



STATE REGISTER

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STATE OF MINNESOTA

EXECUTIVE ORDERS

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PROPOSED RULES

STATE CONTRACTS

OFFICIAL NOTICES

VOLUME 3, NUMBER 15

OCTOBER 16, 1978

Pages 717-744

STATE REGISTER

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 3			
16	Friday Oct 6	Monday Oct 16	Monday Oct 23
17	Monday Oct 16	Monday Oct 23	Monday Oct 30
18	Monday Oct 23	Monday Oct 30	Monday Nov 6
19	Monday Oct 30	Friday Nov 3	Monday Nov 13
20	Monday Nov 6	Monday Nov 13	Monday Nov 20

*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 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, Suite 415, Hamm Building, 408 St. Peter Street, St. Paul, Minnesota 55102.

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MCAR AMENDMENTS AND ADDITIONS

The following is a listing of all proposed and adopted rules published in this issue of the *State Register*. The listing is arranged in the same order as the table of contents of the *Minnesota Code of Agency Rules* (MCAR). All adopted rules published in the *State Register* and listed below amend the rules contained in the MCAR set. Both proposed temporary and adopted temporary rules are listed here although they are not printed in the MCAR due to the short term nature of their legal effectiveness. During the term of their legal effectiveness, however, adopted temporary rules do amend the MCAR. A cumulative listing of all proposed and adopted rules in Volume 3 of the *State Register* will be published on a quarterly basis and at the end of the volume year.

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EXECUTIVE ORDERS

Executive Order No. 182

Creating a Governor's Task Force on Insurance and Health

I, Rudy Perpich, Governor of the State of Minnesota, by virtue of the authority vested in me by the Constitution and applicable statutes, including but not limited to Minn. Stat. § 15.0593 (1977 Supp.), do hereby issue this Executive Order:

Whereas, the four leading causes of premature death and disability in Minnesota are heart disease, cancer, stroke, and accidents; and,

Whereas, medical care costs have risen sharply in recent years without achieving corresponding reductions in mortality and morbidity from the current leading causes; and,

Whereas, the ability of medical science to successfully intervene in advance stages of chronic diseases or in serious injuries due to accidents continues to be limited; and,

Whereas, the rapidly increasing costs associated with health insurance benefit plans have a detrimental effect upon the inflationary spiral; and,

Whereas, known health risk factors can be significantly reduced by adopting more healthful personal lifestyle practices;

Now, therefore, I order:

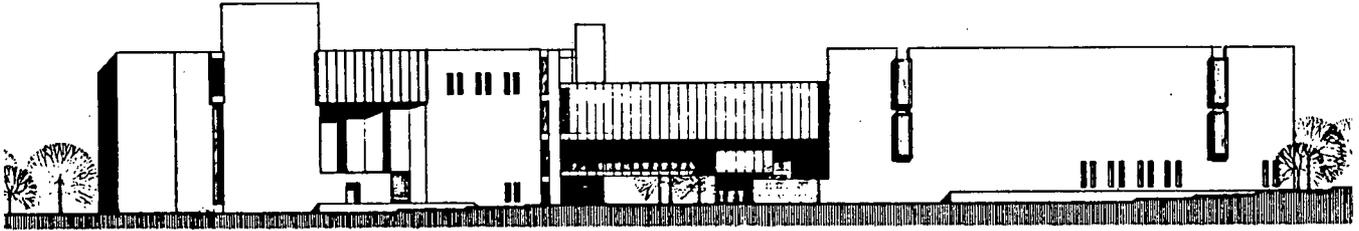
1. There is established a Governor's Task Force on Insurance and Health, consisting of 15 members to be appointed by the Governor.
2. The Commissioner of the Minnesota Department of Health is designated as the Governor's Representative on the Task Force and as the Chairperson of the Task Force.
3. The Minnesota Department of Health shall provide staff support to the Task Force.
4. An assessment shall be made by the Task Force of ways in which various types of insurance can be utilized to provide positive incentives for the adoption of more healthful lifestyles.
5. The Task Force shall identify the primary preventive services appropriate for coverage in health insurance plans.
6. The Task Force shall identify ways in which insurers can meaningfully participate in the process of educating the public regarding the association between lifestyle practices and personal health.
7. The Task Force shall advise me of its progress on February 15, 1979, and shall provide me its final advice and recommendations on July 1, 1979.

Pursuant to Minn. Stat. § 4.035 (1977 Supp.), this order shall be effective 15 days after its publication in the *State Register* and shall remain in effect until it is rescinded by proper authority or it expires in accordance with Minn. Stat. §§ 4.035 or 15.0593 (1977 Supp.).

In testimony whereof, I hereunto set my hand on this 3rd day of October, 1978.



RULES



The Minneapolis Institute of Arts at 2400 Third Avenue South, adjacent to The Children's Theatre Company and The Minneapolis College of Art and Design, was remodeled and doubled in size by Kenzo Tange and URTEC of Tokyo in 1974. The museum houses a collection of 65,000 objects including paintings, sculpture, decorative arts, prints and drawings, photography, Oriental art, and African, Oceanic and Pre-Columbian art.

Department of Personnel Adopted Temporary Rules Governing the Band Width Certification Program

The rules published at *State Register*, Volume 3, Number 5, pp. 178-180, August 7, 1978 (3 S.R. 178) as proposed temporary rules are adopted as temporary rules as of September 26, 1978 and are identical to their proposed form. Pursuant to Laws of 1978, ch. 734, § 17, these rules shall be effective for the duration of the band width certification program, unless superseded, repealed or amended by temporary or other rules.

