said boundary to the boundary of the Tamarac National Wildlife Refuge; thence along the westerly, southerly, and easterly boundaries of the Refuge to the south boundary of the White Earth Indian Reservation; thence along the south and east boundaries of said Reservation to State Trunk Highway (STH) 113; thence along STH 113 to U.S. Highway 71; thence along U.S. Highway 71 to STH 87; thence along STH 87 to U.S. Highway 10; thence along U.S. Highway 10 to U.S. Highway 59; thence along U.S. Highway 59 to the point of beginning.

Registration Block 79

Beginning at the intersection of U.S. Highway 71 and State Trunk Highway (STH) 87; thence along STH 87 to STH 371; thence along STH 371 to County State Aid Highway (CSAH) 11, Crow Wing County, at Pequot Lakes; thence along CSAH 11 to CSAH 17, Cass County; thence along CSAH 17 to CSAH 1, Cass County; thence along CSAH 1 to STH 210; thence along STH 210 to U.S. Highway 10; thence along U.S. Highway 10 to U.S. Highway 71; thence along U.S. Highway 71 to the point of beginning.

Registration Block 80

Beginning at the intersection of State Trunk Highway (STH) 371 and STH 84; thence along STH 371 to County State Aid Highway (CSAH) 11, Crow Wing County, at Pequot Lakes; thence along CSAH 11 to CSAH 17, Cass County; thence along CSAH 17 to CSAH 1, Cass County; thence along CSAH 1 to the Crow Wing River; thence along the northerly shore of the Crow Wing River to its confluence with the Mississippi River; thence along the westerly shore of the Mississippi River to STH 210; thence along STH 210 to STH 25; thence along STH 25 to STH 18; thence along STH 18 to STH 6; thence along STH 6 to CSAH 1, Crow Wing County; thence along CSAH 1 to CSAH 2, Cass County; thence along CSAH 2 to STH 84; thence along STH 84 to the point of beginning.

Registration Block 81

Beginning at the intersection of U.S. Highway 10 and State Trunk Highway (STH) 210; thence along STH 210 to County State Aid Highway (CSAH) 1, Cass County; thence along CSAH 1 to the Crow Wing River; thence along the northerly shore of the Crow Wing River to its confluence with the Mississippi River; thence along the westerly bank of the Mississippi River to U.S. Highway 10; thence along U.S. Highway 10 to the point of beginning.

Registration Block 82

Beginning at the intersection of the Mississippi River and State Trunk Highway (STH) 210 in Brainerd; thence along STH 210 to STH 25; thence along STH 25 to STH 18; thence along STH 18 to its junction with U.S. Highway 169; thence due east from said junction to the shore of Mille Lacs Lake; thence to the center of Mille Lacs Lake; thence to the shore of Mille Lacs Lake due north of the junction of U.S. Highway 169 and County State Aid Highway 35; thence due south to said junction; thence along U.S. Highway 169 to STH 27; thence along STH 27 to STH 25; thence along STH 25 to CSAH 48, Morrison County; thence along CSAH 48 to a junction with STH 371; thence due west to the Mississippi River; thence along the westerly bank of the river to the point of beginning.

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ADOPTED RULES

Registration Block 83

Beginning at the intersection of U.S. Highway 10 and U.S. Highway 59 at Detroit Lakes; thence along U.S. Highway 10 to State Trunk Highway (STH) 78; thence along STH 78 to STH 210; thence along STH 210 to Interstate Highway 94 (I-94); thence along I-94 to STH 34; thence along STH 34 to STH 32; thence along STH 32 to U.S. Highway 10; thence along U.S. Highway 10 to the point of beginning.

Registration Block 84

Beginning at the intersection of U.S. Highway 10 and State Trunk Highway (STH) 87; thence along STH 87 to U.S. Highway 71; thence along U.S. Highway 71 to U.S. Highway 10; thence along U.S. Highway 10 to the point of beginning.

Registration Block 85

Beginning at the intersection of U.S. Highway 10 and U.S. Highway 71; thence along U.S. Highway 71 to County State Aid Highway (CSAH) 22, Todd County; thence along CSAH 22 to CSAH 46, Ottertail County; thence along CSAH 46 to State Trunk Highway (STH) 235; thence along STH 235 to CSAH 38, Ottertail County; thence along CSAH 38 to STH 78; thence along STH 78 to U.S. Highway 10; thence along U.S. Highway 10 to the point of beginning.

Registration Block 86

Beginning at the intersection of U.S. Highway 71 and U.S. Highway 10; thence along U.S. Highway 10 to State Trunk Highway (STH) 27; thence along STH 27 to U.S. Highway 71; thence along U.S. Highway 71 to the point of beginning.

Registration Block 87

Beginning at the intersection of State Trunk Highway (STH) 27 and County State Aid Highway (CSAH) 40, Morrison County; thence along CSAH 40 to CSAH 39, Morrison County; thence along CSAH 39 to CSAH 33, Morrison County; thence along CSAH 33 to CSAH 26, Morrison County; thence along CSAH 26 to CSAH 30, Morrison County; thence along CSAH 30 to CSAH 3, Benton County; thence along CSAH 3 to STH 25; thence along STH 25 to STH 95; thence along STH 95 to STH 23; thence along STH 23 to the Mississippi River; thence along the westerly shore of the Mississippi River to a point due west of the junction of CSAH 48, Morrison County and STH 371; thence due east to said junction; thence along CSAH 48 to STH 25; thence along STH 25 to STH 27; thence along STH 27 to the point of beginning.

Registration Block 88

Beginning at the intersection of State Trunk Highway (STH) 27 and U.S. Highway 169; thence along U.S. Highway 169 to STH 95; thence along STH 95 to STH 25; thence along STH 25 to County State Aid Highway (CSAH) 3, Benton County; thence along CSAH 3 to CSAH 30, Morrison County; thence along CSAH 30 to CSAH 26, Morrison County; thence along CSAH 26 to CSAH 33, Morrison County; thence along CSAH 33 to CSAH 39, Morrison County; thence along CSAH 39 to CSAH 40, Morrison County; thence along CSAH 40 to STH 27; thence along STH 27 to the point of beginning.

Registration Block 89

Beginning at the intersection of State Trunk Highway (STH) 210 and Interstate Highway 94 (I-94); thence along STH 210 to STH 78; thence along STH 78 to County State Aid Highway (CSAH) 38, Ottertail County; thence along CSAH 38 to STH 235; thence along STH 235 to STH 29; thence along STH 29 to STH 28; thence along STH 28 to U.S. Highway 59; thence along U.S. Highway 59 to I-94; thence along I-94 to the point of beginning.

Registration Block 90

Beginning at the intersection of County State Aid Highway (CSAH) 46, Ottertail County and State Trunk Highway (STH) 29; thence along STH 29 to STH 28; thence along STH 28 to U.S. Highway 71; thence along U.S. Highway 71 to CSAH 22, Todd County; thence along CSAH 22 to CSAH 46, Ottertail County; thence along CSAH 46 to the point of beginning.

Registration Block 91

Beginning at the intersection of U.S. Highway 59 and State Trunk Highway (STH) 28; thence along STH 28 to STH 104; thence along STH 104 to U.S. Highway 12; thence along U.S. Highway 12 to STH 9; thence along STH 9 to STH 28; thence along STH 28 to the point of beginning.

Registration Block 92

Beginning at the intersection of State Trunk Highway (STH) 28 and STH 104; thence along STH 104 to U.S. Highway 12; thence along U.S. Highway 12 to STH 4; thence along STH 4 to Interstate Highway 94 (I-94); thence along I-94 to STH 28; thence along STH 28 to the point of beginning.

Registration Block 93

Beginning at the intersection of State Trunk Highway (STH) 27 and U.S. Highway 71; thence along U.S. Highway 71 to U.S.

Highway 52; thence along U.S. Highway 52 to the easterly bank of the Mississippi River; thence along the easterly bank of the Mississippi River to STH 27; thence along STH 27 to the point of beginning.

Registration Block 94

Beginning at the intersection of U.S. Highway 52 and State Trunk Highway (STH) 4; thence along STH 4 to U.S. Highway 12; thence along U.S. Highway 12 to STH 15; thence along STH 15 to U.S. Highway 52; thence along U.S. Highway 52 to the point of beginning.

Registration Block 95

Beginning at the intersection of U.S. Highway 52 and State Trunk Highway (STH) 15; thence along STH 15 to U.S. Highway 12; thence along U.S. Highway 12 to the easterly bank of the Crow River at Delano; thence along the easterly bank of the Crow River to the confluence of the Crow River and the Mississippi River; thence along the northeasterly bank of the Mississippi River to U.S. Highway 52; thence along U.S. Highway 52 to the point of beginning.

Registration Block 96

That part of the state within the following described boundary, but exclusive of that part comprising Block 97: Beginning at the intersection of State Trunk Highway (STH) 23 and the easterly bank of the Mississippi River at St. Cloud; thence along STH 23 to STH 95; thence along STH 95 to U.S. Highway 169; thence along U.S. Highway 169 to STH 101; thence along STH 101 to the easterly bank of the Mississippi River; thence along the easterly bank of the Mississippi River to the point of beginning.

Registration Block 97

That portion of the state known as the Sherburne National Wildlife Refuge.

Registration Block 98

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

Registration Block 99

Beginning at the intersection of State Trunk Highway (STH) 95 and U.S. Highway 169 at Princeton; thence southerly along U.S. Highway 169 to STH 101; thence along STH 101 to the easterly bank of the Mississippi River; thence southeasterly along the easterly bank of the Mississippi River to U.S. Highway 52; thence along U.S. Highway 52 to U.S. Highway 10; thence along U.S. Highway 10 to County State Aid Highway (CSAH) 18, Anoka County; thence along CSAH 18 to the west boundary of the Carlos Avery Wildlife Area (CAWA); thence along the west and north boundaries of CAWA to CSAH 19, Chisago County; thence along CSAH 19 to the west boundary of the Sunrise River Addition to Carlos Avery Wildlife Area; thence along the west, north, east, and south boundaries of the Sunrise River Addition to the point where County Road (CR) 84, Chicago County intersects the south boundary; thence along CR 84 to STH 98; thence along STH 98 to U.S. Highway 61; thence along U.S. Highway 61 to STH 97; thence along STH 97 to STH 95; thence due east to the eastern boundary of the state; thence along the eastern boundary of the state to U.S. Highway 8; thence along U.S. Highway 8 to STH 95; thence along STH 95 to the point of beginning.

Registration Block 100

That portion of the state known as the Carlos Avery Wildlife Management Area, Anoka and Chisago Counties.

Registration Block 101

Beginning at the intersection of U.S. Highway 52 and the easterly bank of the Mississippi River at Anoka; thence along U.S. Highway 52 to U.S. Highway 10; thence along U.S. Highway 10 to County State Aid Highway (CSAH) 18, Anoka County; thence along CSAH 18 to the west boundary of the Carlos Avery Wildlife Area (CAWA), thence along the west, south, and east boundaries of CAWA to CSAH 18; thence along CSAH 18 to CSAH 2, Washington County; thence along CSAH 2 to U.S. Highway 61; thence along U.S. Highway 61 to State Trunk Highway (STH) 97; thence along STH 97 to STH 95; thence due east to the eastern boundary of the state; thence along the eastern boundary of the state to the junction of the St. Croix and Mississippi Rivers; thence along the easterly bank of the Mississippi River to the point of beginning.

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

ADOPTED RULES

Registration Block 102

Beginning at the confluence of the Crow and Mississippi Rivers; thence along the easterly bank of the Mississippi River to U.S. Highway 212; thence along U.S. Highway 212 to State Trunk Highway (STH) 25; thence along STH 25 to the South Fork of the Crow River; thence along the easterly bank of the South Fork of the Crow River to the confluence with the Crow River; thence along easterly bank of the Crow River to the point of beginning.

Registration Block 103

Beginning at the intersection of U.S. Highway 212 and State Trunk Highway (STH) 25; thence along STH 25 to the Minnesota River; thence along the easterly bank of the Minnesota River to STH 19; thence along STH 19 to Interstate Highway 35 (I-35); thence along I-35 to U.S. Highway 212; thence along U.S. Highway 212 to the point of beginning.

Registration Block 104

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 westerly bank of the Little Cannon River to its confluence with the Cannon River; thence along the northerly bank of the Cannon River to U.S. Highway 61; thence along U.S. Highway 61 to U.S. Highway 63; thence along U.S. Highway 63 to the eastern boundary of the state; thence along the eastern boundary of the state to the confluence of the Mississippi and St. Croix Rivers; thence along the easterly bank of the Mississippi River to U.S. Highway 212; thence along U.S. Highway 212 to I-35; thence along I-35 to the point of beginning.

Registration Block 105

Beginning at the intersection of U.S. Highway 10 and the west boundary of the state; thence along U.S. Highway 10 to State Trunk Highway (STH) 32; thence along STH 32 to STH 34; thence along STH 34 to Interstate Highway 94 (I-94); thence along I-94 to County State Aid Highway (CSAH) 24, Ottertail County; thence along CSAH 24 to CSAH 26, Wilkin County; thence along CSAH 26 to its junction with U.S. Highway 75; thence due west to the western boundary of the state; thence along the western boundary of the state to the point of beginning.

Registration Block 106

Beginning at a point on the western boundary of the state due west of the junction of County State Aid Highway (CSAH) 26, Wilkin County and U.S. Highway 75; thence due east to said junction; thence along CSAH 26 to CSAH 24, Ottertail County; thence along CSAH 24 to Interstate Highway 94 (I-94); thence along I-94 to U.S. Highway 59; thence along U.S. Highway 59 to State Trunk Highway (STH) 55; thence along STH 55 to the west boundary of the state; thence along the west boundary of the state to the point of beginning.

Registration Block 107

Beginning at the intersection of State Trunk Highway (STH) 55 and the west boundary of the state; thence along STH 55 to the west boundary of Grant County; thence along the west boundary of Grant County to the west boundary of Stevens County; thence along the west boundary of Stevens County to STH 28; thence along STH 28 to the west boundary of the state; thence along the west boundary of the state to the point of beginning.

Registration Block 108

Beginning at the intersection of State Trunk Highway (STH) 55 and U.S. Highway 59; thence along U.S. Highway 59 to STH 28; thence along STH 28 to the west boundary of Stevens County; thence along the west boundary of Stevens County to the west boundary of Grant County; thence along the west boundary of Grant County to STH 55; thence along STH 55 to the point of beginning.

Registration Block 109

Beginning at the intersection of the west boundary of the state and State Trunk Highway (STH) 28; thence along STH 28 to County State Aid Highway (CSAH) 21, Big Stone County; thence along CSAH 21 to CSAH 10, Big Stone County; thence along CSAH 10 to CSAH 25, Big Stone County; thence along CSAH 25 to U.S. Highway 12; thence along U.S. Highway 12 to U.S. Highway 59; thence along U.S. Highway 59 to STH 119; thence along STH 119 to the northerly boundary of the Lac qui Parle Wildlife Area; thence along the northerly and westerly boundaries of the Lac qui Parle Wildlife Area to the Minnesota River; thence along the northerly shore of the Minnesota River to U.S. Highway 12; thence along U.S. Highway 12 to the west boundary of the state; thence along the west boundary of the state to the point of beginning.

Registration Block 110

Beginning at the intersection of State Trunk Highway (STH) 28 and STH 9; thence along STH 9 to U.S. Highway 12; thence along U.S. Highway 12 to County State Aid Highway (CSAH) 25, Big Stone County; thence along CSAH 25 to CSAH 10, Big Stone County; thence along CSAH 10 to CSAH 21, Big Stone County; thence along CSAH 21 to STH 28; thence along STH 28 to the point of beginning.

Registration Block 111

Beginning at the intersection of the west boundary of the state and U.S. Highway 12; thence along U.S. Highway 12 to the Minnesota River; thence along the northerly shore of the Minnesota River to the boundary of the Lac qui Parle Wildlife Area; thence along the westerly boundary of Lac qui Parle Wildlife Area to the northerly shore of the Minnesota River; thence along the northerly shore of the Minnesota River to State Trunk Highway (STH) 23; thence along STH 23 to STH 67; thence along STH 67 to County State Aid Highway (CSAH) 9, Yellow Medicine County; thence along CSAH 9 to CSAH 29, Lac qui Parle County; thence along CSAH 29 to STH 275; thence along STH 275 to U.S. Highway 212; thence along U.S. Highway 212 to U.S. Highway 75; thence along U.S. Highway 75 to STH 40; thence along STH 40 to the west boundary of the state; thence along the west boundary of the state to the point of beginning.

