


# Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
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Our File No. 1148

# RULE REVIEW CHECKLIST

DATE RULE RECEIVED 4-9-85
DATE FOR REVIEW 4-18-85
DATE DUE 4-23-85

Adopted w/a hearing _____
Adopted w/o hearing ✓
Temporary rule _____

Approved 4-18-85 mjc Disapproved _____ Returned to Agency _____

Resubmitted _____ Due _____
Approved _____ Disapproved _____ Returned to Agency _____

Date filed w/Secretary of State 4-18-85 Revisor approved _____ disapproved _____

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✓ Rule as Adopted

✓ Rule as Proposed

? Order Adopting 4.2.85 Date no citation to statutory authority

N/A Notice of Intent to Solicit Outside Opinion

_____ Order for rulemaking
_____ date of Hearing not submitted

N/A Certificate of Board's Authorizing Resolution

✓ Notice of rulemaking fails to strictly comply with Minn. Stat. §14.22 (1) and (5)
? Sufficiency

✓ Affidavit of Mailing Notice or rulemaking
2.11.85 At least 30 days prior to hearing/adoption

✓ Mailing list Certificate

✓ Publication in State Register
2.25.85 At least 30/~~20~~ days prior to hearing/adoption

N/A Hearing Examiner's Report

_____ Chief Hearing Examiner's Report(s)
_____ Approving H.E.'s Report
_____ Approving agency action

_____ Agency's Findings of Fact

_____ LCRAR Report or agency Affidavit

_____ Certificate of Board's Resolution Adopting Rules

_____ Order Approving Incorporation by Reference

✓ Statement of Need and Reasonableness

N/A Petition for Adoption of a Rule

✓ Record (includes transcript or tape, exhibits, comments received by agency, requests for a hearing, and other relevant materials)

✓ Certificate of Compliance w/Rulemaking Procedures

N/A Affidavit of Mailing Notice of Submission to Attorney General

✓ Notice of Submission to the Attorney General

SF-00006-02

STATE OF MINNESOTA

DEPARTMENT ATTORNEY GENERAL

# Office Memorandum

TO : JOSEPH N. ALEXANDER
Commissioner, Department of Natural Resources

DATE: 4-18-85

FROM : MARTHA J. CASSERLY MJC
Special Assistant Attorney General

PHONE: 296-4692

SUBJECT: In the Matter of the Amendment of the Rules for Lower St. Croix Water Surface Use 6105.0340.

The above-referenced rule has been approved as to its legality by the Attorney General on April 18, 1985.

Enclosed is the agency's copy of the approved rule. This office has already filed two copies of the approved rule with the Secretary of State, who will forward one copy to the Revisor of Statutes. The fourth copy is being retained by this division of the Attorney General's Office for its records.

Also enclosed are any petitions, requests, submission or comments received by the agency and any extra copies of documents which the agency submitted to the Attorney General.

In order for a permanent rule without a hearing to become effective, your agency must publish a notice of adoption in the State Register in accordance with Minn. Stat. § 14.27. An emergency rule becomes effective five working days after approval by the Attorney General; however, the agency must publish a notice in the State Register in accordance with Minn. Stat. § 14.34.

If you have any questions in this regard, please contact me.

MJC:sz

Enclosures

cc: Executive Director
Legislative Commission to Review
Administrative Rules

Chief Administrative Law Judge
Office of Administrative Hearings

AG copy

Department of Natural Resources

Boat and Water Safety

Adopted Rule Relating to Lower St. Croix Surface Use

Rule as Adopted

6105.0340 WATER SKIING.

Subpart 1. and 2. [Unchanged.]

Subp. 3. At sandbars. From May 15 through September 15, inclusive, no watercraft towing a person on water skis, aquaplane, or similar device shall operate after 12:00 noon on Saturdays, Sundays, and legal holidays, from the sandbars located approximately at mile 31.0 to the upper end of the federal nine-foot navigation channel approximately at mile 24.5.

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
APR 18 1985
Joan Anderson Growe
Secretary of State
9:40 AM

Rule as Proposed

6105.0340 WATER SKIING.

Subpart 1. and 2. [Unchanged.]