Department of Public Welfare Income Maintenance Bureau

Extension of Adopted Temporary Rules Governing Administration of Work Equity Project

The temporary rule, DPW 63, published at *State Register*, Volume 2, Number 45, pp. 2011-2026, May 15, 1978 (2 S.R. 45) and adopted at *State Register*, Volume 3, Number 6, pp. 197-200, August 14, 1978 (3 S.R. 6), is continued in effect through January 9, 1979.

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 as proposed 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.

PROPOSED RULES

Pursuant to Minn. Stat. § 15.0412, subd. 4, agencies must hold public hearings on proposed new rules and/or proposed amendment of existing rules. Notice of intent to hold a hearing must be published in the *State Register* at least 30 days prior to the date set for the hearing, along with the full text of the proposed new or amended rule. The agency shall make at least one free copy of a proposed rule available to any person requesting it.

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 20 days thereafter, interested persons may submit data and views in writing to the proposing agency.



James J. Hill (1838-1916), railroad executive and financier, started his career as a clerk in a village store in Ontario. He came to St. Paul at age 18 as an agent for the St. Paul & Pacific Railroad, and 22 years later he owned the company. Hill was one of the first to see that coal would replace wood for railroad use, and his Northwestern Fuel Company was the beginning of his fortune. He owned the Great Northern Railway, was director of the 1st National Banks of New York and St. Paul, and was a close friend and unofficial advisor to President Cleveland. (Minnesota Historical Society)

KEY: RULES SECTION — Underlining indicates additions to proposed rule language. **Strike outs** indicate deletions from proposed rule language. **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."

Higher Education Coordinating Board Proposed Rules Concerning the Private Institutions Registration Program

Notice of Hearing

Notice is hereby given that a public hearing will be held in the above-entitled matter in Conference Room A, First Floor of the Capitol Square Building, 550 Cedar Street, St. Paul, Minnesota 55101, on November 21, 1978, commencing at 9:00 a.m. and continuing until all interested or affected persons have had an opportunity to participate.

All representatives of associations or other interested groups and all interested or affected persons will have an opportunity to be heard concerning the adoption of the proposed amendments to the rules captioned above by submitting either oral or written data, statements or arguments. Statements or briefs may be submitted without personally appearing at the hearing.

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 Hearing Examiners. This statement of need and reasonableness will include a summary of all of the evidence which will be presented by the agency at the hearing justifying both the need for and the reasonableness of the proposed rules amendments. Copies of the statement of need and reasonableness may be obtained from the Office of Hearing Examiners at a minimal charge.

After the public hearing, written material may be submitted and recorded in the hearing record for five working days, or for a longer period not to exceed 20 calendar days if so ordered by the hearing examiner.

Notice: 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

PROPOSED RULES

examiner (in the case of the hearing examiner's report) or to the agency (in the case of the agency's submission or re-submission to the Attorney General).

The Board proposes to adopt amendments to rules relating to the implementation of Minn. Stat. §§ 136A.61 to 136A.71 (1976) as amended by Laws of 1978, ch. 603, by revising the definition of the term "school" and by establishing policies and procedures for the exemption of schools' financial records from public disclosure; for the submission of non-Minnesota public institutions' financial statements; for the use of the terms "academy," "college," "institute" or "university" in the names of institutions established and operating prior to August 1, 1978; and for the exemption and voluntary registration of certain schools. These amendments are proposed to bring the rules into conformance with recent legislative amendments to the Private Institutions Registration statute.

Copies of the proposed rules amendments are now available and one free copy may be obtained by writing to the Minnesota Higher Education Coordinating Board, 400 Capitol Square Building, 550 Cedar Street, St. Paul, Minnesota 55101. Additional copies will be available at the door on the date of the hearing.

The Board's statutory authority to promulgate the proposed rules amendments is contained in Minn. Stat. § 136A.70 (1976).

Under Minn. Stat. § 10A.01, subd. 11 (1976), a lobbyist must register with the State Ethical Practices Board within five (5) days after he commences lobbying. According to the statute, "lobbyist" means any individual engaged for pay or other consideration or authorized by another individual or association to spend money who spends more than five hours of any month or more than \$250, not including travel 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; or who spends more than \$250, not including travel 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. "Lobbyist" does not include any: (a) public official or employee of the state or any of its political subdivisions or public bodies acting in his official capacity; (b) party or his representative appearing in a proceeding before a state board, commission or agency of the executive branch unless the board, commission or agency is taking administrative action; (c) individual in the course of selling goods or services to be paid for by public funds; (d) news media or their employees or agents acting in the ordinary course of business of publishing or broadcasting news items, editorials or other comments or paid advertisements which directly or indirectly urge official action; (e) paid expert witness whose testimony is requested either

by the body before which he is appearing or one of the parties to a proceeding, but only to the extent of preparing or delivering testimony; or (f) stockholder of a family farm corporation as defined in § 500.24, subd. 1, who does not spend over \$250, excluding travel expenses, in any year in communicating with public officials.

Questions regarding lobbying should be directed to the State Ethical Practices Board, Room 41, State Office Building, Wabasha Street, St. Paul, Minnesota 55155; telephone (612) 296-1720.

September 29, 1978

Clyde R. Ingle, Executive Director

Rules as Proposed

5 MCAR § 2.0902 Definitions. The following terms, words and phrases shall have the meanings hereinafter ascribed to them for the purpose of this chapter:

A. "Act" means: Minn. Stat. §§ 136A.61-136A.71.

B. "Registration" means: the process by which a school pursuant to Minn. Stat. § 136A.63 and 5 MCAR § 2.0903 files an application, submits required information pursuant to Minn. Stat. § 136A.64 and 5 MCAR § 2.0904 and pays fees pursuant to Minn. Stat. § 136A.69 and 5 MCAR § 2.0914.