Registration Block 112

Beginning at the intersection of the northerly boundary of the Lac qui Parle Wildlife Area and State Trunk Highway (STH) 119; thence along STH 119 to U.S. Highway 59; thence along U.S. Highway 59 to U.S. Highway 12; thence along U.S. Highway 12 to STH 29; thence along STH 29 to STH 40; thence along STH 40 to STH 277; thence along STH 277 to County State Aid Highway (CSAH) 4, Chippewa County; thence along CSAH 4 to STH 23; thence along STH 23 to the northerly shore of the Minnesota River; thence along the northerly shore of the Minnesota River to the easterly boundary of the Lac qui Parle Wildlife Area; thence along the easterly and northerly boundaries of the Lac qui Parle Wildlife Area to the point of beginning.

Registration Block 113

Beginning at the intersection of State Trunk Highway 23 and the Minnesota River at Granite Falls; thence along the northerly bank of the Minnesota River to U.S. Highway 71; thence along U.S. Highway 71 to State Trunk Highway (STH) 67; thence along STH 67 to County State Aid Highway (CSAH) 46, Redwood County; thence along CSAH 46 to CSAH 22, Lyon County; thence along CSAH 22 to CSAH 9, Lyon County; thence along CSAH 9 to STH 23; thence along STH 23 to the point of beginning.

Registration Block 114

Beginning at the intersection of U.S. Highway 71 and State Trunk Highway (STH) 7; thence along U.S. Highway 71 to the northerly shore of the Minnesota River; thence along the northerly shore of the Minnesota River to STH 23; thence along STH 23 to Maynard; thence along County State Aid Highway (CSAH) 4, Chippewa County, to STH 7; thence along STH 7 to the point of beginning.

Registration Block 115

Beginning at the intersection of U.S. Highway 212 and U.S. Highway 71; thence along U.S. Highway 212 to State Trunk Highway (STH) 4; thence along STH 4 to STH 19; thence along STH 19 to STH 15; thence along STH 15 to the Minnesota River; thence along the northerly bank of the Minnesota River to U.S. Highway 71; thence along U.S. Highway 71 to the point of beginning.

Registration Block 116

Beginning at the intersection of U.S. Highway 71 and the Minnesota River; thence along the northerly shore of the Minnesota River to State Trunk Highway (STH) 15; thence along STH 15 to STH 257; thence along STH 257 to County State Aid Highway (CSAH) 20, Brown County; thence along CSAH 20 to STH 4; thence along STH 4 to STH 68; thence along STH 68 to STH 67; thence along STH 67 to U.S. Highway 71; thence along U.S. Highway 71 to the point of beginning.

Registration Block 117

Beginning at the intersection of State Trunk Highway (STH) 19 and STH 5; thence along STH 5 to STH 25; thence along STH 25 to the Minnesota River; thence along the northerly shore of the Minnesota River to STH 15; thence along STH 15 to STH 19; thence along STH 19 to the point of beginning.

Registration Block 118

Beginning at the intersection of State Trunk Highway (STH) 15 and the Minnesota River; thence along the northerly bank of the Minnesota River to U.S. Highway 14; thence along U.S. Highway 14 to STH 22; thence along STH 22 to STH 30; thence along STH 30 to STH 15; thence along STH 15 to the point of beginning.

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ADOPTED RULES

Registration Block 119

Beginning at the intersection of State Trunk Highway (STH) 19 and the Minnesota River; thence along STH 19 to County State Aid Highway (CSAH) 11, LeSueur County; thence along CSAH 11 to STH 99; thence along STH 99 to CSAH 15 LeSueur County; thence along CSAH 15 to CSAH 26, Blue Earth County; thence along CSAH 26 to STH 60; thence along STH 60 to U.S. Highway 14; thence along U.S. Highway 14 to the Minnesota River; thence along the northerly bank of the Minnesota River to the point of beginning.

Registration Block 120

Beginning at the intersection of U.S. Highway 12 and State Trunk Highway (STH) 29; thence along STH 29 to STH 40; thence along STH 40 to STH 277; thence along STH 277 to STH 7; thence along STH 7 to U.S. Highway 71; thence along U.S. Highway 71 to U.S. Highway 12; thence along U.S. Highway 12 to the point of beginning.

Registration Block 121

Beginning at the intersection of U.S. Highway 12 and U.S. Highway 71; thence along U.S. Highway 71 to U.S. Highway 212; thence along U.S. Highway 212 to State Trunk Highway (STH) 4; thence along STH 4 to STH 7; thence along STH 7 to STH 22; thence along STH 22 to U.S. Highway 12; thence along U.S. Highway 12 to the point of beginning.

Registration Block 122

Beginning at the intersection of State Trunk Highway (STH) 7 and STH 4; thence along STH 4 to STH 19; thence along STH 19 to STH 5; thence along STH 5 to U.S. Highway 212; thence along U.S. Highway 212 to STH 22; thence along STH 22 to STH 7; thence along STH 7 to the point of beginning.

Registration Block 123

Beginning at the intersection of U.S. Highway 12 and State Trunk Highway (STH) 22; thence along STH 22 to U.S. Highway 212; thence along U.S. Highway 212 to STH 25; thence along STH 25 to the South Fork Crow River at Watertown; thence along the easterly bank of the South Fork Crow River to U.S. Highway 12 at Delano; thence along U.S. Highway 12 to the point of beginning.

Registration Block 124

Beginning on State Trunk Highway (STH) 40 at the western boundary of the state; thence along the west boundary of the state to the southern boundary of Yellow Medicine County; thence east along the southern boundary of Yellow Medicine County to U.S. Highway 75; thence along U.S. Highway 75 to STH 40; thence along STH 40 to the point of beginning.

Registration Block 125

Beginning at the intersection of U.S. Highway 212 and U.S. Highway 75; thence along U.S. Highway 75 to the southern boundary of Yellow Medicine County; thence along the southern boundary of Yellow Medicine County to State Trunk Highway (STH) 23; thence along STH 23 to STH 67; thence along STH 67 to County State Aid Highway (CSAH) 9, Yellow Medicine County; thence along CSAH 9 to CSAH 29, Lac qui Parle County; thence along CSAH 29 to STH 275; thence along STH 275 to U.S. Highway 212; thence along U.S. Highway 212 to the point of beginning.

Registration Block 126

Beginning on the western boundary of the state at the northern boundary of Lincoln County; thence along the boundary of the state to U.S. Highway 14; thence along U.S. Highway 14 to the eastern boundary of Lincoln County; thence along the eastern boundary of Lincoln County to the northern boundary of Lincoln County; thence along the northern boundary of Lincoln County to the point of beginning.

Registration Block 127

Beginning at the northwest corner of Lyon County; thence along the western boundary of Lyon County to U.S. Highway 14; thence along U.S. Highway 14 to U.S. Highway 59; thence along U.S. Highway 59 to State Trunk Highway (STH) 23; thence along STH 23 to the northern boundary of Lyon County; thence along the northern boundary of Lyon County to the point of beginning.

Registration Block 128

Beginning on U.S. Highway 14 at the western boundary of the state; thence along the western boundary of the state to the southern boundary of Pipestone County; thence along the southern boundary of Pipestone County to U.S. Highway 75; thence along U.S. Highway 75 to State Trunk Highway (STH) 268; thence along STH 268 to County State Aid Highway (CSAH) 18, Pipestone County; thence along CSAH 18 to CSAH 1, Pipestone County; thence along CSAH 1 to CSAH 1, Murray County; thence along CSAH 1 to STH 91; thence along STH 91 to U.S. Highway 14; thence along U.S. Highway 14 to the point of beginning.

Registration Block 129

Beginning at the northern boundary of Rock County at the western boundary of the state; thence along the western and southern boundaries of the state to State Trunk Highway (STH) 91; thence along STH 91 to County State Aid Highway (CSAH) 1, Murray County; thence along CSAH 1 to CSAH 1, Pipestone County; thence along CSAH 1 to CSAH 18, Pipestone County; thence along CSAH 18 to STH 268; thence along STH 268 to U.S. Highway 75; thence along U.S. Highway 75 to the northern boundary of Rock County; thence along the northern boundary of Rock County to the point of beginning.

Registration Block 130

Beginning at the intersection of County State Aid Highway (CSAH) 9, Lyon County and State Trunk Highway (STH) 23; thence along STH 23 to U.S. Highway 59; thence along U.S. Highway 59 to U.S. Highway 14; thence along U.S. Highway 14 to STH 4; thence along STH 4 to STH 68; thence along STH 68 to STH 67; thence along STH 67 to CSAH 46, Redwood County; thence along CSAH 46 to CSAH 22, Lyon County; thence along CSAH 22 to CSAH 9, Lyon County; thence along CSAH 9 to the point of beginning.

Registration Block 131

That part of the state within the following described boundaries, excepting that part comprising Block 155: Beginning at the intersection of U.S. Highway 14 and State Trunk Highway (STH) 91; thence along STH 91 to STH 30; thence along STH 30 to U.S. Highway 59 at Slayton; thence along U.S. Highway 59 to STH 62 at Fulda; thence along STH 62 to the Chicago and North Western Railroad; thence along said railroad to the south boundary of Murray County; thence along said boundary to the southwest corner of Cottonwood County; thence along the south boundary of Cottonwood County to County State Aid Highway (CSAH) 5, Cottonwood County; thence along CSAH 5 to STH 62; thence along STH 62 to U.S. Highway 71; thence along U.S. Highway 71 to U.S. Highway 14; thence along U.S. Highway 14 to the point of beginning.

Registration Block 132

Beginning at the intersection of U.S. Highway 14 and U.S. Highway 71; thence along U.S. Highway 71 to State Trunk Highway (STH) 60; thence along STH 60 to STH 15; thence along STH 15 to STH 257; thence along STH 257 to County State Aid Highway (CSAH) 20, Brown County; thence along CSAH 20 to STH 4; thence along STH 4 to U.S. Highway 14; thence along U.S. Highway 14 to the point of beginning.

Registration Block 133

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

Registration Block 134

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

Registration Block 135

Beginning at the intersection of State Trunk Highway (STH) 60 and County State Aid Highway (CSAH) 1, Cottonwood County; thence along CSAH 1 to CSAH 36, Jackson County; thence along CSAH 36 to CSAH 29, Jackson County; thence along CSAH 29 to CSAH 8, Jackson County; thence along CSAH 8 to CSAH 23, Jackson County; thence along CSAH 23 to the southern boundary of the state; thence along the southern boundary of the state to STH 15; thence along STH 15 to STH 60; thence along STH 60 to the point of beginning.

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ADOPTED RULES

Registration Block 136

Beginning at the intersection of State Trunk Highway (STH) 19 and County State Aid Highway (CSAH) 11, LeSueur County; thence along CSAH 11 to STH 99; thence along STH 99 to CSAH 15, LeSueur County; thence along CSAH 15 to CSAH 26, Blue Earth County; thence along CSAH 26 to STH 60; thence along STH 60 to CSAH 16, Rice County; thence along CSAH 16 to CSAH 15, Rice County; thence along CSAH 15 to Interstate Highway 35 (I-35); thence along I-35 to STH 19; thence along STH 19 to the point of beginning.

Registration Block 137

Beginning at the intersection of State Trunk Highway (STH) 19 and Interstate Highway 35 (I-35); thence along I-35 to County State Aid Highway (CSAH) 12, Steele County; thence along CSAH 12 to CSAH 24, Dodge County; thence along CSAH 24 to STH 57; thence along STH 57 to U.S. Highway 52; thence along U.S. Highway 52 to STH 19; thence along STH 19 to the point of beginning.

Registration Block 138

Beginning at the intersection of State Trunk Highway (STH) 60 and STH 22; thence along STH 22 to STH 30; thence along STH 30 to STH 13; thence along STH 13 to STH 60; thence along STH 60 to the point of beginning.

Registration Block 139

Beginning at the intersection of State Trunk Highway (STH) 60 and STH 13; thence along STH 13 to STH 30; thence along STH 30 to STH 218; thence along U.S. Highway 218 to Interstate Highway 35 (I-35); thence along I-35 to County State Aid Highway (CSAH) 15, Rice County; thence along CSAH 15, Rice County to CSAH 16, Rice County; thence along CSAH 16 to STH 60; thence along STH 60 to the point of beginning.

Registration Block 140

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 218; thence along U.S. Highway 218 to State Trunk Highway (STH) 30; thence along STH 30 to CSAH 13, Dodge County; thence along CSAH 13 to U.S. Highway 14; thence along U.S. Highway 14 to STH 57; thence along STH 57 to CSAH 24, Dodge County; thence along CSAH 24 to CSAH 12, Steele County; thence along CSAH 12 to the point of beginning.

Registration Block 141

Beginning at the intersection of State Trunk Highway (STH) 30 and STH 15; thence along STH 15 to the southern boundary of the state; thence along the southern boundary of the state to STH 22; thence along STH 22 to County State Aid Highway (CSAH) 29, Faribault County; thence along CSAH 29 to CSAH 3, Waseca County; thence along CSAH 3 to STH 30; thence along STH 30 to the point of beginning.

Registration Block 142

Beginning at the intersection of State Trunk Highway (STH) 30 and County State Aid Highway (CSAH) 3, Waseca County; thence along CSAH 3 to CSAH 29, Faribault County; thence along CSAH 29 to STH 22; thence along STH 22 to the southern boundary of the state; thence along the southern boundary of the state to STH 105; thence along STH 105 to STH 116 in Austin; thence along STH 116 to U.S. Highway 218; thence along U.S. Highway 218 to STH 30; thence along STH 30 to the point of beginning.

Registration Block 143

Beginning at the intersection of State Trunk Highway (STH) 30 and U.S. Highway 218; thence along U.S. Highway 218 to STH 116 in Austin; thence along STH 116 to STH 105; thence along STH 105 to the southern boundary of the state; thence along the southern boundary of the state to U.S. Highway 63; thence along U.S. Highway 63 to STH 30; thence along STH 30 to the point of beginning.

Registration Block 144

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 eastern boundary of the state; thence along the eastern boundary of the state to U.S. Highway 63 at Red Wing; thence along U.S. Highway 63 to U.S. Highway 61; thence along U.S. Highway 61 to the Cannon River; thence along the northerly bank of the Cannon River to the westerly bank of the Little Cannon River; thence along the Little Cannon River to STH 19; thence along STH 19 to the point of beginning.

Registration Block 145

Beginning at the intersection of State Trunk Highway (STH) 247 and U.S. Highway 63; thence along U.S. Highway 63 to U.S. Highway 61; thence due east to the eastern boundary of the state; thence along the eastern boundary of the state to the southern boundary of Wabasha County; thence along the southern boundary of Wabasha County to U.S. Highway 61; thence along U.S. Highway 61 to County State Aid Highway (CSAH) 14, Wabasha County; thence along CSAH 14 to STH 42; thence along STH 42 to STH 247; thence along STH 247 to the point of beginning.

Registration Block 146

Beginning at the intersection of State Trunk Highway (STH) 247 and County State Aid Highway (CSAH) 4, Wabasha County; thence along CSAH 4 to CSAH 10, Olmsted County; thence along CSAH 10 to CSAH 9, Olmsted County; thence along CSAH 9 to CSAH 22, Winona County; thence along CSAH 22 to STH 74; thence along STH 74 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 13, Olmsted County; thence along CSAH 13 to U.S. Highway 52; thence along U.S. Highway 52 to CSAH 12, Olmsted County; thence along CSAH 12 to STH 247; thence along STH 247 to the point of beginning.