Subp. 3. **At sandbars.** From ~~Memorial Day~~ May 15 through ~~Labor Day~~ September 15, inclusive, no watercraft towing a person on water skis, aquaplane, or similar device shall operate after 12:00 noon on Saturdays, Sundays, and legal holidays, from the sandbars located approximately at mile 31.0 to the upper end of the federal nine-foot navigation channel approximately at mile 24.5.

APPROVED IN THE
REVISOR OF STATUTES
OFFICE BY:
PER

OFFICE OF THE REVISOR OF STATUTES

Proposed Rule

RD715

Agency: Department of Natural Resources

Division: Boat and Water Safety

Agency Contact: Kim Elverum 296-3336

Minnesota Rules: Part 6105.0340

Title: Proposed Rule Relating to Lower St. Croix Surface Use

Type of Rules: Permanent

Incorporations by Reference: None

Steven C. Cross
Revisor of Statutes

Paul E. Rohde
Senior Assistant Revisor
Phone: 296-0953
Date: January 24, 1985

STATE OF MINNESOTA

DEPARTMENT OF NATURAL RESOURCES

In the Matter of the Amendment
of the Rules for Lower St. Croix
Water Surface Use 6105.0340

ORDER ADOPTING
RULES

Notice of the Commissioner's intent to amend the above-entitled rules without a public hearing was published in the State Register on February 25, 1985, and was mailed to all persons on the list maintained by the agency pursuant to MN Statute § 15.0412 Subd. 4 on February 11, 1985. No comments or requests for a public hearing were received during the comment period. I have determined, therefore, that the amendment is needed and reasonable.

A variance from the standards set forth in Minnesota Rules 6110.3700 is also granted because of the need for identical rules with the State of Wisconsin.

This proposed rule had originally been published in February 1984, but because of Wisconsin's failure to adopt an identical rule the maximum 180 day waiting period for rule adoption had lapsed and the proposal was republished.

NOW, THEREFORE, IT IS ORDERED that the amendment is adopted as proposed.

Dated: April 2, 1985

STATE OF MINNESOTA
DEPARTMENT OF NATURAL RESOURCES

JOSEPH N. ALEXANDER
Commissioner

Department of Natural Resources

Proposed Amendment of Rule Governing Lower St. Croix Water Surface Use

Notice of Intent to Amend a Rule without a Public Hearing

Notice is hereby given that the Minnesota Department of Natural Resources ("department") intends to adopt an amendment to the above-referenced department rule without public hearing because of the noncontroversial nature of the amendment. (This amendment was originally published as a proposal in 8 S.R. 1674, but was automatically withdrawn after 180 days, as required in M.S. § 14.26. The delay was a result of the delay by the State of Wisconsin in adopting an identical amendment. On December 1, 1984 Wisconsin adopted the amendment.)

Persons interested in these rules and amendments shall have 30 days to submit comments on the proposed rules and amendments. The proposed rules and amendments may be modified if the modifications are supported by the data and views submitted to the agency and do not result in a substantial change in the proposed language. Persons who wish to submit comments should submit such comments to Kim Elverum, Minnesota Department of Natural Resources, Box 46 - 500 Lafayette Road, St. Paul, MN 55146.

No public hearing will be held unless 25 or more persons make a written request for a hearing within the 30-day comment period. In the event a public hearing is required, the agency will proceed according to the provisions of Minnesota Statutes, §§ 14.31 - 14.20.

Authority for the adoption of these rules is contained in Minnesota Statutes, § 361.26, subd. 2. A Statement of Need and Reasonableness describing the need for and reasonableness of the amendment has been prepared and is available upon request at the above address.

Upon adoption of the final rules without a public hearing, the proposed rules, this Notice, the Statement of Need and Reasonableness, all written

comments received, and the final Rules as Adopted will be delivered to the Attorney General for review as to form and legality, including the issue of substantial change. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the final rules as proposed for adoption, should submit a written statement of such request to the address listed above.

A copy of the proposed amendment is attached.

Dated ~~January~~ Feb 5, 1985

JOSEPH N. ALEXANDER, Commissioner
Department of Natural Resources

Attachment

STATE OF MINNESOTA

DEPARTMENT OF NATURAL RESOURCES

In the matter of the proposed rule amendments for Lower St. Croix Water Surface Use.