C. "School" means: any individual, partnership, company, firm, society, trust, association, corporation or any combination thereof operating or doing business in Minnesota which (1) is, owns or operates a private, nonprofit post-secondary education institution, (2) provides a post-secondary instructional program or course leading to a degree whether or not for profit, or (3) is, owns or operates a private post-secondary education institution which uses the term "academy," "college," "institute" or "university" in its name or advertising; or (4) operates for profit and provides programs or courses which are intended to allow an individual to fulfill in part or totally the requirements necessary to maintain a license to practice an occupation. "School" shall also mean any public post-secondary educational institution located in another state or country which offers or makes available to a Minnesota resident any course, program or educational activity which does not require the leaving of the state for its completion.

D. "Schools located outside Minnesota which offer programs or courses within Minnesota" in Minn. Stat. § 136A.63 means: schools located outside Minnesota which offer any course, program or educational activity which is available to residents of Minnesota and which does not require them to leave the state for the completion of such.

PROPOSED RULES

E. "Degree" means: any award given by a school which signifies or is generally taken to signify completion of a program or course and which is designated by the term degree, associate, bachelor, baccalaureate, master's or doctorate, doctor or education specialist.

F. "Records" means: those school documents and files containing student data relating to academic credits, grades, degrees awarded and periods of attendance. School transcripts or documents on which are recorded each student's data relating to academic credits earned, courses completed, grades awarded, degrees awarded and periods of attendance qualify as "records."

G. "Authentic" means: real, genuine, reliable, bona fide;

H. "Legitimate" means: lawful, reasonable, in accordance with accepted standards;

I. "Approval" means: authorization from the Board for a school to offer specified degrees or to use the terms "academy," "college," "institute" or "university" in its name or both of the foregoing pursuant to Minn. Stat. § 136A.65, 5 MCAR § 2.0905 and 5 MCAR § 2.0906.

J. "Board" means: The Minnesota Higher Education Coordinating Board.

K. "Executive Director" means: The Executive Director of the Minnesota Higher Education Coordinating Board.

5 MCAR § 2.0904 Information required for registration. Pursuant to Minn. Stat. § 136A.64 schools subject to registration shall provide the Board with such information as the Board needs to determine the nature and activities of the school. The Board shall have the authority to verify the accuracy of the information submitted to it by inspection, visitation or any other means it deems necessary. Any and all information submitted to the Board for the purpose of registration shall be public information ~~in accordance with existing state and federal law~~ except those financial records which the Board shall not disclose except for the purposes of defending at Chapter 15 hearings or other legal proceedings its decision to approve or not to approve the granting of degrees or the use of a name.

Each applicant for registration shall submit the following accompanied by an affidavit attesting to the accuracy and truthfulness of the same:

A. a copy of the school articles of incorporation, constitution, by-laws or other operating documents;

B. a duly adopted statement of the school's missions and goals;

C. evidence of any school or program licenses granted by agencies of the State of Minnesota or any other state;

D. a copy of the current school catalog and if not contained in the catalog:

1. a list of members of the board of trustees or directors, if any;

2. a list of current institutional officers;

3. a list of current faculty, full-time and part-time, with degrees held or applicable experience;

4. a list and description of all school facilities;

5. a list and description of all current course offerings;

6. a list of all requirements for satisfactory completion of courses, programs and degrees;

7. a statement of the school's policy pertaining to freedom or limitation of expression and inquiry;

8. a current schedule of fees, charges for tuition, required supplies, student activities, housing and all other standard charges;

9. a statement of the school policy regarding refunds and adjustments;

10. a statement of the school policy relating to granting of credit for prior education, training and experience;

11. a statement of the school policies relating to student admission, evaluation, suspension and dismissal;

E. a copy of the fiscal balance sheet on an accrual basis or of a certified audit of the immediate past fiscal year for the school or, if the school is a public institution outside Minnesota, an income statement for the immediate past fiscal year;

F. one copy of all promotional and recruitment materials and advertisements;

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G. a plan for the preservation of student records pursuant to 5 MCAR § 2.0908.

If on the basis of the above information the Board is unable to determine the nature and activities of a school, the Board will require any additional information needed to make such determination.

5 MCAR § 2.0906 Approval of names. The Board shall approve a school using the term "academy", "college", "institute" or "university" in its name provided the school meets the minimum requirements of this chapter. No school subject to registration under 5 MCAR § 2.0903 shall use the terms "academy," "college," "institute" or "university" in its name in maintaining, advertising, promoting or conducting any program or educational activity in Minnesota without the approval of the Board.

The Board shall approve any school using the above terms in its name if the school meets all the following requirements:

A. Any school using the term "academy" in its name must meet the policies and standards of 5 MCAR § 2.0907 and the minimum requirements of this chapter.

B. Any school using the term "institute" in its name must meet the policies and standards of 5 MCAR § 2.0907 and the minimum requirements of this chapter.

C. Any school using the term "college" in its name must meet the policies and standards of 5 MCAR § 2.0907, must meet the minimum requirements of this chapter and must offer at least one program leading to an associate degree. If it so chooses, it may use the term "academy" or "institute" in its name.

D. Any school using the term "university" in its name must meet the policies and standards of 5 MCAR § 2.0907, must meet the minimum requirements of this chapter and must offer at least one program leading to a baccalaureate, master's or doctorate degree. If it so chooses, it may use the term "academy," "college" or "institute" in its name.