Registration Block 147

Beginning at the intersection of State Trunk Highway (STH) 42 and County State Aid Highway (CSAH) 4, Wabasha County; thence along CSAH 4 to CSAH 10, Olmsted County; thence along CSAH 10 to CSAH 9, Olmsted County; thence along CSAH 9 to CSAH 22, Winona County; thence along CSAH 22 to STH 74; thence along STH 74 to U.S. Highway 14; thence along U.S. Highway 14 to CSAH 33, Winona County; thence along CSAH 33 to STH 248; thence along STH 248 to CSAH 31, Winona County; thence along CSAH 31 to CSAH 28, Winona County; thence along CSAH 28 to CSAH 25, Winona County; thence along CSAH 25 to U.S. Highway 61; thence along U.S. Highway 61 to CSAH 14, Wabasha County; thence along CSAH 14 to STH 42; thence along STH 42 to the point of beginning.

Registration Block 148

Beginning at the intersection of State Trunk Highway (STH) 74 and STH 30; thence along STH 30 to STH 43; thence along STH 43 to the eastern boundary of the state; thence along the eastern boundary of the state to the southern boundary of Wabasha County; thence due west along the southern boundary of Wabasha County to U.S. Highway 61; thence along U.S. Highway 61 to County State Aid Highway (CSAH) 25, Winona County; thence along CSAH 25 to CSAH 28, Winona County; thence along CSAH 28 to CSAH 31, Winona County; thence along CSAH 31 to STH 248; thence along STH 248 to CSAH 33, Winona County; thence along CSAH 33 to U.S. Highway 14; thence along U.S. Highway 14 to STH 74; thence along STH 74 to the point of beginning.

Registration Block 149

Beginning at the intersection of State Trunk Highway (STH) 43 and the Root River; thence along the Root River to the eastern boundary of the state; thence along the eastern boundary of the state to STH 43; thence along STH 43 to the point of beginning.

Registration Block 150

Beginning at the intersection of U.S. Highway 63 and State Trunk Highway (STH) 30; thence along U.S. Highway 63 to the southern boundary of the state; thence along the southern boundary of the state to U.S. Highway 52; thence along U.S. Highway 52 to STH 30; thence along STH 30 to the point of beginning.

Registration Block 151

Beginning at the intersection of State Trunk Highway (STH) 30 and U.S. Highway 52; thence along U.S. Highway 52 to STH 139; thence along STH 139 to the southern boundary of the state; thence along the southern boundary of the state to County State Aid Highway (CSAH) 28, Fillmore County; thence along CSAH 28 to STH 44; thence along STH 44 to STH 43; thence along STH 43 to STH 30; thence along STH 30 to the point of beginning.

Registration Block 152

Beginning at the intersection of the Root River and State Trunk Highway (STH) 43; thence along STH 43 to STH 44; thence along STH 44 to County State Aid Highway (CSAH) 28, Fillmore County; thence along CSAH 28 to the southern boundary of

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ADOPTED RULES

the state; thence along the southern and eastern boundaries of the state to the mouth of the Root River; thence up the Root River to the point of beginning.

Registration Block 153

That part of the state known as the Lac qui Parle Wildlife Area.

Registration Block 154

That portion of the state north of the 49th parallel of North Latitude commonly known as the Northwest Angle.

Registration Block 155

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

Registration Block 196

Beginning at the intersection of the west boundary of the Tamarac National Wildlife Refuge and the south boundary of the White Earth Indian Reservation; thence along the south, west, and north boundaries of said reservation to the boundary line between R. 37 W., and R. 38 W.; thence southward along said range line to State Trunk Highway (STH) 113; thence along STH 113 to the east boundary of the White Earth Indian Reservation; thence along the east and south boundaries of said Reservation to the east boundary of the Tamarac National Wildlife Refuge; thence along the east, north, and west boundaries of said Refuge to the point of beginning.

Registration Block 197

That portion of the state consisting of that part of the Leech Lake Indian Reservation that lies north of U.S. Highway 2.

Registration Block 198

That portion of the state consisting of that part of the Leech Lake Indian Reservation that lies south of U.S. Highway 2.

Registration Block 199

That portion of the state known as the Fond du Lac Indian Reservation.

Dated at Saint Paul, Minnesota this 13th day of August, 1981.

Joseph N. Alexander, Commissioner
Department of Natural Resources

Department of Natural Resources

Regulations for the Taking of Deer During 1981

Commissioner's Order No. 2104

Pursuant to authority vested in me by law, I, Joseph N. Alexander, Commissioner of Natural Resources, hereby prescribe the following regulations for the taking of deer during 1981.

Section 1. DEFINITIONS.

a. Legal Firearms: Firearms described as legal for the taking of deer by Minn. Stat. § 100.29, Subd. 9, may be used for taking deer outside the shotgun zone. Handguns shall not be used for taking deer in those parts of the state and during those times when only shotguns may be used, except that a person suffering from a physical disability rendering him or her incapable of using a shoulder fired gun but capable of using a handgun and possessing a doctor's statement to this effect may take deer with a handgun statewide. Handguns used for the taking of deer shall be of .357, .41 or .44 magnum caliber or other caliber using center-fire ammunition with a case length of at least 1.285 inches and a projectile the diameter of which is at least twenty-three hundredths of an inch, except that the .30 caliber M-1 carbine cartridge shall not be used. Within the shotgun zone as described in Section 10(b) of this order only shotguns loaded with single slug shells and muzzleloaders may be used. Smooth bore muzzleloaders must be no less than .45 caliber and rifled muzzleloaders no less than .40 caliber. Telescopic sights shall not be used during the Muzzleloader Season.

b. Legal bow and arrow: Bows must have a pull of no less than 40 pounds at or before full draw.

- c. Legal buck: A legal buck is any deer having at least one antler not less than three inches in length.
- d. Antlerless deer: Antlerless deer are all deer including fawns, other than legal bucks.
- e. November firearms season: The November firearms season is the statewide deer season beginning November 7 as described in Sec. 3.a. through 3.e. of this order.
- f. Muzzleloader season: The muzzleloader season is the deer season from November 28 to December 13, 1981, both dates inclusive, when deer may be taken by legal muzzleloaders in specified areas as described in Sec. 3.f. of this order.

Sec. 2. BOW AND ARROW SEASON DATES, HOURS AND LOCATIONS.

- a. Antlerless deer and legal bucks may be taken statewide from September 26 to November 30, 1981, both dates inclusive, between sunrise and sunset with the following provisions: (1) only legal bucks may be taken during the November firearms season within a zone when there is an open firearms deer season therein except in Crow Hassan Park where deer of either sex may be taken pursuant to Sec. 5, (2) bow hunting is prohibited in zone 5 during the November firearms season therein, and (3) bow hunting is prohibited in the Lac qui Parle, Talcot Lake and Walnut Lake Wildlife Management Areas after November 27, 1981.
- b. Antlerless deer and legal bucks may be taken by legal bow and arrow in the December Archery Zone as described in Section 10.a. from December 1 to December 13, 1981, both dates inclusive, between sunrise and sunset.
- c. Special permit area hunts are listed in Section 5.

Sec. 3. FIREARMS SEASON DATES, HOURS AND LOCATIONS.

Every firearms deer hunter must select one of the nine choices from the zone and date options contained in this paragraph. This choice will be indicated by a hole punched in the license at the time of purchase. No person is permitted to hunt deer by firearms except within limits of the choice indicated by the punched hole.

- a. Zone 1 (as described in Section 8.a.). Legal bucks may be taken from November 7 to November 22, 1981, both dates inclusive, between sunrise and sunset. Antlerless deer may be taken by permit throughout this season, but only within the area specified on each hunter's permit.
- b. Zone 2 (as described in Sec. 8.b.). Legal bucks may be taken from November 7 to November 15, 1981, both dates inclusive, between sunrise and sunset. Antlerless deer may be taken by permit throughout this season, but only within the permit area specified on each hunter's permit.
- c. Zone 3 (as described in Sec. 8.c.). Hunter must select either the early or the late season.
 - (1) Early Season: Legal bucks may be taken from November 7 to November 15, 1981, both dates inclusive, between sunrise and sunset.
 - (2) Late Season: Legal bucks and antlerless deer may be taken from November 21 to November 23, 1981, both dates inclusive, between sunrise and sunset. Antlerless deer may be taken only by permit and only within the permit area specified on each hunter's permit.
- d. Zone 4 (as described in Sec. 8.d.). Hunters must select either the early or the late season.
 - (1) Early Season: Legal bucks may be taken from November 7 to November 9, 1981, both dates inclusive, between sunrise and sunset.
 - (2) Late Season: Legal bucks and antlerless deer may be taken on November 14 and November 15, 1981, between sunrise and sunset. Antlerless deer may be taken only by permit and only within the permit area specified on each hunter's permit.
- e. Zone 5 (as described in Sec. 8.e.). Hunters must select either the early or the late season.
 - (1) Early Season: Legal bucks may be taken from November 7 to November 9, 1981, both dates inclusive, between sunrise and sunset.
 - (2) Late Season: Legal bucks and antlerless deer may be taken on November 14, between sunrise and sunset. Antlerless deer may be taken only by permit and only within the permit area specified on each hunter's permit.

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

ADOPTED RULES

f. **Muzzleloader Season:** Antlerless deer and legal bucks may be taken by legal muzzleloader from November 28 to December 13, 1981, both dates inclusive, between sunrise and sunset, on public land in the areas described below. Persons selecting this season may not hunt during the November firearms season. Persons selecting this season must have the Special Muzzleloader Season block punched out on their license. In addition to the areas listed below, additional areas are open to a limited number of hunters as described in Sec. 5.b.

- (1) Carlos Avery WMA in Anoka and Chisago Counties;
- (2) McCarthy Lake WMA in Wabasha County;
- (3) Meadowbrook WMA in Cass County;
- (4) Mille Lacs WMA in Kanabec and Mille Lacs Counties;
- (5) Moose-Willow WMA in Aitkin County;
- (6) Red Lake WMA and Beltrami Island State Forest in Beltrami, Lake of the Woods, and Roseau Counties;
- (7) Roseau River WMA in Roseau County;
- (8) Thief Lake WMA in Marshall County;
- (9) Whitewater WMA in Olmsted, Wabasha, and Winona Counties; and

(10) The following recreational areas within the Richard J. Dorer Memorial Hardwood Forest and posted as State Forest are open:

- (i) Hay Creek near Red Wing;
- (ii) Krueger Trail near Wabasha;
- (iii) Snake Creek near Kellogg;
- (iv) Trout Valley near Minneiska;
- (v) Reno Trail near Reno.

g. Additional areas are open to a limited number of hunters during the November firearms season as described in Sec. 5.c.

Sec. 4. ANTLERLESS PERMIT PROCEDURE FOR NOVEMBER FIREARMS SEASON.

a. An official antlerless permit application form (card) must be used to apply for an antlerless deer permit. No person shall apply for an antlerless deer permit without first purchasing a 1981 firearms deer license. No person shall submit more than one application for an antlerless permit nor shall any person apply for an antlerless permit in more than one antlerless permit area. No person shall apply for a muzzleloader special permit area or a firearms special permit area who has applied for an antlerless permit and no person shall apply for an antlerless permit who has applied for a muzzleloader special permit area or a firearms special permit area.

After the application has been completed, it must be either mailed or delivered to:

Department of Natural Resources
License Center
625 North Robert Street
St. Paul, Minnesota 55101

Applications which are mailed must be postmarked no later than September 15, 1981. Applications which are delivered must be delivered no later than 4:30 p.m., September 15, 1981. Applications postmarked or delivered after these specified times will not be accepted.

The application must be for one of the antlerless permit areas described in Sec. 9. Minnesota residents and nonresidents are eligible for antlerless permits. If the number of applications for permits in any area exceed the quota, a computerized drawing will be held to determine who will be issued permits. If the number of applications is less than the area quota, the under-subscribed area(s) may, at the discretion of the Commissioner, be filled on a first-come first-served basis at the County Auditor's Office. Permits for under-subscribed areas, if any, shall be requested only by persons who have not previously applied for any antlerless permit in 1981.

b. An antlerless permit application will become a valid permit when it carries the official validation marks. Only successful applicants will be notified. A successful applicant must have purchased a firearms deer license for a zone and dates to match the permit received in order to use the permit to take an antlerless deer.

c. Antlerless quotas for 1981 are as follows:

Area	No Permits	Area	No Permits	Area	No Permits	Area	No Permits
1	175	87	400	124	375	150	400
2	200	88	400	125	325	151	600
3	375	89	1300	126	250	152	2000
4	300	90	1400	127	250	154	100
5	300	91	500	128	350	155	150
6	275	92	1600	129	200	196	0
7	325	93	450	130	300	206	1300
8	225	94	450	131	700	207	900
9	600	95	450	132	350	208	900
10	1000	96	1000	133	375	209	1500
11	1000	98	3800	134	350	501	3000
12	1200	99	1800	135	500	502	3000
13	600	100	300	136	450	503	3000
14	850	101	650	137	600	504	100
15	175	102	400	138	200	601	750
16	425	103	200	139	200	602	1500
17	525	104	400	140	80	603	1500
18	950	105	400	141	600	604	2500
73	200	106	300	142	525	605	4000
77	100	107	0	143	125	606	3000
79	200	108	450	144	800	607	3000
80	100	110	100	145	800	608	3000
83	1500	120	50	146	700	609	1250
84	1000	121	450	147	1500		
85	2000	122	550	148	750		
86	1000	123	500	149	1400		

Sec. 5. SPECIAL PERMIT AREA DEER HUNTS.

The areas wherein the number of persons allowed to hunt deer by bow and arrow, muzzleloaders, or by regular firearms is controlled by randomly selected special permits are listed in this section. Permittees are allowed to take deer of either sex except bow hunters are restricted to taking only legal bucks in the Louisville Swamp from November 7 to November 15, 1981, and from November 21 to November 22, 1981, all dates inclusive. Applications for any of these areas must be made according to instructions in Sec. 6 of this order. Applications should be marked special deer hunt and sent to the address for the respective areas.

a. Bow and Arrow Special Permit Areas.

(1) Crow-Hassan Park Reserve in Hennepin County is open to deer hunting by legal bow and arrow during two separate time periods. One hundred and seventy (170) permits will be issued for the period from October 16 to October 18, 1981, and 240 permits will be issued for the period from November 20 to November 22, 1981, all dates inclusive. Applications must be sent to the Hennepin County Park Reserve District, Route 2, Box 418, Rockford, Minnesota 55373. Hunters may take deer of either sex during both of these periods.

(2) The area known as the Louisville Swamp, near Carver, in Scott County, is open to deer hunting by legal bow and arrow during two separate time periods. One hundred and fifty (150) permits will be issued for the period from September 26 to October 4, 1981, and 150 permits will be issued for the period from October 5 to December 13, 1981, all dates inclusive. This area is bounded by National Wildlife Refuge signs. Applications must be sent to the Minnesota Valley National Wildlife Refuge, 4101 East 78th Street, Bloomington, Minnesota 55420. Hunters are restricted to bucks only during the November firearms deer season.

b. Muzzleloader Special Permits Areas.

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ADOPTED RULES

(1) The Lac qui Parle WMA in Big Stone, Chippewa, Lac qui Parle and Swift Counties and the Federal Waterfowl Production Area located in Section 4, Township 119N., and Range 43W., are open to deer hunting by legal muzzleloader during the muzzleloader season, except the area posted as "No Trespass" from September 20 to December 1 and Rosemoen Island are not open at any time. Two hundred permits (200) will be issued for the period from November 28 to December 4, 1981, and 200 permits will be issued for the period from December 5 to December 13, 1981, all dates inclusive. Permittees must register at the headquarters before hunting in the refuge portion of the WMA. Applications must be sent to the Lac qui Parle WMA, Watson, Minnesota 56295.

(2) The Lake Shetek State Park in Murray County is open to deer hunting by legal muzzleloader during the muzzleloader season. Ten (10) permits will be issued for the period from November 28 to December 4, 1981, and 10 permits will be issued for the period from December 5 to December 13, 1981, all dates inclusive. Permittees must register at the park headquarters before hunting. Applications must be sent to the Lake Shetek State Park, Route 1, Currie, Minnesota 56123.

(3) The Talcot Lake WMA in Cottonwood and Murray Counties is open to deer hunting by legal muzzleloaders during the muzzleloader season. Fifteen (15) permits will be issued for the period from November 28 to December 4, 1981, and 15 permits will be issued for the period from December 5 to December 13, 1981, all dates inclusive. Permittees must register at the headquarters before hunting. Applications must be sent to Talcot Lake WMA, Dundee, Minnesota 56126.