AFFIDAVIT OF MAILING

Deborah Coderre, being first duly sworn, deposes and says:

That on the 11th day of Feb., 1985, at the City of St. Paul, County of Ramsey, State of Minnesota, she served the attached Notice of Hearing by depositing in the United States mail at said City of St. Paul, a true and correct copy thereof, and with postage prepaid, to all persons and associations at the addresses listed on the attached Certificate of the Commissioner of Natural Resources.

Deborah Coderre

Subscribed and sworn to before me this 11th day February, 1985

Karen L. Singer

Karen L. Singer
NOTARY PUBLIC — MINNESOTA
RAMSEY COUNTY
My commission expires May 16, 1991

STATE OF MINNESOTA

DEPARTMENT OF NATURAL RESOURCES

In the matter proposed
rules amendments for Lower St.
Croix Water Surface Use.

CERTIFICATION

I hereby certify that the attached 65 labels and 3 sheets constitute the complete list of persons, associations, and other interested groups who as of 8:30 o'clock A.M., this 11TH day of FEB., 1985, have requested pursuant to Minnesota Statutes 1984, Section 14.14, Subdivision 1, that their names be placed on file with the Department of Natural Resources for the purpose of receiving notice of public hearings on proposed rules on the subjects captioned above.

Joseph N. Alexander
Commissioner

By: Andy Brewer

A. H. Twiley
Env. Control & Energy Dept.
Ford Motor Company
Automotive Assembly Division
17000 Oakwood Blvd.
Allen Park, Mich. 48121

Mr. John A. Knapp
Hessian, McKasy & Soderberg
1500 Midwest Plaza Bldg.
Minneapolis, MN 55402

[redacted] &
[redacted]

Gordon Forbes
Minn. Railroads Association
303 Hanover Bldg.
480 Cedar St.
St. Paul, MN 55101

Dept. of Economic Development
480 Cedar St.
St. Paul, MN 55101

Sam Ruhle
Office of Adminis. Hearings
400 Summit Bank Building
310 South Fourth Avenue
Minneapolis, MN 55415

Robert S. Burk
4344 IDS Center
Minneapolis, MN 55402

Marylee Fithian, Exec. Director
Oden & Associates
905 Park Ave. So.
Mpls., MN 55404

Jean Dawson, Editor
The Minnesota Government Report
B-12, Press Room
StateCapitol Bldg.
INTEROFFICE

T. J. Manthey
Pickands Mather & Co.
1100 Superior Ave. NE
Cleveland, Ohio 44114

Craig Waldron

Region Nine Dev. Commission
410 So. 5th St., P.O. Box 3367
Mankato, MN 56001

Harold H. Haugh
[redacted]nes, Haugh & Smith Inc.
515 So. Washington
Albert Lea, MN 56007

Robert A. Silvagni, Env. Eng.
U of M-Physical Plant Dept.
200 Shops Building
319 15th Ave. SE
Minneapolis, MN 55455

Minn. Petroleum Council
300 Northern Federal Bldg.
St. Paul, MN 55102

Robert Bollant
City of Winona
City Hall
4th & Lafayette St.
Winona, MN 55987

Richard C. Buske
Dept. of Economic Development
480 Cedar St.
St. Paul, MN 55101

Bruce T. Rowe, Administrator
Community Health Services Board
325 Lake Ave. So., Suite 604
Duluth, MN 55802

Mr. Reynold S. Rahko, Mgr.
Projects Coordinating Division
United Power Association
Elk River, MN 55330

George C. Mastor
General Counsel
MN Gas Company, Legal Division
701 2nd Avenue South
Mpls., MN 55402

G. V. Welk, Manager
Regulatory Compliance & Services
Northern States Power Company
414 Nicollet Mall
Minneapolis, MN 55401

Philip D. Brick
Pickands Mather & Co.
Suite 811-200 W Superior St.
Duluth, MN 55802

Environmental Law Society
William Mitchell College of Law
875 Summit Ave.
St. Paul, MN 55105

[redacted]

Gertrude M. James
Anoka Co. Community Health &
Social Services Dept.
Courthouse, 4th Floor
Anoka, MN 55303

Executive Director
Association of Minn. Counties
555 Park St., Suite 300
St. Paul, MN 55103

Wayne H. Olson, Esq.
Olson, Gunn & Seran, Ltd.
315 Peavey Bldg.
730 Second Ave. So.
Mpls., MN 55402