~~E. A school subject to registration will be granted approval to use the term "college" in its name if the school meets the standards of 5 MCAR § 2.0907, does not offer an associate degree but proposes to use the term "college" in conjunction with the terms "business" ("commercial"), "barber" or "beauty" to signify the offering of technical and specialized programs providing preparation for career opportunities in the fields of business and barber and beauty services. A school subject to registration which submits the information required for registration pursuant to 5 MCAR § 2.0904, meets the policies and standards of 5 MCAR § 2.0907, and meets the standards for protecting students records pursuant to 5 MCAR § 2.0908 and which was~~

organized, operating and using one of the terms academy, college, institute or university in its name on or before August 1, 1975, shall be granted approval to use such term in its name whether or not it offers a program leading to a degree.

5 MCAR § 2.0918 Exemptions. Those schools and educational programs exempted from the act are exempted from these rules. Any school or educational program exempted from the act pursuant to Minn. Stat. § 136A.653 may voluntarily waive their exemption and submit to the act by informing the Board of its intent and filing the information and registration fee pursuant to Board rules.

Housing Finance Agency Proposed Temporary Rules Governing the Urban Indian Housing Program

Request for Public Comment

Under Minnesota law, members of the public are entitled to present comments on the following temporary rules of the Minnesota Housing Finance Agency for a period of 20 days after publication. Members of the public are invited to send their comments to the Minnesota Housing Finance Agency, c/o May Hutchinson, 333 Sibley Street, Suite 200, St. Paul, Minnesota 55101.

James J. Solem
Executive Director

Temporary Rules As Proposed

Chapter 13 Urban Indian Housing (All new material)

12 MCAR § 3.150 Scope of rules. The rules provided in 12 MCAR §§ 3.150 to 3.157 shall govern the implementation of the urban Indian housing program established in Laws of 1978, ch. 670.

12 MCAR § 3.151 Definition. "Administrator" means a non-profit entity or local community as defined by 12 MCAR § 3.002 or Indian tribal organization eligible pursuant to 12 MCAR §§ 3.090 to 3.108 which carries out a program of housing for low and moderate income American Indians using urban Indian housing program funds.

12 MCAR § 3.152 The urban Indian housing program. The agency shall select administrators for the urban Indian housing program from applications submitted to the agency pursuant to these rules. The program of an administrator

PROPOSED RULES

shall describe the type of loan activities to be carried out by the administrator. A program may be administered in all or a portion of the eligible areas of the state of Minnesota, which include the metropolitan area as defined in Minn. Stat. § 473.121, subd. 2 and any city with a population greater than 50,000 persons. To the extent practicable, the agency shall allocate urban Indian program funds equitably among eligible areas, based upon American Indian population estimates. To assist potential applicants, the agency shall provide, upon request, information describing potential uses of urban Indian housing program funds.

12 MCAR § 3.153 Applications to utilize urban Indian housing program funds. For a period of 20 days after the agency gives notice that the urban Indian housing program funds are available, the agency shall receive applications for funds from prospective administrators. Each application shall contain:

A. Evidence adequate to establish that the applicant is a non-profit entity, local community, or Indian tribal organization.

B. A proposed program which describes, in adequate detail as determined by the agency:

1. The communities or portions thereof to be served.

2. The housing needs of the American Indians residing in the areas to be served and the manner in which the proposed program assists in meeting those needs.

3. The content, utilization of funds, administration, operation and implementation of the program, including the types of loans to be made, the terms of the loans, and the method of outreach and selection of loan recipients.

4. The source of any funds other than the urban Indian housing program to be included in the program of the applicant, and evidence that these additional funds will be available.

5. The costs of administering the program and the manner in which these costs will be paid.

6. The duration of the program.

C. Evidence that the applicant has the capacity to successfully carry out the program.

D. The dollar amount of urban Indian program funds requested.

E. Any additional information which the agency in its reasonable discretion deems necessary after initial review of the application to evaluate the merits of the program.

The advisory council on urban Indians shall review all proposed applications. Upon request of the advisory council, a proposed applicant shall present its program before the advisory council.

12 MCAR § 3.154 Additional requirements. Each program must provide for loans for the construction, purchase, or rehabilitation of residential housing. Except as otherwise provided herein and by 12 MCAR § 3.034, each person or family initially occupying a dwelling unit financed pursuant to the act, program and these rules shall be an American Indian as defined by Minn. Stat. § 254A.02, subd. 11 or an American Indian family as defined by 12 MCAR § 3.092, and of low and moderate income, as defined by 12 MCAR § 3.002; provided that developers of multi-unit developments need not be American Indians of low and moderate income. Preference shall be given to developers which are American Indian owned or American Indian controlled and which employ a high percentage of American Indians. In obtaining assistance under this program, Indian families shall not be discriminated against on the basis of tribal affiliation or tribal enrollment.

12 MCAR § 3.155 Application of other rules. 12 MCAR §§ 3.093 to 3.098, 3.101 and 3.105 shall apply to programs under this chapter, except that loans may be made with appropriate funds without interest.

12 MCAR § 3.156 Selection criteria for urban Indian programs. The agency may approve a program of an administrator in whole or in part, and may approve a program for a limited geographic area. In determining whether or not to approve applications to administer programs under the urban Indian program, the members shall examine the following facts and make their determinations thereon:

A. The extent to which the program will assist in serving the housing needs of the urban Indian community.

B. The extent to which the program will demonstrate the feasibility of alternative methods for providing housing for urban Indians.

C. The geographic location of the proposed program and the percentage of the Minnesota urban Indian community residing in the geographic area or areas to be served, as determined by the agency according to population data.

D. The time required to implement the program.

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E. The method of program administration and the capability of the administrator to carry out the program.