(4) The Walnut Lake WMA in Faribault County is open to deer hunting by legal muzzleloader during the established muzzleloader season. Ten (10) permits will be issued for the period from November 28 to December 4, 1981, and 10 permits will be issued for the period from December 5 to December 13, 1981, all dates inclusive. Applications must be sent to the Area Wildlife Manager, Box 491, Mankato, Minnesota 56001.

c. Firearms Special Permit Areas.

(1) The Elm Creek Park Reserve in Hennepin County is open to deer hunting by shotgun and slug and legal muzzleloader on November 21 and November 22, 1981. One hundred and eighty (180) permits will be issued. Applications must be sent to the Hennepin County Park Reserve District, Route 2, Box 418, Rockford, Minnesota 55373.

(2) The Helmer Myre State Park and Albert Lea State Game Refuge in Freeborn County are open to deer hunting by shotgun and slug and legal muzzleloader on November 14, 1981. Fifty (50) permits will be issued. Applications must be sent to the Helmer Myre State Park, Route 3, Box 33, Albert Lea, Minnesota 56007.

(3) The Nerstrand Woods State Park and Game Refuge in Rice County is open to deer hunting by shotgun and slug and legal muzzleloader on November 14, 1981. One hundred and thirty-five (135) permits will be issued. Applications must be sent to the Nerstrand Woods State Park, Nerstrand, Minnesota 55053.

(4) The Rice Lake National Wildlife Refuge in Aitkin County is open to deer hunting by all legal firearms from November 14 to November 16, 1981, both dates inclusive. One hundred (100) permits will be issued. Applications must be sent to the Rice Lake National Wildlife Refuge, Route 2, McGregor, Minnesota 55760.

(5) The St. Croix State Park in Pine County is open to deer hunting by all legal firearms on November 7 and November 8, 1981. Six hundred (600) permits will be issued. Permittees must register at the Park office before hunting. Applications must be sent to the St. Croix State Park, Route 3, Box 174, Hinckley, Minnesota 55037.

(6) The Sherburne National Wildlife Refuge in Sherburne County is open to deer hunting by shotgun and slug and muzzleloader from November 21 to November 23, 1981, both dates inclusive. Nine hundred and fifty (950) permits will be issued; 700 for Areas A and B and 250 for Area C. Applicants must designate one of the two areas as their first choice and may designate the other area as their second choice. Applications must be sent to the Sherburne National Wildlife Refuge, Route 2, Zimmerman, Minnesota 55398.

Sec. 6. SPECIAL PERMIT AREA PROCEDURE.

a. Purchase of a deer hunting license is not required prior to applying for a special permit area listed in Sec. 5. Before hunting in any of these special permit areas a validated permit is necessary and the appropriate deer hunting license must be purchased. A bow and arrow deer license is required to hunt in the Bow and Area permit areas, a firearms deer license validated for the muzzleloader season is required to hunt in the Muzzleloader Special Permit Areas and a firearms deer license validated for the proper zone and time period is required to hunt in the Firearms Special Permit Areas.

b. No person shall apply for a muzzleloader special permit area or a firearms special permit area who has applied for an antlerless permit and no person shall apply for an antlerless permit who has applied for a muzzleloader special permit area or a firearms special permit area.

c. No person shall apply more than once for any one special permit area and no person who applies for any muzzleloader special permit area or any firearms special permit area shall apply for any other muzzleloader special permit area or firearms special permit area.

d. Applications for all Special Permit Area hunts shall be made as follows:

(1) Each person must apply on a separate self-addressed postal card purchased from the U.S. Post Office.

(2) On the side of the postal card opposite from the self-address, each applicant must legibly list the following items of information:

- (i) name of the special area hunt desired;
- (ii) type of hunt (firearms, muzzleloader, or bow and arrow);
- (iii) choice of time period, if choices are available; and
- (iv) the regular signature of the applicant.

(3) All applications must be submitted in an envelope and postmarked or delivered to the designated address no later than September 15, 1981.

(4) Two to six persons desiring to hunt as a party may apply together by submitting their applications in one envelope. Properly completed applications which are submitted in one envelope will either all be selected or none selected.

e. Incomplete or improperly completed applications will be rejected.

f. Both Minnesota residents and nonresidents are eligible for special area permits.

g. If the number of applications for any special permit area exceeds the quota, a random selection will be held to determine who will be issued permits.

h. The quota of permits listed for any special permit area may be modified in order to accommodate party members if the last applicant to be drawn for a special permit area is a member of a party.

i. Only successful applicants will be notified.

j. Permits are not transferable between persons or between special permit areas.

Sec. 7. BAG LIMIT.

No person shall take more than one deer during any calendar year whether by firearms or bow and arrow, said deer to be the age and sex permitted under the license and permit obtained.

Sec. 8. DEER ZONES — 1981.

a. Deer Zone 1.

That portion of the state lying within the following described boundary:

Beginning on State Trunk Highway (STH) 72 at the northern boundary of the state, thence along STH 72 to the Tamarac River, Beltrami County; thence along the southerly shore of the Tamarac River to Upper Red Lake; thence along the easterly and southerly shores of Upper Red Lake to the easterly boundary of the Red Lake Indian Reservation; thence along the easterly boundary of the Reservation to STH 1; thence east along STH 1 to STH 72; thence along STH 72 to U.S. Highway 71; thence along U.S. Highway 71 to County State Aid Highway (CSAH) 39, Beltrami County; thence along CSAH 39 to the north boundary of the Leech Lake Indian Reservation; thence along the north and west boundaries of said Reservation to STH 200; thence along STH 200 to STH 371; thence along STH 371 to STH 84, thence along STH 84 to CSAH 2, Cass County; thence along CSAH 2 to CSAH 1, Crow Wing County; thence along CSAH 1 to STH 6; thence along STH 6 to STH 18; thence along STH 18 to U.S. Highway 169; thence due east from said junction to the west shore of Mille Lacs Lake; thence along the westerly and southerly shores of said lake to a point due north of the junction of U.S. Highway 169 and STH 27; thence due south to said junction; thence along U.S. Highway 169 to STH 23; thence along STH 23 to STH 65; thence along STH 65 to STH 70; thence along STH 70 to the east boundary of the state; thence along the easterly and northerly boundary of the state to the point of beginning. In addition, that part of the state north of the 49th parallel of North Latitude commonly known as the Northwest Angle is included.

b. Deer Zone 2.

That portion of the state lying within the following described boundary:

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ADOPTED RULES

Beginning on State Trunk Highway (STH) 72 at the northern boundary of the state; thence along STH 72 to the Tamarac River, Beltrami County; thence along the southerly shore of the Tamarac River to Upper Red Lake; thence along the easterly and southerly shores of Upper Red Lake to the easterly boundary of the Red Lake Indian Reservation; thence along the easterly boundary of the Reservation to STH 1; thence east along STH 1 to STH 72; thence along STH 72 to U.S. Highway 71; thence along U.S. Highway 71 to County State Aid Highway (CSAH) 39, Beltrami County; thence along CSAH 39 to the north boundary of the Leech Lake Indian Reservation; thence along the north and west boundaries of said Reservation to STH 200; thence along STH 200 to STH 371; thence along STH 371 to STH 84; thence along STH 84 to CSAH 2, Cass County; thence along CSAH 2 to CSAH 1, Crow Wing County; thence along CSAH 1 to STH 6; thence along STH 6 to STH 18; thence along STH 18 to U.S. Highway 169; thence due east from said junction to the west shore of Mille Lacs Lake; thence along the westerly and southerly shores of said lake to a point due north of the junction of U.S. Highway 169 and STH 27; thence due south to said junction; thence along STH 27 to STH 25; thence along STH 25 to CSAH 48, Morrison County; thence along CSAH 48 to STH 371; thence along STH 371 to U.S. Highway 10; thence along U.S. Highway 10 to U.S. Highway 71; thence along U.S. Highway 71 to STH 87; thence along STH 87 to U.S. Highway 10; thence along U.S. Highway 10 to U.S. Highway 59; thence along U.S. Highway 59 to the south boundary of the White Earth Indian Reservation; thence along the south, west, and north boundaries of said Reservation to STH 92; thence along STH 92 to CSAH 5, Clearwater County; thence along CSAH 5 to the south boundary of the Red Lake Indian Reservation; thence along the south and west boundary of said Reservation to the west boundary of Beltrami County; thence along said boundary to the northwest corner of said county; thence along CSAH 9, Roseau County, to CSAH 2, Roseau County; thence along CSAH 2 to the southeast corner of Section 36, T. 162 N., R. 36 W.; thence due east to the intersection with STH 11; thence along STH 11 to STH 72; thence along STH 72 to the point of beginning.

c. Deer Zone 3.

Those two portions of the state lying within the following described boundaries:

(1) Beginning on U.S. Highway 59 at the north boundary of the state; thence along U.S. Highway 59 to the north boundary of the White Earth Indian Reservation; thence along the north boundary of said Reservation to State Trunk Highway (STH) 92; thence along STH 92 to CSAH 5, Clearwater County; thence along CSAH 5 to the south boundary of the Red Lake Indian Reservation; thence along the south and west boundary of said Reservation to the west boundary of Beltrami County; thence along said boundary to the northwest corner of said county; thence along CSAH 9, Roseau County, to CSAH 2, Roseau County; thence along CSAH 2 to the southeast corner of Section 36, T. 162 N., R. 36W.; thence due east to the intersection with STH 11; thence along STH 11 to STH 72; thence along STH 72 to the north boundary of the state; thence along said boundary to the 49th parallel of North Latitude; thence westerly along said parallel to the north boundary of the state; thence along said boundary to the point of beginning.

(2) Beginning on State Trunk Highway (STH) 70 on the east boundary of the state; thence along STH 70 to STH 65; thence along STH 65 to STH 23; thence along STH 23 to U.S. Highway 169; thence along U.S. Highway 169 to STH 27; thence along STH 27 to STH 25; thence along STH 25 to County State Aid Highway (CSAH) 48, Morrison County; thence along CSAH 48 to STH 371; thence along STH 371 to U.S. Highway 10; thence along U.S. Highway 10 to the Mississippi River; thence along the westerly shore of the Mississippi River to the mouth of the Crow River; thence along the easterly bank of the Crow River to the mouth of the South Fork of the Crow River; thence along the easterly bank of the South Fork of the Crow River to STH 25; thence along STH 25 to the Minnesota River; thence along the easterly bank of the Minnesota River to STH 19; thence along STH 19 to U.S. Highway 52; thence along U.S. Highway 52 to STH 57; thence along STH 57 to the municipal boundary of Kasson; thence along the municipal boundary of Kasson to CSAH 13, Dodge County; thence along CSAH 13 to STH 30; thence along STH 30 to U.S. Highway 63; thence along U.S. Highway 63 to the South boundary of the state; thence along the southerly and easterly boundaries of the state to the point of beginning.

d. Deer Zone 4.

That portion of the state lying within the following described boundary:

Beginning on U.S. Highway 75 at the north boundary of the state; thence along U.S. Highway 75 to U.S. Highway 2; thence along U.S. Highway 2 to State Trunk Highway (STH) 9; thence along STH 9 to U.S. Highway 10; thence along U.S. Highway 10 to STH 32; thence along STH 32 to STH 34; thence along STH 34 to Interstate Highway 94 (I-94); thence along I-94 to U.S. Highway 59 south of Fergus Falls; thence along U.S. Highway 59 to STH 9; thence along STH 9 to U.S. Highway 12; thence along U.S. Highway 12 to the South Fork of the Crow River at Delano; thence along the easterly bank of the South Fork of the Crow River to its confluence with the Crow River; thence along the easterly bank of the Crow River to the Mississippi River; thence along the westerly bank of the Mississippi River to U.S. Highway 10; thence along U.S. Highway 10 to U.S. Highway 71; thence along U.S. Highway 71 to STH 87; thence along STH 87 to U.S. Highway 10; thence along U.S. Highway 10 to U.S. Highway 59; thence along U.S. Highway 59 to the south boundary of the White Earth Indian Reservation; thence

along the south, west and north boundary of said reservation to U.S. Highway 59; thence along U.S. Highway 59 to the north boundary of the state; thence along the north boundary of the state to the point of beginning.

e. Deer Zone 5.

That portion of the state lying within the following described boundary:

Beginning on U.S. Highway 75 on the north boundary of the state; thence along U.S. Highway 75 to U.S. Highway 2; thence along U.S. Highway 2 to State Trunk Highway (STH) 9; thence along STH 9 to U.S. Highway 10; thence along U.S. Highway 10 to STH 32; thence along STH 32 to STH 34; thence along STH 34 to Interstate Highway 94 (I-94); thence along I-94 to U.S. Highway 59 south of Fergus Falls; thence along U.S. Highway 59 to STH 9; thence along STH 9 to U.S. Highway 12; thence along U.S. Highway 12 to the South Fork of the Crow River at Delano; thence along the easterly bank of the South Fork of the Crow River to STH 25; thence along STH 25 to the Minnesota River; thence along the easterly bank of the Minnesota River to STH 19; thence along STH 19 to U.S. Highway 52; thence along U.S. Highway 52 to STH 57; thence along STH 57 to the municipal boundary of Kasson; thence along the municipal boundary of Kasson to County State Aid Highway (CSAH) 13, Dodge County; thence along CSAH 13 to STH 30; thence along STH 30 to U.S. Highway 63; thence along U.S. Highway 63 to the south boundary of the state; thence along the southerly, westerly and northerly boundaries of the state to the point of beginning.

Sec. 9. **ANTLERLESS PERMIT AREAS.**

A series of Deer Registration Blocks is established by Commissioner's Order No. 2099. Permit areas are comprised of single or grouped Registration Blocks as listed below or as otherwise described herein:

a. Antlerless Permit Areas in Zone 1.

Permit Areas 73 and 154 correspond to Registration Blocks numbered the same.

Permit Area 601 consists of Registration Blocks 22, 23 and 24.

Permit Area 602 consists of Registration Blocks 25, 26, 27 and 28.

Permit Area 603 consists of Registration Blocks 29 and 30.

Permit Area 604 consists of Registration Blocks 51, 52 and 53.

Permit Area 605 consists of Registration Blocks 45, 46, 47, 48 and 49.

Permit Area 606 consists of Registration Blocks 50, 60, 61, 62 and 63.

Permit Area 607 consists of Registration Blocks 64, 65, 66, 67 and 199.

Permit Area 608 consists of Registration Blocks 68, 70, 71, 72, 74 and 76.

Permit Area 609 consists of Registration Blocks 197 and 198.

b. Antlerless Permit Areas in Zone 2.

Permit Area 501 consists of Registration Blocks 19, 20 and 21.

Permit Area 502 consists of Registration Blocks 54, 55, 56, 57 and 59.

Permit Area 503 consists of Registration Blocks 58 and 78.

Permit Area 504 consists of Registration Blocks 81 and 82.

Permit Area 77 consists of Registration Block 77 (Tamarac National Wildlife Refuge).

Permit Area 79 consists of Registration Block 79.

Permit Area 80 consists of Registration Block 80.

Permit Area 196 consists of Registration Block 196.

c. Antlerless Permit Areas in Zone 3.

Permit Areas 9-18, 87, 88, 96, 98-104 and 144-152 correspond to Registration Blocks numbered the same.

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ADOPTED RULES

d. Antlerless Permit Areas in Zone 4.

Permit Areas 3-8, 83-86 and 89-95 correspond to Registration Blocks numbered the same.

e. Antlerless Permit Areas in Zone 5.

Permit Areas 1 and 2 correspond to Registration Blocks numbered the same.

Permit Areas 105, 106, 108, 110, 120-143 and 155 correspond to Registration Blocks numbered the same.

Permit Area 206 consists of Registration Blocks 109, 111, 112 and 153.

Permit Area 207 consists of Registration Blocks 113 and 114.

Permit Area 208 consists of Registration Blocks 115 and 116.

Permit Area 209 consists of Registration Blocks 117, 118 and 119.

Sec. 10. WEAPON ZONES.

a. December Archery Zone.

The December Archery Zone consists of the southeast block of firearms deer zone 3 described in Section 8c.(2) and that part of firearms deer zone 1 lying south of U.S. Highway 2.

b. Shotgun Zone.