Charles Schaffer
Dept. of Economic Development
480 Cedar St.
St. Paul, MN 55101

Marylee Fithian
Director
Development Disabilities Plannin
200 Capitol Square Bldg.
INTEROFFICE

G. Robert Johnson
4344 IDS Center
Minneapolis, MN 55402

Frank Mixa
Executive Director
Lake Mtka. Conservation District
402 E. Lake St.
Wayzata, MN 55391

General Mills, Inc.
Attn: J. W. Haun
P. O. Box 1113
Minneapolis, MN 55440

Bob Franklin, City Editor
Minneapolis Tribune
425 Portland Ave.
Minneapolis, MN 55488

Dr. Rollin Dennistoun, Dep. Comm.
MN Dept. of Agriculture
90 W. Plato
St. Paul, MN 55107
INTEROFFICE

Antitrust Division
MN Attorney General's Office
2nd Floor, Ford Bldg.
117 University Ave.
St. Paul, MN 55155

Broeker, Hartfeldt, Hedges & Grant
Suite 800
2850 Metro Drive
Bloomington, MN 55420

MN Izaak Walton League
3255 Hennepin Ave
Suite 109
Minneapolis, MN 55408

Professor Robert Synder
248 Classroom-Office Bldg.
University of Minnesota
St. Paul, MN 55108

Conrad M. Fredin
811 First Nat'l. Bank Bldg.
Duluth, MN 55802

Maryann S. Marino, Ph. D.
Koppers Company, Inc.
1201 Koppers Bldg.
Pittsburgh, PA 15219

Eric W. Ingvaldson
700 Galaxy Building
330 Second Ave. South
Minneapolis, MN 55401

John H. Herman
Suite 930
Ten South Fifth St.
Mpls., MN 55401

R. J. Barto
Midland Glass Company, Inc.
P.O. Box 69
Shakopee, MN 55379

Thomas M. Polt
McCarthy Bldg.
Eyota, MN 55934

Anoka Co. Community Health & Social Services Dept.
c/o Robert M. Hutchison
Courthouse-4th Floor
Anoka, MN 55303

Phillips Legislative Service, Inc
459 Rice Street
St. Paul, MN 55103

President
Interstate Power Co.
1000 Main St.
Dubuque, IA 52001

Donald B. Crassweller
1000 Alworth Bldg.
Duluth, MN 55802

[redacted]

Harriet Lykken
4600 Emerson Ave. So.
Mpls., MN 55409

Richard Kramer
1471 Barclay
St. Paul, MN 55106

W. J. Licke, General Counsel
Blandin Paper Co.
115 1st St. SW
Grand Rapids, MN 55744

Kenneth Peterson, Exec. Director
MPIRG
2412 University Ave. SE
Mpls., MN 55414

James Miller, Sr. Attorney
MPIRG
2412 University Ave. SE
Mpls., MN 55414

Associated Builders & Contractor
Suite 109
6300 Walker St.
Mpls., MN 55416

[redacted]

Steve Chadwick
2904 W. 3rd St.
Duluth, MN 55806

[redacted]

Ken Kadlec
762 Holly Ave.
St. Paul, MN 55104

Badger Safe Energy Alliance
Box 68
Durand, Wis. 54736

Public Interest Advocacy Clinic
Hamline University Law School
St. Paul, MN 55104

Nelson French
3715 E. 26th St.
Mpls., MN 55406

Steve O'Neil
475 Huff St.
Winona, MN 55987

Rodney Watkins
105 University Rd.
Cloquet, MN 55720

[redacted]

John M. Broeker
2850 Metro Drive
Suite 800
Mpls., MN 55420

City of Brooklyn Center
Brad Hoffman
6301 Shingle Creek Parkway
Brooklyn Center, MN 55430

Bruce Barker
Minnesota Woodlands
Boise Cascade Corporation
International Falls,MN 56649

Frundt, Frundt & Johnson
117 West 5th Street
Blue Earth, MN 56013

[redacted]

Andrea Hughes-Whaley
2803 Lake Blvd. North
North St. Paul, MN 55109

Bob Buckler
Minn. Forest Industries
908 Pioneer Bldg
St. Paul, MN 55101

Franklin J. Svoboda, CWB
BRW
2829 University Avenue SE
Mpls., MN 55414

After the initial year, adjusted base year costs are used in the rate per day formula instead of allowable base year costs.