F. The extent which American Indians are involved in the administration of the program.

G. The extent to which the program duplicates, or is in conflict with, other programs which provide housing for urban Indians.

H. The extent to which the use of appropriated funds reduces housing costs to American Indians or American Indian families.

I. The extent to which the program combines the proceeds of appropriate funds with proceeds of bonds of the Agency or of other issues of bonds, and the extent to which the program otherwise uses available money to leverage the appropriate funds.

J. The written comments received by the agency as a result of consultation with the advisory council on urban Indians regarding the applications for the proposed programs. The agency shall consider the conclusions of the advisory council and the reasons given in support of the conclusions.

12 MCAR § 3.157 Agreements. Any decision by the agency to select an application to administer funds pursuant to these rules shall be contingent upon the execution of an agreement, satisfactory to MHFA, between the MHFA and the administrator. The agreement shall include a detailed description of the program to be administered and shall provide:

A. The conditions for repayment, without interest, of all funds advanced by MHFA.

B. The circumstances under which MHFA shall provide assistance to the administrator and the amount of remuneration to be received by MHFA from the administrator for its assistance and monitoring.

C. Except for loans made under programs administered by MHFA, the final decision on applications for loans to eligible borrowers shall be made by the administrator and the duties of the originator and rights of MHFA shall be the same as those provided for the tribe, band, and communities and MHFA pursuant to 12 MCAR §§ 3.104, 3.107, and 3.108.

D. Any other provision deemed necessary by MHFA in its reasonable discretion to assure that the program will be carried out.

STATE CONTRACTS

Pursuant to the provisions of Laws of 1978, ch. 480, 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.

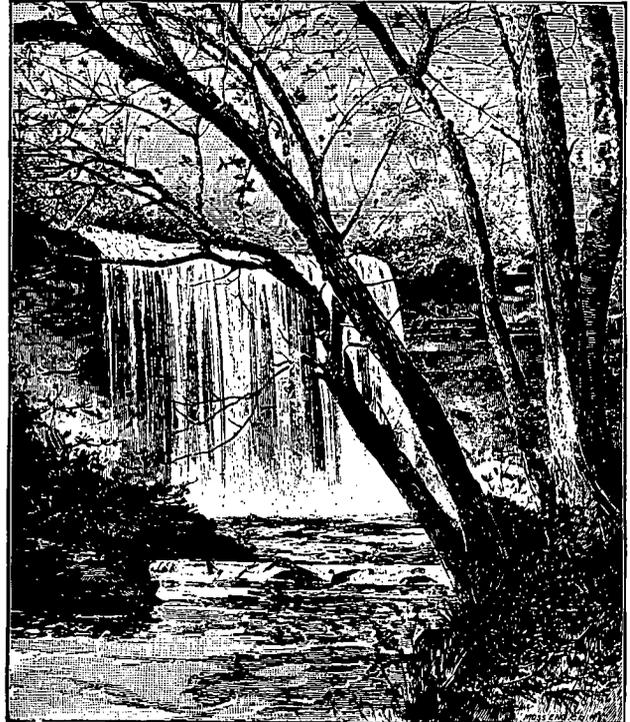
Department of Administration Information Systems Division

Notice of Availability of Contract to Complete Development and Installation of a County Welfare Social Services Information System

This contract will entail approximately 300 hours of program design, coding, documentation, testing and installation. The initial portions of the system must be in operation by January 15, 1979. The system will be implemented on a stand-alone micro processor terminal with two floppy-discs and a page printer. Language to be used is BASIC, the micro processor is a 6800. System design envisions subsequent transfer to other hardware using BASIC, up to and including IBM 370 systems.

Respondents should submit resumes of individuals available to start November 6, 1978 who are heavily experienced in BASIC, have worked with micro-based systems using BASIC and have at least three years of experience in program design, coding and implementation. (The system is intended to be "turnkey" in nature, to be turned over to unsophisticated, noncomputer trained personnel for operation, and must be as foolproof as time and budget constraints allow.)

Bids in the form of resumes and hourly rate schedules must be received by October 25, 1978, at 4:30 p.m., and should be addressed or delivered to:



Minnehaha Falls was called Little Falls or Brown's Falls by early Minnesota pioneers and soldiers. But its Dakota name best describes the 53-foot cataract: Minnehaha, "laughing waters." There is no record of the Dakota maiden Minnehaha of Longfellow's "Song of Hiawatha." In fact, Longfellow never visited the falls, but owned a daguerreotype of it and worked from descriptions in books. (Reprinted from *An Illustrated History of Minnesota*, T. H. Kirk, 1887)

Ronald Larson
Programming Manager
Information Systems Division
5th Floor, Centennial Building
St. Paul, MN 55155

Questions on system details should be addressed to:

Tony Shostak
Project Manager
Minnesota Department of Public Welfare
690 Robert Street
St. Paul, MN 55101
Telephone: (612) 296-2086

State Planning Agency Administrative Division

Notice of Request for Proposals for Auditing Services

The Minnesota State Planning Agency is seeking the services of a Certified Public Accountant to: Perform an audit examination of financial statements of the State Planning Agency covering \$729,000 — total of (two) 2 grants from the United States Department of Commerce under the Coastal Zone Management Act during the period of June 30, 1975 through January 31, 1978.

The examination should be of sufficient scope to evaluate the fairness of the financial statements in conformity with general accepted auditing standards and appropriate federal audit guides, including a review of internal control procedures and such tests of transactions as are deemed necessary for the expression of an opinion.

For further information contact:

Leo M. Steiner
Administrative Services Director
State Planning Agency
550 Cedar Street
St. Paul, Minnesota 55101
(612) 296-6077

All proposals must be received by 4:30 p.m., October 30, 1978.