The Shotgun Zone is that portion of the state lying within the following described boundary:

Beginning on the north boundary of the state at U.S. Highway 75; thence along U.S. Highway 75 to Crookston; thence along U.S. Highway 2 to State Trunk Highway (STH) 9; thence along STH 9 to STH 102; thence along STH 102 to Fertile; thence along County State Aid Highway (CSAH) 1, Polk County, to Winger; thence along U.S. Highway 59 to Detroit Lakes; thence along U.S. Highway 10 to STH 32; thence along STH 32 to STH 34; thence along STH 34 to Interstate Highway 94 (I-94); thence along I-94 to STH 78; thence along STH 78 to CSAH 38, Ottertail County; thence along CSAH 38 to Urbank; thence along STH 235 to Parkers Prairie; thence along CSAH 46, Ottertail County, to CSAH 22, Todd County; thence along CSAH 22 to Eagle Bend; thence along U.S. Highway 71 to Long Prairie; thence along STH 27 to Little Falls; thence along the east bank of the Mississippi River to St. Cloud; thence along STH 23 to STH 95; thence along STH 95 to U.S. Highway 8; thence along U.S. Highway 8 to the eastern boundary of the state; thence along the eastern, southern, western and northern boundaries of the state to the point of beginning.

c. All Legal Firearms Zone. The All Legal Firearms Zone is that part of the state lying outside of the shotgun zone.

Sec. 11. DEER REGISTRATION.

a. Bow and arrow deer registration.

Every person taking a deer with bow and arrow shall, within 48 hours after taking, present the deer to a conservation officer or authorized agent, who, if he finds that the deer was lawfully taken, shall affix a locking seal to the carcass in the same manner as is required for the metal locking seal. No part of the carcass except entrails shall be removed until after the possession tag has been affixed. Hunters taking deer in the Crow Hassan Park must register their deer at the Park registration station before the deer is removed from the Park.

b. Firearms deer registration.

Every person taking a deer with firearms during the regular firearms season shall, at any time until 48 hours after the expiration of his deer firearms hunting license present the deer for registration at an official deer registration station and obtain a Big Game Possession Tag. The head must remain attached to the carcass until the deer is registered. The Possession Tag must be attached around the leg in the same manner as is required for the metal locking seal, no later than 48 hours after the expiration of the deer license. No person may process a deer unless it has been registered as evidenced by an attached Possession Tag.

(1) Legal bucks shall not be transported or possessed outside the zone where taken prior to registration except as noted in (3) below.

(2) Antlerless deer shall not be transported or possessed outside the permit area where taken prior to registration except as noted in (3) below and that antlerless deer taken in antlerless permit areas 9, 10, 11, 73, 77, 100 and 155 may be transported outside the permit areas in order to reach the registration stations, provided the most direct route is used.

(3) Residents of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington Counties may transport and possess deer in exemption to (1) and (2) above in order to register at one of the "last chance" registration stations listed below.

Anoka	Rum River Bait Shop 401 West Main 7-8 Mon.-Fri., 8-6 Sat., 8-5 Sun.
Blaine	Tecto Sports 8575 Central Avenue N.E. 9-8 Mon.-Fri., 9-5 Sat.
Bloomington	Gasport Standard I-494 at Portland Avenue South Open 24 hours daily
Brooklyn Park	Uncle Bob's Quik Six Shoppe (Amoco — Standard) Brooklyn Blvd. (State Trunk Highway #152) at Zane Avenue Open 24 hours daily
Forest Lake	Stu's Standard I-35 and W. Broadway 6 a.m.-12 p.m. daily
Minnetonka	"Q" Petroleum & Superette State Trunk Highway #7 and Williston Rd. (0.8 mile west of I-494) Open 24 hours daily
North St. Paul	Larry's Live Bait 2626 White Bear Avenue 7-9 Mon.-Fri., 5-6 Sat., 7-4 Sun.

(4) Official registration stations located within the village or city limits through which a zone or an area boundary passes or an official registration station across the road but adjacent to the zone or area in which a deer is legally taken meet the requirement for registration within a zone or an area.

(5) All deer taken in Firearms Special Permit Areas must be registered at the headquarters office for the area but may be transported outside the Special Area prior to registration in order to reach the headquarters provided the most direct route is used.

c. Muzzleloader deer registration.

Every person taking a deer with a muzzleloader in the following listed units during the special muzzleloader season shall register his deer at the respective specified location listed below:

Carlos Avery WMA	Headquarters Office
McCarthy Lake WMA	Weaver — Weaver Tavern State Highway 74 8-Midnight Tue.-Sun., 8-6 Mon.
Meadowbrook WMA	Leader — Elmer's Country Store 8-5:30 Mon.-Sat.
Lac Qui Parle WMA	Headquarters Office
Lake Shetek State Park	Headquarters Office
Mille Lacs WMA	Headquarters Office
Moose-Willow WMA	Hill City — Sportsman's Corner U.S. 169 and Hwy. 200 8 a.m.-10 p.m. daily

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Red Lake WMA and Beltrami Island State Forest muzzleloader deer must be registered at one of the following stations:

FAUNCE — Red Lake WMA — 8 a.m. to 4:30 p.m. daily

BAUDETTE — DNR — Wildlife Office — 8 a.m. to 4:30 p.m. daily

WASKISH — Hudec's Resort — 8 a.m. to 1 a.m. daily

CLEAR RIVER — Clear River Forestry Station — 24 hours daily

FOURTOWN — Fourtown Store — 7 a.m. to 10 p.m. daily

HAYES LAKE STATE PARK — D & G PRO — at Park entrance, 2 mi. E. of Roseau on Co. Rd. 9, 8 a.m. to 10 p.m. daily

WILLIAMS — Tim's Service — 8 a.m. to 8 p.m. daily

RICHARD J. DORER MEMORIAL HARDWOOD FOREST — Authorized deer registration stations at Elba, LaCrescent and Red Wing.

ROSEAU RIVER WMA — Headquarters office

TALCOT LAKE WMA — Headquarters office

THIEF LAKE WMA — Headquarters office

WALNUT LAKE WMA — Bricelyn — Midland Coop — 7 a.m. to 6 p.m. Mon.-Sat.

WHITEWATER WMA — Headquarters office

d. Big Game Possession Tags shall be issued according to the following procedure:

(1) The serial number of the Big Game Possession Tag to be issued shall be recorded at the bottom of the registration slip which is attached to the license after the registration information has been obtained.

(2) The deer license number and the year for which the Possession Tag is being issued shall be recorded in the appropriate place on the Possession Tag by means of a ballpoint pen. If a mistake is made in writing the license number, the agent making the mistake must take such incorrect Possession Tag back and issue a correct one.

Sec. 12. MILITARY PERSONNEL.

Any resident on leave or furlough from the armed forces of the United States who is entitled to a free deer license under provisions of Minn. Stat. § 98.47, Subd. 2, may hunt deer under the following conditions:

a. The free license and seal must be obtained from the County Auditor.

b. The Auditor must punch the zone and the date option selected by the applicant.

c. Such a license entitles the holder to take a deer in the zone and during the data option selected. Antlerless deer may be taken in that portion of the zone where quotas are prescribed in Section 4(c), but the taking of antlerless deer must be confined to the dates when antlerless deer permits are valid within the zone selected. Such a license is not valid in the special areas described in Section 5.

d. If the muzzleloader season is selected (Nov. 28-Dec. 13), hunting must be confined to those areas described in Section 5.b. and is subject to all other provisions applying to the muzzleloader hunt.

e. The license and official leave or furlough papers must be carried on the person of the licensee while hunting deer and transporting any deer taken.

f. All persons hunting deer pursuant to this section must comply with all provisions of this order not inconsistent with this provision.

Sec. 13 SPECIAL PROVISIONS.

a. No license to take deer with firearms (including muzzleloader) or with bow and arrow may be issued after the day prior to the first day of the regular rifle season.

b. No person who has a valid license to take deer with firearms shall operate a snowmobile, three-wheel cycle or any other all-terrain vehicle in any area open for the taking of deer between 7:00 a.m. and 3:00 p.m. on any day on which the person is licensed to take deer.

c. No persons who has a valid license to take deer with firearms may carry a legal firearm in any area open for taking deer by firearms, except on the days and in the zone for which the person is licensed to take deer. This does not apply to firearms on target ranges operated under a permit from the Commissioner nor to firearms unloaded and contained in a gun case.

d. No person shall have any firearm in his possession while hunting deer with bow and arrow.

e. No person who is a member of a party which is party hunting for deer shall take or kill more deer than the total number of valid licenses held by members of the party.

f. A group of hunters who are hunting as a party may be comprised of licensed hunters without antlerless permits, licensed hunters with antlerless permits, or a combination thereof. Anyone who kills an antlerless deer must have an antlerless permit for the permit area in which the antlerless deer is taken. Anyone who tags an antlerless deer must have an antlerless permit for the permit area in which the antlerless deer is taken.

g. All deer must be transported in such a manner that inspection by registration agents or enforcement officers is readily accomplished.

h. No deer taken in this state shall be transported or possessed unless a locking seal bearing the license number of the owner and the year of its issue has been affixed to its carcass between the tendon and the bone and around the bone of the leg so such seal cannot be removed without breaking the lock.

i. Every person taking a deer must retain the required license, permit, seal, and big game possession tag registration as long as any part of the meat is in possession.

j. No deer shall be taken in any manner in any area of the state except as herein expressly provided or as otherwise provided by statute or Commissioner's Order.

k. All animals taken pursuant to this order must be killed before being removed from the site where taken.

l. Except as specifically authorized none of the provisions of this order shall be construed as modifying or superseding any order establishing game refuges within the state nor as permitting the taking of any wild animals within such refuges or within State parks.

m. State park vehicle permits are required on all vehicles taken into Minnesota State Parks by hunters.

n. All licensed big game hunters who are hunting with bow and arrow shall have their bows unstrung or cased during the time they are licensed to take big game while in the field between one-half hour after sunset and one hour before sunrise.

Dated at Saint Paul, Minnesota, this 13th day of August, 1981.

Joseph N. Alexander, Commissioner
Department of Natural Resources

Department of Natural Resources

Regulations for Hunting in Camp Ripley During 1981

Commissioner's Order No. 2106

Pursuant to authority vested in me by law, I, Joseph N. Alexander, Commissioner of Natural Resources, hereby prescribe the following regulations for hunting in Camp Ripley during 1981.

Section 1. WEAPONS. All persons hunting within Camp Ripley shall use a bow and arrow. Bows must have a pull of no less than 40 pounds at or before full draw. The bow may not be drawn, held or released by a mechanical device. Arrow heads for big game hunting must be made of all steel barbless design, the blade or blades of hiearbon steel not less than one inch wide for single two edge blade and not less than three inch circumference for three or more blades, minimum weight of all types of 110 grain. Provided, that arrow heads with blades of mill tempered spring steel containing a plastic core or ferrule conforming to the above dimensions, and with a minimum weight of 90 grain may be used. All arrow heads used shall be kept sharp. Arrows carrying poison or explosives shall not be used.

Sec. 2. DEER SEASON AND QUOTA. Camp Ripley shall be open for the taking of any deer by bow and arrow during the following three weekends: October 10 and 11, October 17 and 18, and October 24 and 25, 1981, from sunrise to sunset each day, according to the following provisions:

Subdivision 1. Each hunter must have a valid Minnesota bow and arrow hunting license, an unused tag and a permit validated for the Camp Ripley Archery Hunt. No other person will be permitted in Camp Ripley.

Subd. 2. No more than 1,000 hunters will be permitted to hunt during each of the three weekends.

Subd. 3. Persons wishing to hunt must apply as follows:

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ADOPTED RULES

a. Applications shall be from parties comprised of from one to six members.
b. All members of a party shall list their name and address and one weekend of their choice on a postcard or sheet of paper. Either the entire party will be selected or none will be selected.

c. The list of party members and a stamped, self-addressed envelope for each party member shall be placed in an envelope and mailed or otherwise delivered to:

Camp Ripley Archery Hunt
Department of Natural Resources
Route 4, Box 14A
Little Falls, MN. 56345

d. All applications must be postmarked or delivered to the above address no later than September 15, 1981.

e. A valid permit, map and regulations will be returned in the self-addressed envelope to each successful applicant.

f. No person may apply more than once and permits are not transferable.

Sec. 3. COYOTES. Coyotes may be taken in Camp Ripley without limit by the same means and at any time that deer may be taken. Only persons lawfully hunting deer within Camp Ripley may take coyotes.

Sec. 4. SPECIAL REGULATIONS.

Subdivision 1. Hunters shall enter and leave Camp Ripley only by way of the southeast railroad gate and only between the hours of 6:00 p.m. Friday and 8:00 p.m. Sunday for each of the three weekends beginning October 9, 1981.

Subd. 2. Each hunter must register at the Department of Natural Resources (DNR) checkpoint prior to hunting.

Subd. 3. Hunters will be permitted beyond the DNR checkpoint only between one hour before sunrise and one hour after sunset, or as otherwise authorized by an agent of the commissioner.

Subd. 4. No firearms may be transported on any person or in any vehicle into Camp Ripley except by permit.

Subd. 5. Off-road vehicles such as trail-bikes, motor bikes, all-terrain vehicles and snowmobiles shall not be permitted in Camp Ripley during the hunting season established by this order. All other vehicles are restricted to operating only on designated roads.

Subd. 6. No person or vehicle shall pass beyond any road or trail barrier, gate, or warning sign.

Subd. 7. Vehicles in line overnight at the checkpoint must be occupied.

Subd. 8. No fires are permitted anywhere in the hunting areas, except in emergencies.

Subd. 9. When being transported, bows must be unstrung or completely contained in a case or contained in the trunk of a car with the trunk door closed. While in the field, bows must be unstrung or cased between one-half hour after sunset and one hour before sunrise.

Subd. 10. Maximum speed limit on roads in the hunting areas is 35 MPH or as otherwise posted.

Subd. 11. Hunters will be given 1981 maps of Camp Ripley by the DNR before hunting in Camp Ripley. No person shall enter any area which is indicated on the map as being closed, except for the road from the southeast gate through the checkpoint to the open hunting area. Maps issued in any year previous to 1981 are not valid for purposes of determining which areas are closed. Violators of this subdivision or Subd. 6 will be required to surrender their permit and their bow will be seized.

Subd. 12. Archers shall not pursue wounded deer into restricted or closed areas. Attempts to retrieve wounded or dead deer from a closed area requires prior approval of and must be accompanied by an agent of the Commissioner.

Subd. 13. No person shall destroy or remove any Camp Ripley property.

Subd. 14. No deer shall be removed from Camp Ripley or be transported beyond the DNR checkpoint until registered.

Subd. 15. The Commissioner may close the season without prior notice for any reason deemed necessary.

Subd. 16. No permanent tree stands may be erected, and no artificial stands are to be left up overnight.

Subd. 17. No wild animals other than deer and coyotes as permitted by this order shall be taken in Camp Ripley at any time.

Subd. 18. Except as specifically authorized none of the provisions of this order shall be construed as modifying or superseding any order establishing game refuges within the state nor as permitting the taking of any wild animals within such refuges or within state parks.

Dated at Saint Paul, Minnesota, this 13th day of August, 1981.

Joseph N. Alexander, Commissioner
Department of Natural Resources

TAX COURT

Pursuant to Minn. Stat. § 271.06, subd. 1, an appeal to the tax court may be taken from any official order of the Commissioner of Revenue regarding any tax, fee or assessment, or any matter concerning the tax laws listed in § 271.01, subd. 5, by an interested or affected person, by any political subdivision of the state, by the Attorney General in behalf of the state, or by any resident taxpayer of the state in behalf of the state in case the Attorney General, upon request, shall refuse to appeal. Decisions of the tax court are printed in the *State Register*, except in the case of appeals dealing with property valuation, assessment, or taxation for property tax purposes.

State of Minnesota County of St. Louis

Thomas J. Pollock,

Appellant,

v.

The Commissioner of Revenue,

Appellee.

Tax Court Regular Division

In the Matter of the Appeal from the Commissioner's Order dated January 16, 1980, relating to Consumer Use Tax for the calendar year ending December 31, 1974.