E. A hospital with minimal participation, as specified in part 9500.1150, subpart 4, item F, shall be reimbursed on a rate per day in lieu of rate per admission unless the hospital elects to be reimbursed on a rate per admission basis.

F. The department shall apply the disproportionate population adjustment as specified in part 9500.1135, substituting the term adjusted base year cost per admission with rate per admission or rate per day.

G. Reimbursement procedures are as specified in part 9500.1130, subparts 1 to 6.

H. Appeals must be made according to parts 9500.1140 and 9500.1145.

**Subp. 5. Four percent reduction.** Reimbursement for admissions is reduced four percent from January 1, 1983, through June 30, 1983, as provided in Laws of Minnesota 1982, Third Special Session, chapter 1, article 2, section 2, subdivision 4, paragraph (a), clause (4). Each rate per admission and each rate per day as determined under subpart 4 for each admission during the period from January 1, 1983, through June 30, 1983, shall be reduced by four percent.

# Department of Natural Resources
# Boat and Water Safety

## Proposed Rule Relating to Lower St. Croix Surface Use

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

Notice is hereby given that the Minnesota Department of Natural Resources ("department") intends to adopt an amendment to the above-referenced department rule without public hearing because of the noncontroversial nature of the amendment. (This amendment was originally published as a proposal at 8 SR 1674, but was automatically withdrawn after 180 days, as required in M.S. § 14.26. The delay was a result of the delay by the State of Wisconsin in adopting an identical amendment. On December 1, 1984, Wisconsin adopted the amendment.)

Persons interested in these rules and amendments shall have 30 days to submit comments on the proposed rules and amendments. The proposed rules and amendments may be modified if the modifications are supported by the data and views submitted to the agency and do not result in a substantial change in the proposed language. Persons who wish to submit comments should submit such comments to Kim Elverum, Minnesota Department of Natural Resources, Box 46—500 Lafayette Road, St. Paul, MN 55146.

No public hearing will be held unless 25 or more persons make a written request for a hearing within the 30-day comment period. In the event a public hearing is required, the agency will proceed according to the provisions of Minnesota Statutes, §§ 14.31-14.20.

Authority for the adoption of these rules is contained in Minnesota Statutes, § 361.26, subd. 2. A Statement of Need and Reasonableness describing the need for and reasonableness of the amendment has been prepared and is available upon request at the above address.

Upon adoption of the final rules without a public hearing, the proposed rules, this notice, the Statement of Need and Reasonableness, all written comments received, and the final Rules as Adopted will be delivered to the Attorney General for review as to form and legality, including the issue of substantial change. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the final rules as proposed for adoption, should submit a written statement of such request to the address listed above.

A copy of the proposed amendment is attached.

February 5, 1985

Joseph N. Alexander, Commissioner
Department of Natural Resources

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.

### Rule as Proposed

6105.0340 WATER SKIING.

Subpart 1. and 2. [Unchanged.]

Subp. 3. At sandbars. From ~~Memorial Day~~ May 15 through ~~Labor Day~~ September 15, inclusive, no watercraft towing a person on water skis, aquaplane, or similar device shall operate after 12:00 noon on Saturdays, Sundays, and legal holidays, from the sandbars located approximately at mile 31.0 to the upper end of the federal nine-foot navigation channel approximately at mile 24.5.

# Board of Nursing

## Proposed Rules Relating to Licensure

### Notice of Intent to Adopt Rules without a Public Hearing

Notice is hereby given that the Minnesota Board of Nursing proposes to repeal and adopt the above-entitled rules without a public hearing. The Board has determined that the proposed adoption of these rules will be noncontroversial in nature and has elected to follow the procedures set forth in Minnesota Statutes section 14.21-14.28.

Persons interested in these rules shall have 30 days to submit comments on the proposed rules. The proposed rules may be modified if the modifications are supported by the data and views submitted to the agency and do not result in a substantial change in the proposed language.

Unless twenty-five or more persons submit written requests for a public hearing on the proposed rules within the 30-day comment period, a public hearing will not be held. In the event a public hearing is required, the agency will proceed according to the provisions of Minnesota Statutes section 14.13-14.18.