Notice of Request for Proposals for Auditing Services

The Minnesota State Planning Agency is seeking the services of a Certified Public Accountant to: Perform an audit examination of financial statements of the State Planning Agency covering \$299,594.00 Grant from the United States Department of Health, Education, & Welfare during the period of September 1, 1976 through June 30, 1977.

The examination should be of sufficient scope to evaluate the fairness of the financial statements in conformity with general accepted auditing standards and appropriate federal audit guides, including a review of internal control procedures and such tests of transactions as are deemed necessary for the expression of an opinion.

For further information contact:

Leo M. Steiner
Administrative Services Director
State Planning Agency
550 Cedar Street
St. Paul, Minnesota 55101
(612) 296-6077

All proposals must be received by 4:30 p.m., October 30, 1978.

Notice of Request for Proposals for Auditing Services

The Minnesota State Planning Agency is seeking the services of a Certified Public Accountant to: Perform an audit examination of financial statements of the State Planning Agency covering \$235,000 grant from the United States Department of Commerce under the Economic Development Act during the period of October 1, 1977 to September 30, 1978.

The examination should be of sufficient scope to evaluate the fairness of the financial statements in conformity with general accepted auditing standards and appropriate federal audit guides, including a review of internal control procedures and such tests of transactions as are deemed necessary for the expression of an opinion.

For further information contact:

Leo M. Steiner
Administrative Services Director
State Planning Agency
550 Cedar Street
St. Paul, Minnesota 55101
(612) 296-6077

All proposals must be received by 4:30 p.m., October 30, 1978.

Notice of Request for Proposals for Auditing Services

The Minnesota State Planning Agency is seeking the services of a Certified Public Accountant to perform an audit examination of financial statements of the State Plan-

STATE CONTRACTS

ning Agency covering Three (3) grants totalling \$756,000 from the United States Department of Health, Education and Welfare during the period of 1975, 1976 and 1977.

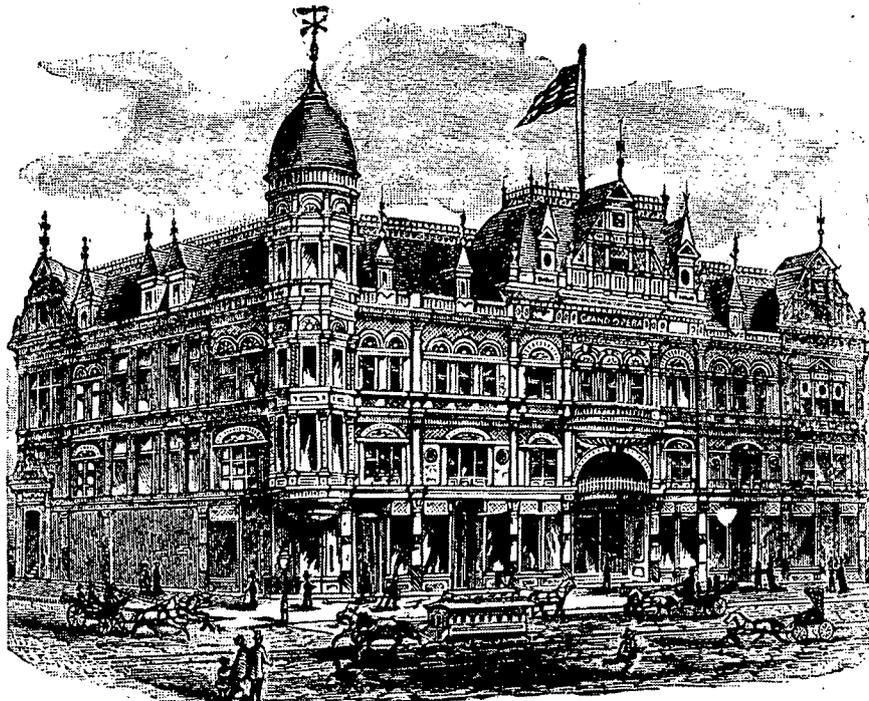
The examination should be of sufficient scope to evaluate the fairness of the financial statements in conformity with general accepted auditing standards and appropriate federal audit guides, including a review of internal control procedures and such tests of transactions as are deemed necessary for the expression of an opinion.

For further information contact:

Leo M. Steiner
Administrative Services Director
State Planning Agency
550 Cedar Street
St. Paul, Minnesota 55101
(612) 296-6077

All proposals must be received by 4:30 p.m., October 30, 1978.

OFFICIAL NOTICES



The Temple Opera House in Duluth, built in 1886, was a combination Masonic Temple and opera theater. Modeled after Boston's Bijou Theater, its architecture was Moorish, using Arcadian brownstone, pressed brick and tiles. *The Northwest Magazine* of 1886 called the 1,800-seat theater "one of the neatest buildings of its kind in the country." (Minnesota Historical Society)

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 Commerce

Notice of Intent to Solicit Outside Opinion Regarding Proposed Rules Governing Common Stock Offerings

Notice is hereby given that the Securities Division has begun considerations of revisions in the regulations relating to initial registration of common stock offerings and their continuing registration. In order to adequately determine the nature and utility of such rules, the Securities Division hereby requests information and comments from all in-

terested individuals or groups concerning the subject matter of the proposed rules.

All interested or affected persons or groups are requested to participate. Statements of information and comment may be made orally or in writing. Written statements of information and comment may be addressed to:

Department of Commerce
Securities Division, Securities Rules
500 Metro Square Building
St. Paul, Minnesota 55101

The proposed revisions, if adopted, may include, pursuant to Minn. Stat. ch. 80A, changes to SDiv 2029 through 2041 and other rules impacting on common stock offerings.