Docket No. 3063

Order dated August 14, 1981.

This is a use tax case in which the commissioner has assessed a use tax (by means of a commissioner filed return pursuant to Minn. Stat. § 297A.32) against the Appellant for his purchase during the year 1974 of a large yacht in the City of Duluth for use in the State of Minnesota. The assessment of the tax and interest on the tax from its due date to date of payment is affirmed. The assessment of the penalty is reversed.

From the Stipulation of Facts and from the files and records herein, the Court makes the following:

Findings of Fact

1. The Appellant, Thomas J. Pollock, was during all periods at issue herein an individual taxpayer residing in the City of Duluth, State of Minnesota.

2. On November 15, 1973, the Appellant entered into a sales/purchase agreement with North Shore Yacht Sales of Duluth, Minnesota (hereafter, "North Shore") for the purchase of a Ranger 29 #211 yacht. The terms of the agreement, a copy of which was incorporated into the Stipulation of Facts, read in relevant part as follows:

Consider the following our Sales/Purchase agreement on your Ranger 29 #211:

All items on our November 5, 1973 letter (copy enclosed)

Add: Shore Power

	\$21,233.00
	61.00
Total List.....	\$21,294.00

Deposit Requirement:

\$1,000.00 with the signing of this agreement

\$17,225.00 upon arrival of boat

Balance, not including tax, of \$500 on date of commissioning.

Sales Tax: We are of the opinion that the sale of a Federally documented boat such as this *may not* be taxable. We have no guarantee nor can we offer any to you. However, we will not charge tax on this sale. It is understood by both of us that in the event of an audit and subsequent determination of tax due, the liability for all amounts due including tax and interest shall be born by you as the purchaser.

(Emphasis in original) Exhibit A.

This agreement was signed by both the Appellant and by a representative of North Shore. The yacht (which weighs 13 tons and is 28.6 feet long) was delivered to Appellant sometime in 1974.

3. Appellant was invoiced by North Shore for the purchase price of the yacht as of December 30, 1974. No Minnesota sales or use tax was collected or paid with respect to this transaction. Instead, the transaction was claimed to be exempt, and on its annual sales and use tax return for the year 1974, North Shore deducted the sales price of Appellant's yacht from its total taxable sales upon the ground that it was a: "Sale of federally documentable vessel using Coast Guard patrolled waters."

4. Subsequently, the Department of Revenue commenced an audit of North Shore on November 14, 1978, in which it was determined that federal documentation of yachts did not render them tax exempt. The facts concerning Appellant's purchase of his Ranger 29 #211 yacht were discovered during the course of this audit and on April 13, 1979, the Sales and Use Tax Division of the Department of Revenue sent a letter to the Appellant stating that a use tax return should be filed and use tax paid with respect to the transaction described above.

5. On September 12, 1979, a second letter was sent to Appellant from the Department of Revenue along with a completed,

TAX COURT

but unsigned, consumer's use tax return, Form UT-1, which the department proposed to file for the Appellant pursuant to its authority under Minn. Stat. § 297A.32.

6. Appellant protested the Department of Revenue's proposal to file a consumer's use tax return, Form UT-1, pursuant to Minn. Stat. § 297A.32, and a letter to that effect dated October 4, 1979, was sent to the Sales and Use Tax Division of the Department of Revenue by Appellant's attorney.

7. On October 19, 1979, the Department of Revenue replied to Appellant's protest letter with a letter of its own explaining its position and reaffirming its determination that a use tax was due. The department's letter concluded by saying:

"If the return is not filed, a return will be filed for you under authority of Minnesota Statutes, Section 297A.32 as stated in our letter of September 12, 1979."

8. A consumer's use tax return, Form UT-1, was subsequently filed for the Appellant by the Commissioner, assessing a use tax of \$802.44 (4% of the invoiced purchase price of the boat), a penalty of \$200.61, and interest in the amount of \$371.54, for a total assessed liability of \$1,374.59.

9. On January 16, 1980, the Minnesota Department of Revenue sent a statement of taxes due to Appellant.

10. Such statement of taxes due, for purposes of this appeal, constitutes an official order of the Commissioner of Revenue respecting a tax.

11. Appellant has taken this appeal from such order of the commissioner.

12. An acquaintance of Appellant purchased a yacht from North Shore Yacht Sales in Duluth, paid the sales tax on such yacht and subsequently the sales tax was refunded to him by North Shore Yacht Sales.

13. At the time of the purchase by Appellant of the Ranger 29 #211 yacht, North Shore Yacht Sales was doing business in the State of Minnesota and held a Minnesota Use Tax Registration Certificate.

14. North Shore Yacht Sales failed to comply with the agreement of purchase and as a result certain of the items indicated on such agreement were not purchased and the prices of certain other items were compromised and reduced. As a result, the total amount that Appellant paid for the Ranger 29 #211 yacht was \$18,840.20. Accordingly, the amount of use tax, assessed at the rate of four percent, should have been \$753.61.

15. The penalty assessed against Appellant in the amount of \$200.61 is for late filing of the use tax return.

Conclusions of Law

1. Pursuant to Minn. Stat. § 297A.14 and § 297A.15, subd. 1, the Appellant is liable as the purchaser for use tax upon his purchase of a yacht from a Minnesota retailer for use within this state, even though the retailer failed to collect a sales tax at the time of the sale.

2. Because of Appellant's failure to file any consumer's use tax return whatsoever, the statute of limitations upon Commissioner's assessments set forth in Minn. Stat. § 297A.34, subd. 1, never commenced running, and the commissioner's assessment herein was not barred by any statute of limitations.

3. The commissioner's assessment of interest is amended to include interest on \$753.61 from January 25, 1974, to the date of payment only.

4. It would be inequitable to allow the assessment of a penalty to stand under the circumstances of this case.

5. The amount of use tax which should have been assessed against the Appellant herein should be the sum of \$753.61, and the Commissioner's Order will be adjusted accordingly.

6. The Order of the Commissioner at issue herein, dated January 16, 1980, shall be amended accordingly.

LET JUDGEMENT BE ENTERED ACCORDINGLY. A STAY OF 15 DAYS IS HEREBY ORDERED.

August 14, 1981.

MINNESOTA TAX COURT
John Knapp, Chief Judge

Memorandum

Appellant seeks to have the use tax assessment set aside upon essentially two grounds. The first is that the use tax due is, under our statutory scheme, allegedly the sole responsibility of the vendor, North Shore. Appellant's second argument is that, if he were responsible for the tax as purchaser, the Commissioner's assessment is nevertheless barred by the statute of limitations in Minn. Stat. § 297A.34, subd. 1. Both of these arguments are without merit and directly contrary to Minnesota's Use Tax law.

The Appellee admits that the Appellant's arguments have some merit but contends that the arguments should be addressed to the Legislature.

There is no argument over the fact that a use tax was due when the yacht was purchased. The mistaken belief held by the vendor, North Shore Yacht Sales, that the sale was tax exempt has since been determined to be erroneous by the Commissioner of Revenue and this determination has not been challenged by the Appellant. The only issue is whether or not the Appellant can be held liable for the tax.

In Minnesota the sales tax and the use tax are separate and distinct, and each is assessable in its own right. *Oster and Pederson, Inc., et al. v. Commissioner of Revenue*, 266 N.W. 2d 162, 165 (Minn. 1978). See also, *Corbin v. Commissioner of Revenue*, 240 N.W. 2d 809, 811-812 (1976).

The sales tax is imposed upon the gross receipts from each retail sale by § 297A.02. The use tax, on the other hand, is imposed directly upon each retail purchaser by § 297A.14, unless the sales tax has already been paid. Minn. Stat. § 297A.14 reads in relevant part:

For the privilege of using . . . in Minnesota tangible personal property . . . there is hereby imposed *on every person* in this state a use tax at the rate of four percent of the sales prices of sales at retail of [tangible personal property] made *to such person* after October 31, 1971, unless the tax imposed by section 297A.02 [the sales tax] was paid on said sales price. (Emphasis added.)

This statute expressly imposes the use tax on the person making the purchase. Unlike the sales tax, which is imposed upon the retailer's gross receipts, the primary liability for the use tax is clearly upon the purchaser.

Further clarifying the independent nature of the use tax and its imposition upon purchasers is § 297A.15, subd. 1, which provides that liability for the tax is not extinguished until it is paid, unless the seller provides the purchaser with a receipt for collection of the tax. Minn. Stat. § 297A.15, subd. 1, reads as follows:

Liability for the payment of the use tax is not extinguished until the tax has been paid to Minnesota. However, a receipt from a retailer maintaining a place of business in Minnesota, or from a retailer who is authorized by the commissioner under such rules and regulations as he may prescribe, to collect the tax, given to the purchaser pursuant to section 297A.16 *relieves the purchaser of further liability for the tax* to which the receipt refers. (Emphasis added.)

Still further evidence that Minnesota law imposes a use tax directly upon the purchasers of goods used in Minnesota can be found in § 297A.27, subd. 2, which provides that purchasers as well as retailers are required to file use tax returns. Minn. Stat. § 297A.27, subd. 2, reads in relevant part:

. . . For the purposes of the use tax a return shall be filed by every retailer required to collect such tax *and by every person purchasing any items, the . . . use . . . of which is subject to the use tax, who has not paid the use tax to a retailer required to collect the tax.* All returns shall be signed by the person filing the return or by his agent duly authorized in writing. (Emphasis added.)

Clearly, if only retailers were liable for collection and payment of the use tax, as suggested by Appellant herein, there would have been no need to require purchasers to file use tax returns. Yet that is exactly what § 297A.27, subd. 2 does.

This statutory scheme of imposing use tax liability primarily upon the purchaser is expressly spelled out in the applicable regulation, Tax S & U 301, which reads in relevant part as follows:

Section 297A.15 imposes *upon the purchaser* of tangible personal property used, stored or consumed in Minnesota, liability for the use tax until the tax has been paid to Minnesota. (Emphasis added.)

Since this regulation clearly is consistent with the statutory language, it, therefore, has the force and effect of law. Minn. Stat. § 297A.29 (1978).

When the basic principles set forth above are applied to the case at hand it becomes quite clear that Appellant, Mr. Pollock, is properly liable for the use tax herein.

The Appellant purchased a large and expensive yacht from a retailer in the City of Duluth during 1974. Because of a mistaken belief as to the taxable status of the transaction, no Minnesota sales or use tax was collected or paid with respect to the purchase. No use tax return was ever filed by the Appellant, and his receipt from the retailer contained no evidence that a sales or use tax had been collected by the retailer.

Accordingly, the liability for the use tax remained in existence under § 297A.15, subd. 1, and that liability was imposed upon the Appellant herein as the person purchasing the yacht for use in this state under § 297A.14. The commissioner, therefore, properly assessed a use tax directly against Appellant.

Appellant's chief contention is that when a sale is made by a retailer doing business in the State of Minnesota, then only that retailer can be held responsible for collection and payment of the sales or use tax. Under Appellant's theory of this case, the state can only look to North Shore for collection of the tax which is admittedly due herein. Appellant contends that he is free of any liability, even though he was the actual purchaser and user of the yacht.

These contentions, however, completely ignore the provisions of Minnesota law (especially §§ 297A.14 and 297A.15, subd. 1)

TAX COURT

which, when read together, clearly impose primary liability for the use tax upon the purchaser. There is nothing in these provisions which makes any distinction as to whether the purchase is made within or without the State of Minnesota.

In *Berghuis Construction Company v. Commissioner of Taxation*, Tax Ct. Dkt. No. 1896 (Dec. 16, 1975), this Court said:

The taxpayer challenges the application of the use tax to sales made within the State of Minnesota. * * * Its argument generally is that the seller was obliged to pay the tax under the sales tax law. It claims that the use tax law had as its purpose the taxation of those sales that took place out of state for the purpose of avoiding the sales tax.

This certainly was one of the purposes of the Minnesota Use Tax Law, but that purpose *does not preclude the state from collecting a use tax on property acquired through sales made within the state*. In fact the Minnesota Use Tax Act provides that the use tax is imposed unless the sales tax was paid on the sales price (See Minn. Stat. § 297A.14). (Emphasis added.)

The Appellant contends that he has a right to rely on the retailer to collect the tax, but from the language on the bill of sale it is quite clear that he knew about the sales tax controversy and that he did not rely on the seller to settle the issue for him. He assumed the responsibility for the payment of the sales tax on the purchase of the yacht.

With respect to the statute of limitation issue in this case, § 297A.27, subd. 2, provides that the purchaser subject to use tax, if he has not paid the tax to the seller, is required to file a use tax return. Only then would the three-year statute of limitations on making assessments against that purchaser commence to run under § 297A.34, subd. 1.

Appellant contends, however, that the commissioner's assessment of use tax against him is barred by the statute of limitations because the retail seller filed a sales tax return (albeit without payment of tax) more than three years prior to the assessment. This argument ignores the fact that the assessment herein is against the *purchaser* of the yacht, rather than the seller. Therefore, it is only the filing of the *purchaser's* return which can start the statute of limitations running against such an assessment.

The fact that the seller may have filed a return without paying the tax is irrelevant, simply because under Minn. Stat. § 297A.15, subd. 1, it is the purchaser who is primarily liable for the use tax, and that liability is not extinguished until the tax is actually paid. Therefore, the language of § 297A.34, subd. 1, can provide no support for the argument that the filing of a retailer's sales tax return alone triggers the three-year statute of limitations for assessment of both the sales and use tax.

For the taxable period in question (i.e. the year 1974), Minnesota law expressly imposed an interest rate of eight percent per annum upon all use taxes not timely paid. Minn. Stat. § 297A.39 (1974), subd. 7, read as follows:

The amount of tax not timely paid, together with any penalty provided by this section, shall bear interest at the rate of eight percent per annum from the time such tax should have been paid until paid. Any interest and penalty shall be added to the tax and be collected as a part thereof.

This statute is plain and unambiguous. It clearly calls for the accrual of interest as a matter of law "from the time such tax should have been paid until paid."

Appellant's contention that the time for payment of the tax is not until a determination is made by this Court on the merits, is directly contrary to the provisions of Minn. Stat. § 297A.26, subd. 1, which reads:

The taxes imposed by §§ 297A.01 to 297A.44 shall be due and payable to the commissioner monthly on or before the 25th day of the month next succeeding the month in which the taxable event occurred or succeeding such other reporting period as the commissioner may prescribe.

Inasmuch as the taxable event in this case was Appellant's purchase of the yacht from North Shore in the year 1974, it is clear that the tax was due on the 25th day of January, 1975. Since the tax was not paid on that date, interest has therefore accrued and continues to accrue as a matter of law under Minn. Stat. § 297A.39, subd. 7.

Unlike penalties (see, Minn. Stat. § 297A.39, subd. 6) there is no provision in the law for the abatement of interest. Accordingly, Appellant's claim for relief from interest should be rejected.

The penalty in this case was imposed by the commissioner automatically under the provisions of Minnesota Statutes, § 297A.39, subd. 2. The Court is of the opinion that it would be inequitable to impose a penalty because the Appellant honestly believed that no tax was due, and the manner in which he proceeded was the proper manner in which to test that belief. The Petitioner cooperated with the commissioner in bringing the matter to the attention of the Tax Court, so he should not be penalized for it.

J.K.

State of Minnesota**Tax Court**

Bruce A. Brown and
Gerald J. Brown,

Appellants,

v.

The Commissioner of Revenue,
Appellee.

In the Matter of an Appeal from the Commissioner's
Order dated November 21, 1979, Relating to the Filing
of a Minnesota Consumer's Use Tax Return for the
Month of September, 1975.

Docket No. 3037
Order dated August 14, 1981.

Appellant moved for Amended Findings of Fact and Conclusions of Law. This Motion was scheduled for hearing before the Honorable John Knapp, Chief Judge of the Minnesota Tax Court, in the St. Louis County Courthouse at Duluth, Minnesota, on March 27, 1981.

Mr. Paul R. Kempainen, Special Assistant Attorney General, appeared for the Appellee and stated to the Court that counsel for the respective parties had agreed to waive oral argument and submit the matter to the Court on the Motion filed with the Court on February 11, 1981, and the letter objecting to the Motion by Gerald J. Brown, counsel for Appellant.