Persons who wish to submit comments or a written request for a public hearing should submit such comments or requests to:

Sandra MacKenzie
Minnesota Board of Nursing
717 Delaware Street Southeast
Minneapolis, Minnesota 55414
(612) 623-5493

Authority for the adoption of these rules is contained in Minn. Stat. §§ 148.211, 231, 291 and 296 (1982). Additionally, a Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rules and identifies the data and information relied upon to support the proposed rules and identifies the data and information relied upon to support the proposed rules has been prepared and is available from Sandra MacKenzie upon request at the above listed address.

Upon adoption of the final rules without a public hearing, the proposed rules, this notice, the Statement of Need and Reasonableness, all written comments received, and the final Rules as Adopted will be delivered to the Attorney General for review as to form and legality, including the issue of substantial change. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the final rules as proposed for adoption, should submit a written statement of such request to Sandra MacKenzie at the above listed address.

[A copy of the proposed rules is attached to this notice.]

Copies of this notice and the proposed rules are available and may be obtained by contacting Sandra MacKenzie at the above listed address.

Joyce M. Schowalter
Executive Secretary
Minnesota Board of Nursing

### Rules as Proposed (all new material)

**REPEALER.** Minnesota Rules, parts 6310.0200; 6310.0300; 6310.0400; 6310.0500; 6310.0600; 6310.1100; 6310.1200; 6310.1300; 6310.1400; 6310.2100; 6310.2200; 6310.5100; 6310.5200; 6310.5300; 6310.5400; 6310.5500; 6310.6100; 6310.6200; 6310.7100; and 6310.7200, are repealed.

STATE OF MINNESOTA

DEPARTMENT OF NATURAL RESOURCES

Proposed Amendments to
The Rules for Lower St. Croix
Water Surface Use 6105.0300 - .0350

STATEMENT OF
NEED AND
EVIDENCE

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The authority of the Commissioner of Natural Resources to promulgate rules regarding surface water use zoning is found in Minnesota Statutes, Section 361.26. The rules currently in effect on the Lower St. Croix River are identified as Minnesota Rules 6105.0300 - .0350.

This amendment was originally proposed in S.R. 8 1674 (Jan. 16, 1984) but was automatically withdrawn after 180 days (as required by M.S. § 14.26), since the State of Wisconsin had failed to adopt an identical amendment.

The Washington County board and Minnesota-Wisconsin Boundary Area Commission have both requested that Section 6105.0340, Subd. 3 of these rules be amended to prohibit waterskiing after noon on Saturdays, Sundays and Holidays from May 15 through September 15, instead of Memorial Day through Labor Day. The Commissioner of Natural Resources proposes to amend these rules to accommodate this request because of the following:

1. According to the Boundary Area commission and law enforcement authorities, there is significant recreational use of this portion of the river before Memorial Day after Labor Day. Use which was not foreseen at the time the original rule was adopted (1977). Since the idea of restricting waterskiing during heavier use periods was to eliminate conflicts, the enforcement authorities have recommended that the restriction dates be changed.

2. The state of Wisconsin did adopt an identical rule amendment, on December 1, 1984 and they share responsibility with the State of Minnesota and the National Park Service for recreational boating on St. Croix.

It is hoped that this amendment will eliminate potential problems in this river zone.

Dated January 28, 1985

Kim A. Elverum,
Boat and Water Safety Coordinator
Minnesota Dept. of Natural Resources

STATE OF MINNESOTA

DEPARTMENT OF NATURAL RESOURCES

In the Matter of the Amendment of the Rules for Lower St.Croix Water Surface Use 61.050340

CERTIFICATE OF COMPLIANCE

I am familiar with the laws and rules of the state regarding rule adoption, and with the process of the Department of Natural Resources followed in adopting the subject rule amendment. I believe that the legally-required procedures have been followed.

Dated: April 9, 1985

HUBERT H. HUMPHREY, III
Attorney General
State of Minnesota

By: A. W. Clapp III

A. W. CLAPP III
Special Assistant
Attorney General

2nd Floor Space Center
444 Lafayette Road
St. Paul, Minnesota 55101
Telephone: (612) 297-1075

Counsel for the Minnesota
Department of Natural Resources