October 10, 1978

Thomas E. Collins
Securities Division

Energy Agency**Minnesota Power & Light Company
and United Power Association
Application for a Certificate of
Need for a Large Electric
Generating Facility****Order for Rehearing and Notice Thereof**

It is hereby ordered and notice is hereby given that the contested case hearing concerning the above-entitled matter will reconvene at 9:30 a.m. on December 11, 1978, in Courtroom No. 2, Fourth Floor, Federal Building, 515 West First Street, Duluth, Minnesota. This matter is being reheard upon the Application for Change of Size and In-Service Date filed by Minnesota Power & Light Company (hereinafter "MP&L") on September 14, 1978. MP&L's application was submitted and the reconvening of hearing is made pursuant to 6 MCAR § 641 B.1. and C.1. and Minn. Stat. § 116H.13. A prehearing conference will be held at 10:00 a.m. on November 3, 1978, in the Hearing Room at the Office of Hearing Examiners, Room 300, 1745 University Avenue, St. Paul, Minnesota.

The rehearing will be held before Myron Greenberg, Hearing Examiner, Room 300, 1745 University Avenue, St. Paul, Minnesota 55104, telephone (612) 296-8109, an independent hearing examiner appointed by the Chief Hearing Examiner of the State of Minnesota. All parties have the right to be represented by legal counsel, any other representative of their choice, or themselves, if not otherwise prohibited as the unauthorized practice of law. The rehearing will be conducted pursuant to Minn. Stat. § 116H.13 and the contested case procedures set out in Minn. Stat. §§ 15.0411 through 15.052 and rules Minn. Regs. HE 201-222 and EA 500-520. Where the procedural rules conflict, the Hearing Examiner's Rules, HE 201-222, supersede the Agency's rules, EA 500-520. Questions concerning the issues raised in this Order or concerning informal disposition or discovery may be directed to Special Assistant Attorney General Dwight S. Wagenius, 720 American Center Building, 150 East Kellogg Boulevard, St. Paul, Minnesota 55101, telephone (612) 296-8278.

The purpose of the rehearing is to determine whether the original decision to grant a certificate of need for an 800-megawatt, coal-fired facility to be in service by November, 1984, should be modified. In its Application for Change of Size and In-Service Date, MP&L alleges, *inter alia*, that the Board of Directors of United Power Association (hereinafter "UPA") has adopted a resolution terminating its participation in and ownership of the facility. MP&L also alleges that the facility cannot and should not be completed by

November, 1984, as a result of delays in the site determination and in the taconite expansions necessitating the addition. MP&L proposes that the size of the facility be changed to 500 megawatts and that the in-service date be changed to November, 1986. In accordance with MP&L's proposal, the director orders this hearing to consider these issues.

MP&L is hereby directed to prefile its testimony (the original with the hearing examiner, one to each of the known intervenors, and ten copies to the Energy Agency) by November 17, 1978. The testimony, at a minimum, shall include the following information: (1) proof that UPA has terminated its participation in the project; (2) most current peak demand forecasts for the years 1978-1993, broken down into the categories of taconite mining, copper-nickel mining, other large loads, base loads by division, generating municipals, and D.C. line losses; (3) tables for the years 1978-1993 showing MP&L's projected system requirements, the accompanying reserve requirements, its projected total capacity obligation, its projected adjusted net capability, and resulting surpluses or deficits without the proposed facility; (4) an explanation of any changes in MP&L's projected adjusted net capability as a result of changes in purchases and sales or addition and retirement schedules; (5) MP&L's latest expectations regarding future expansions of the taconite companies and the basis for these expectations; (6) any changes regarding binding commitments by mining companies; (7) the current status of MP&L's conservation programs, including types and their effectiveness; (8) any impact the latest Public Service Commission decisions regarding rate structure and allowable expenses may have on the demand for electricity in MP&L's service area; (9) most current information regarding copper-nickel mining, including economics, quality of ore, and electricity requirements; (10) most current MAPP projections of demand and capacity and their relevance to MP&L's demand/capacity situation; (11) information regarding the current status of siting and its potential impacts regarding size, type and timing of the proposed facility; (12) economic information on various-sized facilities, including capital costs and operation and maintenance costs; and (13) any impact that changes in site, size and timing of the facility could have on MP&L's ability to use other fuels, such as wood or solid wastes.

The above-listed items are those considered particularly important at this time by the director. However, parties to the hearing may offer testimony regarding other matters related to the size, type and timing of the facility. The testimony of other parties to the proceeding must be prefiled on or before December 1, 1978, with the same distribution as applicant's testimony.

There already are four parties other than the applicants: the Society Concerned About a Ravaged Environment (SCARE), the Floodwood-Fine Lakes Citizens Group, The Great Lakes Gas Transmission Company and the Energy

OFFICIAL NOTICES

Agency staff. Any other person wishing to become a party to the proceeding must file a Notice of Intervention or a Petition for Leave to Intervene with the Hearing Examiner pursuant to Minn. Regs. EA 506 and HE 210(a). The Notice or Petition must be received by the Hearing Examiner on or before November 2, 1978, and a copy must be served on the Energy Agency, the applicant, and all parties to the proceeding. Later intervention may be allowed by the Hearing Examiner based on circumstances of the time of filing; however, early intervention is strongly encouraged. Petitioners to intervene should attend the prehearing conference. Parties must file a Notice of Appearance at least ten (10) days prior to the hearing. (The Notice of Appearance is not a substitute for a Petition to Intervene).