The matter had previously been heard by the Honorable Jack Fena, Judge of the Tax Court, by way of a Stipulation of Facts, and a decision had been rendered by the Honorable Jack Fena on January 27, 1981. Judge Fena's term of office ended February 2, 1981, before the Motion for Amended Findings and Conclusions of Law had been filed and the parties through their respective attorneys agreed to have the case submitted to another Tax Court Judge upon the record.

Decision

The Motion to Amend the Conclusions of Law is hereby granted and Conclusion of Law No. 1 is stricken, and the following Conclusions are hereby substituted therefore:

1. Pursuant to Minn. Stat. § 297A.14, a use tax may be assessed on purchases from Minnesota retailers made within Minnesota.

2. Pursuant to Minn. Stat. § 297.34, subd. 1, the three year statute of limitations on assessment of use tax against a purchaser does not commence to run until the purchaser files a use tax return under the provisions of Minn. Stat. § 297A.27, subd. 2.

3. The Order of the Commissioner of Revenue, dated November 21, 1979, is hereby amended by assessing a use tax in the amount of \$553.24, plus interest at the rate of 8 percent from October 30, 1975, to date of payment, but waiving any penalty for late filing.

August 14, 1981.

John Knapp, Chief Judge
Minnesota Tax Court

Memorandum

The Honorable Jack Fena, who was then a Judge of the Tax Court, held that the filing of a sales and use tax return by the retailer started the statute of limitations running for the filing of the consumer use tax return and held that the statute of limitations had run against the Commissioner. The matter is now before the Court on a Motion for Amended Findings and the Appellee contends that the decision was wrong.

It appears to the Court that Minn. Stat. § 297A.27, subd. 2, expressly requires the filing of a use tax return by the purchaser unless he has paid the use tax to the retailer. The filing of the sales tax return in this case did not constitute notice to the Commissioner of the specific sale in question, so the Commissioner is not estopped from collecting the use tax.

The Memorandum in *Pollock v. Commissioner of Revenue*, Tax Court Docket No. 3063, is hereby specifically made a part of this Memorandum.

J.K.

SUPREME COURT

Decisions Filed Friday, August 21, 1981

Compiled by John McCarthy, Clerk

51725/Sp. State of Minnesota v. Charlene R. Makela, Appellant. Hennepin County.

Issue of whether private security personnel questioning a suspect in the presence of police must follow requirements of *Miranda* need not be decided because questioning in this case was noncustodial questioning to which *Miranda* requirements do not apply; defendant's statement also was voluntary.

Prosecutor did not violate general rule against impeaching defendant's testimony with his post-arrest, post-*Miranda* silence where defense counsel "opened the door" to this subject on direct examination of defendant.

Trial court did not err in admitting relevant *Spreigl* evidence.

A defendant placed in the workhouse for a year as a condition of probation is not entitled to have presentence jail time credited against her year in the workhouse, only against the sentence if and when it is executed following a revocation of probation.

Affirmed. Sheran, C. J.

51221/Sp. Janell I. Olson, Commissioner, Minnesota Department of Economic Security, v. Special School District No. 1., Relator. Department of Economic Security.

Claimant, a tenured teacher, was eligible for unemployment benefits during a summer recess since she had neither a contract nor reasonable assurance of employment for the coming school year. Minn. Stat. § 268.08, subd. 6(a) (1980).

Affirmed. Otis, J.

51932/Sp., 51961, 51987 Hilda A. Kiehne v. Charles E. Purdy III, Appellant (51932), Shearson Loeb Rhoades, Inc., Appellant (51987), E. F. Hutton, Inc., Appellant (51961) Hennepin County.

Minn. Stat. § 80A.23(10) (1980) renders an agreement to arbitrate void as to claims arising under Minn. Stat. ch. 80A (1980).

Affirmed. Otis, J.

50150/179 In re the Marriage of Peggy Jo (Danielson) Jacobs, petitioner, Appellant, v. Bradley R. Jacobs. Hennepin County.

The evidence was sufficient to support the finding that the child was conceived during his parents' marriage.

The evidence was sufficient to support the trial court's award of support.

Absent good reason, the obligation to support begins at the date of the child's birth.

When parents do not agree on the surname to be given to their child at birth, the best interests of the child control the resolution of the dispute.

Affirmed in part, reversed in part. Otis, J.

50811/362 In the Matter of the Application of Audrey Davis Saxton, mother and natural guardian of Robert Lynwood Dennis and Jessica Campbell Dennis, minors, to change their names to Robert Lynwood Saxton-Dennis and Jessica Campbell Saxton-Dennis. Hennepin County.

The trial court properly relied on *Robinson v. Hansel*, 302 Minn. 34, 223 N.W.2d 138 (1974) in denying the petition to change the minors' surnames from their given name to a hyphenated name consisting of their mother's birth surname and their father's surname.

The evidence supported trial court's conclusion that the children's best interests favored retention of their given surname.

The trial court committed harmless error by refusing to take testimony from the two minor children.

Denial of the petition did not violate constitutional rights of either the children or their mother.

Affirmed. Otis, J. Dissenting, Wahl, J. and Amdahl, J.

51229/Sp. In Re the Arbitration of: Jean Jernigan Rosenberger, petitioner, v. American Family Mutual Insurance Company, Appellant. Ramsey County.

The district court did not err in reviewing an arbitration panel's determination de novo where the arbitrability of coverage question was reasonably debatable.

The evidence is sufficient to support the court's finding that respondent was a resident of her stepfather's home at the time of the accident.

Recovery of uninsured motorist benefits is not barred by the fact that respondent owned her own automobile but failed to insure it.

Affirmed. Todd, J. Dissenting. Otis, J., Peterson, J., Sheran, C. J., and Simonett, J.

51527/Sp. Richard King, Appellant, v. All-American, Inc. Hennepin County.

It was error for the trial court to admit impeachment evidence in the form of plaintiff's prior criminal convictions when such convictions occurred approximately 20 years prior to trial. Minn. R. Evid. 609(b).

Affirmed in part, reversed in part, and remanded for a new trial. Wahl, J.

50765/Sp. State of Minnesota v. Randy Cegon, Appellant. Hennepin County.

Evidence that defendant personally committed an act of criminal sexual conduct in the third degree was sufficient; criminal defendant who is convicted of aiding and abetting may not rely on subsequent acquittal of codefendant as justification for vacation of his conviction of aiding and abetting.

Prosecutor did not commit prejudicial misconduct in his closing argument.

Affirmed. Amdahl, J.

51521/Sp. Melody Steffes v. State of Minnesota, Department of Public Welfare and Stearns County Social Services, Appellants. Stearns County.

A child is eligible to receive AFDC benefits when his natural father resides in the home but has been discharged from liability for support by means of a court approved lump-sum settlement in a paternity proceeding.

Affirmed. Amdahl, J.

52010/Sp., 81-309 United Wild Rice, Inc. v. Clifton Nelson, Appellant. Itasca County.

In the absence of a showing that the defendant caused interference between the plaintiff and its present contractual relations, an action for tortious interference with present contractual relations will not lie.

Interference with a competitor's prospective contractual relations is not improper when: the relation concerns a matter involved in the competition between the actor and the other and; the actor does not employ wrongful means and; his action does not create or continue an unlawful restraint of trade and; his purpose is at least in part to advance his interest in competing with the other.

Information made freely available to all the individual members of a large cooperative is not a trade secret because no reasonable effort has been made to maintain its secrecy.

In an action for a false or misleading statement or report under Minn. Stat. § 325D.44(8) (1980) or 7 U.S.C. § 2303(e) (1976) the plaintiff carries the burden proving that the statement or report was false or misleading.

Reversed. Amdahl, J.

51218 The First National Bank of Saint Paul, Appellant, v. Shallern Corporation, R. Bruce Lindvall, Defendant. Ramsey County.

Where plaintiff pleads alternative claims, the defendant, by admitting to the alternative claim, is not entitled to summary judgment thereon nor is defendant thereby entitled to dismissal of plaintiff's first claim.

Reversed. Simonett, J. Took no part, Otis, J.

51447 Cass County Welfare Department v. Melody Wittner, Appellant, and Commissioner of Public Welfare, Intervenor, Cass County.

A county welfare agency has standing under Minn. Stat. § 256.045, subd. 7 (1980), to seek judicial review of AFDC eligibility determinations made by the Department of Public Welfare. This statute does not conflict with applicable federal laws and regulations.

A county welfare agency cannot require an AFDC recipient to disclose the identity of the father of her child before considering her good-cause claim.

The district court properly held the decision of the Department of Public Welfare was not supported by substantial evidence.

Affirmed. Simonett, J.

50322/148 Joan Jones, individually, and as guardian ad litem for Tracey Jones and Nicole Jones, v. Carl Fisher, Jr., d.b.a. "The Barn," Wells (Minnesota) Post 1778, Veterans of Foreign Wars, Department of Minnesota, Wells (Minnesota) Post 210, American Legion, Department of Minnesota, and Joan Jones, as trustee of the next of kin of Terry Jones, deceased, v. Rita Kortuem and Rita Gallagher, defendants and third party plaintiffs, Appellants, v. Carl Fisher, Jr., d.b.a. "The Barn," third party defendant, Wells

SUPREME COURT

(Minnesota) Post 1778, Veterans of Foreign Wars, Department of Minnesota, third party defendant, Wells (Minnesota) Post 210, American Legion, Department of Minnesota, third party defendant. Waseca County.

The dependents of an intoxicated person have a cause of action against a 3.2 liquor vendor under *Trail v. Christian*, 298 Minn. 101, 213 N.W.2d 618 (1972).

A right of contribution can exist between co-tortfeasors liable under the Wrongful Death Act, the Dram Shop Act, and the *Trail v. Christian* doctrine for damages common to each cause of action when each co-tortfeasor may be liable for the death of a third party who is an intoxicated person.

Whether a right of contribution here is precluded by a settlement stipulation between the wrongful death defendant and the trustee is a question of fact to be decided on remand.

Reversed and remanded. Scott, J., Concurring in part and dissenting in part. Simonett, J., Peterson, J., and Amdahl, J.

STATE CONTRACTS

Pursuant to the provisions of Minn. Stat. § 16.098, subd. 3, an agency must make reasonable effort to publicize the availability of any consultant services contract or professional and technical services contract which has an estimated cost of over \$2,000.

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.

Department of Agriculture Plant Industry Division

Notice of Request for Proposals for Advertising Services

The Plant Industry Division, Department of Agriculture, is seeking a consultant to provide advertising services under contract as follows:

1. To promote the quality of Minnesota Certified Seed Potatoes and thus increase the demand and sales of same through advertising promotion in various printed media, including various potato oriented publications throughout the country;
2. To develop and implement upon review and approval of the department, an advertising campaign to accomplish objective #1.

The selected consultant will be paid up to \$21,000 for services rendered. The actual contract payment will be based upon the actual services performed. The contract will be for October 1, 1981 through June 30, 1982.

Proposal submissions will be accepted until 4:30 p.m. on September 21, 1981. The formal RFP may be requested from and other inquiries may be made to:

Ronald M. Sushak
Plant Industry Division
90 West Plato Blvd., Room 226
St. Paul, Minnesota 55107
(612) 296-8410

Department of Commerce Office of Consumer Services

Notice of Request for Proposals for Revenue Requirement and Accounting Studies

Kris Sanda, Director, Office of Consumer Services, Department of Commerce, is soliciting proposals from qualified consultants to perform an analysis of revenue requirement and accounting issues in connection with Northern States Power

OFFICIAL NOTICES

Company's proposal to increase its rates by \$115.6 million. The matter is currently before the Minnesota Public Utilities Commission.

Final submission date: September 25, 1981
Estimated cost: \$20,000

The formal RFP may be requested and inquiries should be directed to:

Wayne Schmidt, Specialist
Office of Consumer Services
Residential Utility Consumer Unit
162 Metro Square Building
St. Paul, MN 55101
(612) 296-5114

Notice of Request for Proposals for Cost of Service and Rate Design Studies

Kris Sanda, Director, Office of Consumer Services, Department of Commerce, is soliciting proposals from qualified consultants to perform an analysis of cost of service and rate design in connection with Northern States Power Company's proposal to increase its rates by \$115.6 million. The matter is currently before the Minnesota Public Utilities Commission.

Final submission date: September 25, 1981
Estimated cost: \$20,000

The formal RFP may be requested and inquiries should be directed to:

Wayne Schmidt, Specialist
Office of Consumer Services
Residential Utility Consumer Unit
162 Metro Square Building
St. Paul, MN 55101
(612) 296-5114

OFFICIAL NOTICES

Pursuant to the provisions of Minn. Stat. § 15.0412, subd. 6, an agency, in preparing proposed rules, may seek information or opinion from sources outside the agency. Notices of intent to solicit outside opinion must be published in the *State Register* and all interested persons afforded the opportunity to submit data or views on the subject, either orally or in writing.

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

Department of Administration Cable Communications Board

Invitation to Comment on Proposed Expansion of the Ramsey/Washington Counties Suburban Cable Communications Commission Cable Service Territory to Include Lake Elmo and Pine and Pine Springs

On July 10, 1981 the city of Lake Elmo proposed an expansion of an approved cable service territory (CST) consisting of the corporate limits of the cities of Birchwood, Dellwood, Gem Lake, Landfall, Mahtomedi, Maplewood, North St. Paul, Oakdale, Vadnais Heights, White Bear Lake, Willernie and Township of White Bear also known as the Ramsey/Washington Counties Suburban Cable Communications Commission to include the cities of Lake Elmo and Pine Springs.

On October 9, 1981 the board must make its decision to approve, reject or delay consideration of the proposed CST. Prior to that date, the board continues to seek written comments from parties interested in the proposed CST expansion not only from the municipalities included in the original proposal or the expansion proposal and those who may wish to be, but also from other interested municipalities, organizations, agencies, school districts, other units of government and individuals.

OFFICIAL NOTICES

The board will set aside a portion of its September 11, 1981 meeting in order to hear public comments on the proposed cable service territory expansion.

Comments may be addressed to the Minnesota Cable Communications Board at 500 Rice Street, Saint Paul, Minnesota 55103, (612) 296-2545.

Office of Administrative Hearings Workers Compensation Section

Notice of Intent to Solicit Outside Opinions on Rules Relating to Conduct of Contested Workers' Compensation Cases

Pursuant to the provisions of Minn. Stat. § 15.0412, subd. 6, notice is hereby given that the Office of Administrative Hearings is seeking information and opinions in preparing to propose the adoption of permanent rules relating to the conduct of contested Workers' Compensation cases. All interested persons shall be afforded an opportunity to submit data or views on the rules in writing or orally. Any written material received shall become a part of the subsequent hearing's record. Data and views are to be submitted to:

Duane R. Harves, Chief Hearing Examiner
Office of Administrative Hearings
1745 University Avenue, Room 300
St. Paul, MN 55104
Telephone: 612/296-8100

All data and views are to be submitted by no later than September 9, 1981, to be considered for the proposed rules. Data and views received subsequent to that date will be received and considered during the normal hearing process but will be too late for consideration for the proposed rules.

Department of Commerce Banking Division

Bulletin No. 2439: Maximum Lawful Rate of Interest for Mortgages and Contracts for Deed for September 1981

Notice is hereby given that pursuant to Minnesota Statutes, § 47.20, subd. 4 (1980), the maximum lawful rate of interest for conventional home mortgages for the month of September, 1981, is seventeen and one-quarter (17.25) percentage points. Further, pursuant to Senate File No. 273, Chapter 373, 1980 Session Laws, as it amended Minnesota Statutes, § 47.20, the maximum lawful rate of interest for contracts for deed for the month of September, 1981, is seventeen and one-quarter (17.25) percentage points.

It is important to note that this maximum lawful interest rate does not apply to all real estate loans and contracts for deed. Under Minnesota's interest rate moratorium, which is identical to the Federal Usury Preemption, in most instances any rate may be charged on real estate mortgages and contracts for deed that constitute first liens.

The maximum rate is based on the Federal National Mortgage Association August 18, 1981, auction results and an average yield for conventional mortgage commitments of 17.191%. Current rates regarding this monthly publication are available by telephoning the Banking Division 24-hour information number (612) 297-2751.

August 19, 1981

Michael J. Pint
Commissioner of Banks

Energy Agency

Current and Projected Residential Energy Costs, By Region and State

In fulfillment of Minnesota Statutes, Chapter 116H, § 129, subd. 1, the director of the Energy Agency hereby certifies the following current and projected average residential energy prices. Sample surveys of energy utilities and distributors were used to estimate regional average prices for 1980-1981 (Table 1). Sampling errors of these surveys are given in Table 1A. Ten year forecasts of residential energy prices are given in Tables 2 and 3.

These prices are to be used with discretion. All numbers are regional or statewide averages, and, therefore, do not take into account differences in tariff structures among utilities and distributors nor advantages that some purchasers obtain through quantity discounts. If the user finds these current levels of prices to be higher or lower than actual unit energy prices, as documented by their most recent energy bill, the forecasts can be adjusted by applying the changes in prices between years provided in Tables 2 and 3, to an appropriate base for that locality.

In addition, expedited decontrol of natural gas through repeal of the Natural Gas Policy Act of 1978 and the Power Plant and Industrial Fuel Use Act would result into sharp price increases for residential customers. Future natural gas prices will be between the forecasts of the NGPA Scenario and the Decontrol Scenario in Table 2, depending on the extent that controls on natural gas are lifted.

Table 1. Average Residential Energy Prices, by Region and State,
Heating Season 1980-1981

Region	Natural Gas ^a \$/1000 cubic feet		Electricity ^a ¢/kwh		Fuel Oil ^b \$/gallon	Propane ^b ¢/gallon
	NSH	SH	NSH	SH		
1	5.63	4.87	4.58	3.20	1.158	66.5
2	5.64	5.24	5.03	3.62	1.181	69.9
3	4.42	3.70	5.46	4.27	1.226	71.1
4	5.58	4.89	4.36	3.77	1.145	70.6
5	4.52	3.75	5.52	4.57	1.156	74.1
6E	4.19	3.54	5.09	3.91	1.160	68.6
6W	3.92	3.32	4.49	3.65	1.156	68.6
7E	3.85	3.33	5.53	4.70	1.170	74.7
7W	3.69	3.33	5.46	3.83	1.160	68.9
8	3.32	2.95	4.25	3.13	1.142	65.6
9	4.34	3.58	5.35	3.86	1.144	65.9
10	3.35	3.01	5.32	3.96	1.157	67.9
11	4.09	3.51	5.23	3.18	1.167	73.3
State	4.10	3.51	5.21	3.64	1.163	69.8

SH = Space Heating
NSH = Non-spaceheating

^a Winter prices calculated from rate schedules submitted by utilities to the Public Service Commission; space heating requirements bias prices towards the lowest rate block of residential customers. Non-spaceheating consumption from the Northern States Power Company, "Residential Electricity Use Study, Minnesota 1979", St. Paul, Minnesota, adjusted for efficiency improvements.

^b Prices from the MEA Residential Fuel Price Surveys, Heating Season 1980-81.

Table 1A. Standard Errors of Sample Prices,
Residential Fuel Price Survey Heating Season 1980-81.

Region	Natural Gas \$/1000 cubic feet		Electricity ¢/kwh		Fuel Oil ¢/gallon	LPG ¢/gallon
	NSH	SH	NSH	SH		
1	.4	.3	.5	.3	1.2	1.7
2	.5	.8	.8	.4	.9	1.9
3	.2	.3	.6	.6	.8	3.0
4	.2	.2	.6	.3	.8	.8
5	.2	.2	.3	.3	.8	.6
6E	.1	.1	.3	.3	1.2	1.2
6W	.1	.1	.8	.3	.6	1.7

OFFICIAL NOTICES

Region	Natural Gas \$/1000 cubic feet		Electricity ¢/kwh		Fuel Oil ¢/gallon	LPG ¢/gallon
	NSH	SH	NSH	SH		
7E	.3	.2	.2	.3	.8	.9
7W	.1	.0	.1	.1	1.1	1.5
8	.3	.2	.4	.3	.9	1.1
9	.1	.1	.2	.2	.6	.7
10	.1	.1	.2	.4	.9	2.0
11	.3	.2	.4	.7	.9	.9
State	.2	.1	.2	.3	.3	.5
Total No. of Samples	81		195		121	84

Table 2. Projected State Average Residential Prices for Fuel Oil, Propane
Natural Gas, and Electric, Including Inflation, Heating Season 1981-91

	State Average Prices in Current Dollars										
	1980- 81	1981- 82	1982- 83	1983- 84	1984- 85	1985- 86	1986- 87	1987- 88	1988- 90	1989- 91	1990- 91
#2 Fuel Oil ^a ¢/gallon	116	119	135	148	163	179	198	217	238	261	286
Propane ^b \$/gallon	70	73	83	92	101	111	123	135	148	163	178
Natural Gas ^c \$/1000 cubic feet											
NGPA ^d	3.51	4.38	5.06	5.89	7.11	8.74	10.10	11.35	13.17	15.02	16.61
Decontrol ^e	—	6.13	8.77	9.66	10.58	11.61	12.73	13.93	15.18	16.54	18.07
Electric ^f ¢/kwh (Metro)											
Spaceheating	3.18	3.52	3.70	3.87	4.06	4.36	4.68	4.93	5.20	5.50	5.80
Non-Spaceheating	5.23	5.80	6.08	6.36	6.68	7.20	7.74	8.13	8.55	9.04	9.54
Inflation—GNP implicit price deflator ^g (Annual Rates)	9.5	9.2	8.5	8.0	7.9	7.9	7.8	7.6	7.4	7.3	7.1

^a Includes adequate supply, decontrol of domestic crude oil, inflation, and OPEC adoption of Saudi Arabian long-term price strategy.

^b Assumes price equivalency with #2 fuel oil on a per million BTU basis.

^c Prices will vary depending on the timing and structure of decontrol policy.

^d Residential prices assuming wellhead price deregulation by 1985, incremental pricing for industrial customers according to the Natural Gas Policy Act of 1978, and end use controls under the Power Plant and Industrial Fuel Use Act.

^e Residential prices assuming removal of all controls on natural gas by 1982.

^f Projections for other regions are prepared using individual utility data (See Table 3). These include increased operating costs and carrying costs of building additional capacity.

^g Data Resources, Inc., *U.S. Long Term Review*, Summer 1981, Lexington, Trendlong 0681, p. 121; determined for the heating season by taking the average between two calendar years.

Table 3. Projected Residential Electricity Prices
by Region, Including Inflation, 1981-1991.

Region	Type of Heating	Actual 1981	Projections									
			1982	1983	1984	1985	1986 ¢/kwh	1987	1988	1989	1990	1991
1	Non-Space	4.58	5.49	5.90	6.32	7.04	7.53	8.04	8.59	9.08	9.61	10.16
	Space	3.20	3.84	4.12	4.41	4.92	5.25	5.61	5.99	6.32	6.70	7.09
2	Non-Space	5.03	6.03	6.43	6.83	7.58	8.06	8.60	9.19	9.80	10.45	10.96
	Space	3.62	4.34	4.63	4.91	5.46	5.80	6.20	6.60	7.05	7.52	7.90
3	Non-Space	5.46	6.42	6.75	7.15	7.75	8.21	8.86	9.58	10.28	11.10	11.70
	Space	4.27	5.03	5.30	5.59	6.07	6.43	6.95	7.67	8.23	8.88	9.35
4	Non-Space	4.36	5.03	5.35	5.68	6.27	6.72	7.12	7.48	7.99	8.66	8.98
	Space	3.77	4.41	4.69	4.98	5.50	5.91	6.27	6.59	7.03	7.61	7.90
5	Non-Space	5.52	6.46	6.75	7.11	7.67	8.13	8.72	9.34	10.00	10.82	11.31
	Space	4.57	5.35	5.59	5.88	6.36	6.74	7.23	7.73	8.29	8.99	9.40
6E	Non-Space	5.09	5.92	6.25	6.61	7.03	7.61	8.08	8.51	9.08	9.78	10.25
	Space	3.91	4.55	4.81	5.08	5.41	5.87	6.23	6.57	7.01	7.54	7.90
6W	Non-Space	4.49	5.23	5.61	6.01	6.64	7.17	7.66	8.14	8.69	9.33	9.81
	Space	3.65	4.25	4.56	4.89	5.40	5.83	6.21	6.60	7.05	7.56	7.97
7E	Non-Space	5.53	6.62	6.87	7.26	7.70	8.21	8.70	9.22	9.78	10.36	10.94
	Space	4.70	5.63	5.85	6.18	6.55	6.98	7.40	7.84	8.31	8.81	9.30
7W	Non-Space	5.46	6.37	6.66	7.01	7.40	8.05	8.50	8.94	9.46	10.06	10.57
	Space	3.83	4.47	4.67	4.90	5.17	5.62	5.94	6.25	6.61	7.02	7.37
8	Non-Space	4.25	5.03	5.34	5.65	6.04	6.63	7.14	7.52	8.01	8.60	9.00
	Space	3.13	3.70	3.93	4.16	4.45	4.88	5.26	5.54	5.90	6.34	6.63
9	Non-Space	5.35	6.26	6.61	6.97	7.40	8.10	8.65	9.09	9.68	10.41	10.87
	Space	3.86	4.53	4.78	5.04	5.35	5.85	6.25	6.57	6.99	7.52	7.85
10	Non-Space	5.32	6.30	6.68	7.05	7.48	8.22	8.88	9.41	9.96	10.60	11.19
	Space	3.96	4.69	4.98	5.26	5.58	6.14	6.62	7.02	7.43	7.91	8.36
11	Non-Space	5.23	6.01	6.29	6.59	6.94	7.63	8.03	8.44	8.89	9.42	9.90
	Space	3.18	3.66	3.83	4.01	4.23	4.65	4.89	5.14	5.42	5.73	6.01

Department of Health Health Systems Division

Notice of Intent to Solicit Outside Opinion on the Repeal of Rules Governing the Registration of Emergency Medical Technicians

Notice is hereby given that the State Department of Health is seeking information or opinions from sources outside the agency in preparing to repeal rules governing the registration of emergency medical technicians. It is anticipated that the subject matter of these registration rules will be included in proposed amendments to the Minnesota Department of Health, Life Support Transportation rules under the authority of Minnesota Statutes section 144.804.

OFFICIAL NOTICES

The State Department of Health requests information and comments concerning the repeal of these rules. Interested or affected persons or groups may submit statements of information or comment orally or in writing. Written statements should be addressed to:

Betsy Parker
Emergency Medical Services
Health Systems Division
Minnesota Department of Health
717 Delaware Street Southeast
Minneapolis, Minnesota 55440

Oral statements will be received during regular business hours over the telephone at 612/296-5366 and in person at the above address.

All statements of information and comment shall be accepted until October 1, 1981. Any written material received by the state shall become part of the record in the event that the rules are promulgated.

August 18, 1981

George R. Pettersen, M.D.
Commissioner of Health

Department of Health Health Systems Division

Notice of Intent to Solicit Outside Opinion on Amendments to Rules Governing the Operation of Life Support Transportation Services

Notice is hereby given that the State Department of Health is seeking information or opinions from sources outside the agency in preparing to amend rules governing the operation of life support transportation. The promulgation of these amendments is authorized by Minnesota Statutes, § 144.804 which requires the agency to promulgate as rules, standards for the operation of life support transportation services.

The amendments will concern the registration, examination and certification of emergency medical technicians, emergency medical technicians—intermediate and paramedics; provision of certain medical procedures by Basic Life Support Services; standards for fixed and rotary wing aircraft used as ambulances; quality assurance standards for attendants and drivers; revision of the commissioners standards for granting variances; license fees; the establishment of a staggered licensing system and other clarifications.

The State Department of Health requests information and comments concerning the subject matter of these amendments. Interested or affected persons or groups may submit statements of information or comment orally or in writing. Written statements should be addressed to:

Betsy Parker
Emergency Medical Services
Health Systems Division
Minnesota Department of Health
717 Delaware Street Southeast
Minneapolis, Minnesota 55440

Oral statements will be received during regular business hours over the telephone at (612) 296-5366 and in person at the above address.

All statements of information and comment shall be accepted until October 1, 1981. Any written material received by the state shall become part of the record in the event that the rules are promulgated.

August 18, 1981

George R. Pettersen, M.D.
Commissioner of Health

Department of Health Health Systems Division

Notice of Intent to Solicit Outside Opinion on Proposed Rules Governing the Establishment, Operation, and Maintenance of Freestanding Emergency Medical Services Centers

Notice is hereby given that the State Department of Health is seeking information or opinions from sources outside the agency in preparing to promulgate new rules governing the establishment, operation and maintenance of Emergency Medical Services offered in an outpatient setting in a facility which is not part of a licensed hospital. The promulgation of these rules is authorized by Minnesota Statutes, § 144.56, which requires the commissioner to adopt and enforce reasonable rules, regulations and standards under §§ 144.50 to 144.56 which he finds to be necessary and in the public interest.

The State Department of Health requests information and comments concerning the promulgation of these new rules. Interested or affected persons or groups may submit statements of information or comment orally or in writing. Written statements should be addressed to:

Betsy Parker
Emergency Medical Services
Health Systems Division
Minnesota Department of Health
717 Delaware Street Southeast
Minneapolis, Minnesota 55440

Oral statements will be received during regular business hours over the telephone at (612) 296-5366 and in person at the above address.

All statements of information and comment shall be accepted until October 1, 1981. Any written materials received by the State shall become part of the record in the event that the rules are promulgated.

August 18, 1981

George R. Pettersen, M.D.
Commissioner of Health

Minnesota Teachers Retirement Association

Meeting Notice

The Board of Trustees, Minnesota Teachers Retirement Association will hold a meeting on Friday, September 18, 1981, at 9 a.m. in the office of the association, 302 Capitol Square Building, 550 Cedar Street, St. Paul, Minnesota to consider matters which may properly come before the board.

Department of Transportation

Amended Order and Notice of Street and Highway Routes Designated and Permitted to Carry the Gross Weights Allowed under Minn. Stat. § 169.832

Order No. 65963

Whereas, the Commissioner of Transportation has made his Order No. 65851, which has been amended by Orders 65929 and 65932, designating and permitting certain street and highway routes, or segments of those routes, to carry the gross weights allowed under Minnesota Statutes § 169.832, and

Whereas, the Commissioner has determined that the additional following routes, or segment of routes, should be designated to carry the gross weights allowed under Minnesota Statutes § 169.832.

It is hereby ordered that Commissioner of Transportation Order No. 65851 is amended this date by adding the following designated streets and highway routes, or segment of routes, as follows:

TRUNK HIGHWAYS

TH 9 —From Jct. TH 10 to Jct. CSAH 39 at Borup (effective June 15, each year).

OFFICIAL NOTICES

TH 32 —From Jct. TH 102 in Fertile to Ullen (temporary route).
TH 36 —In Stillwater from Water St. to midpoint of St. Croix River Bridge.
TH 49 —In St. Paul from Jct. TH 36 south to Schroeder Milk Company (temporary route).
TH 59 —From west Jct. TH 68 in Marshal north to Erie Road (6500 feet).
TH 59 —From Jct. TH 62 at Fulda to Jct. TH 30 at Slayton.
TH 61 —From Jct. TH 63 in Lake City to Jct. TH 60 in Wabasha (temporary route).
TH 63 —From Jct. TH 14 in Rochester to Jct. TH 61 in Wabasha (temporary route).
TH 67 —From Jct. TH 75 to Jct. TH 59 at Clarkfield.
TH 200—From Jct. TH 32 north of Twin Valley to Jct. TH 59 at Mahnomen (temporary route).
TH 261—From Lester Prairie to Winsted.
TH 274—From Wood Lake to Jct. TH 23.
TH 277—From Jct. TH 7 to Gluek.

CITY STREETS

Inver Grove Hts.—Maltby Road from Jct. TH 52 to East 1700 feet.

COUNTY ROADS

Martin —CSAH 39 from CSAH 26 to Jct. I-90.
Winona—CSAH 23 from Jct. TH 61 in Minnesota City to Jct. TH 14 in Stockton (temporary route).
CSAH 32 from Main Street to Junction Street in Winona.

August 24, 1981

Richard P. Braun
Commissioner of Transportation

STATE OF MINNESOTA
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