Any person who wishes to give testimony, present other evidence or exhibits, or note his appearance at the hearing may do so, pursuant to Minn. Reg. HE 210(e), without having attained party status by intervention. Registration forms for such appearances will be available at the hearing.

All persons are advised that no factual information or evidence which is not part of the hearing record shall be considered by the Hearing Examiner or by the Director in the determination of the above-entitled matter. Persons attending the hearing should bring all evidence bearing on the case including any records or other documents.

The procedural rules cited above are available for review at the Office of Hearing Examiners (Minn. Regs. HE 201-222) and at the offices of the Energy Agency (Minn. Regs. EA 500-520). The Director's Decisions of April 5, 1977, and November 4, 1977, the Application for Change of Size and In-Service Date, the substantive rules applicable to this matter, Minn. Regs. EA 601-638, and the prefiled testimony, when available, are also available for review at the offices of the Energy Agency, and at the following libraries: Duluth Public Library, Duluth, Minnesota; Environmental Conservation Library, Minneapolis; and the Legislative Reference Library, State Capitol, St. Paul, Minnesota. All rules may be purchased from the Documents Section, Department of Administration, 140 Centennial Building, St. Paul, Minnesota, 55155, telephone (612) 296-2874. The cited procedural rules provide generally for the procedural rights and obligations of the parties including the right to advance notice of witnesses and evidence, the right to present evidence and cross-examine witnesses, the right to purchase a record or transcript, the right to object to petitions for intervention, the obligation to meet certain time limits, the obligation to file proposed findings and conclusions, and the right to file comments on and exceptions to the findings and recommendation of the Hearing Examiner.

Parties are entitled to issuance of subpoenas to compel witnesses to attend and produce documents and other evidence. Requests for subpoenas must be made of the Hearing Examiner in writing, pursuant to Minn. Reg. HE 216.

If persons have good reason for requesting a delay in the hearing, the request must be made in writing to the Hearing Examiner at least 5 days prior to the hearing. A copy of the request must be served on the Agency and the other parties.

October 10, 1978

John P. Millhone
Director

Environmental Quality Board Power Plant Siting Notice of Acceptance of an Application for a Construction Permit for a 345,000 volt (kV) High Voltage Transmission Line Prairie Island—Minnesota/ Wisconsin Boundary

Note: This notice contains information about the acceptance by the Minnesota Environmental Quality Board of an application from Northern States Power Company to build the Minnesota portion of a 345 kilovolt transmission line from Prairie Island-Tyrone-Eau Claire. This notice also serves to provide notification of a public information meeting which will be held in the area to describe the project and the public participation and transmission line routing process as prescribed by Minnesota law.

On September 21, 1978, the Minnesota Environmental Quality Board (MEQB) formally accepted an application from Northern States Power Company (NSP) for a Construction Permit and Route Designation for the Minnesota portion of a single circuit 345 kilovolt (kV) alternating current transmission line and associated facilities. The proposed transmission line would connect the Prairie Island substation which is located north of Red Wing in Goodhue County, Minnesota and the Eau Claire substation located in Eau Claire County in Wisconsin. Northern States Power Company of Wisconsin will own and operate the portion of the line in Wisconsin and has applied to the Wisconsin Public Service Commission (WPSC) for need certification and construction permits.

Under the Minnesota Power Plant Siting Act as amended in 1977, the MEQB is the official state body authorized to determine the location of this line and to issue a construction permit for construction practices, right of way maintenance, electrical fields, complaints and abandonment. The MEQB must designate a route and issue a permit within one year.

OFFICIAL NOTICES

NSP has proposed four routes in Minnesota for this line (see accompanying map). It is important to note that a route can be a strip of land up to a mile and a quarter wide in which the right of way could be located. The routes proposed by NSP are approximately one-quarter mile wide. A right of way differs from a route in that it is the actual easement obtained by the utility on which the transmission line is built. In most cases, a final right of way is not designated by the MEQB in order to allow the landowner and the utility some room for negotiation on the final placement of the line.

The routes submitted by NSP in Minnesota vary in length from .5 of a mile to 7.7 miles. NSP has proposed five different tower types for the Minnesota part of the proposed transmission line. Right of way width requirements would vary from 90 feet (where the line parallels other rights of way) to 150 feet.

The process the EQB will follow in designating this route is spelled out in the EQB Rules "Routing High Voltage Transmission Lines and Siting Large Electric Power Generating Plants" (6 MCAR §§ 3.071-3.082, effective June 12, 1978). This process is outlined below. In addition, a public information meeting will be held in Goodhue County in Red Wing, to describe the project and the EQB process in detail.

Background Information: Copies of the application, rules governing the process and the Power Plant Siting Act will be available at the public library in Red Wing. As other information about this project becomes available, it will also be placed there.

Public Advisor: A public advisor has been appointed to assist and advise interested persons in how to take part in this process. His name is William Green. He can be contacted at 550 Cedar Street, St. Paul, Minnesota 55101, telephone (612) 296-9923.

Information Meeting: Power Plant Siting staff will explain the power line project and the state routing process, answer questions, and introduce members of the Route Evaluation Committee appointed by the EQB. Representatives of NSP will also be present. The meeting date and location are as follows:

October 25 (Wednesday), 7:30 p.m., Foot Room, Red Wing Public Library.

Route Evaluation Committee: A committee of local residents appointed by the EQB will study routes for this line and recommend one to the EQB. The committee may also suggest additional routes. Its meetings are open to the public and anyone interested in the line route is encouraged to attend.

Public Hearings: Formal public hearings on the route proposals will be held at a later date which will be announced in local newspapers at least 10 days in advance but no earlier than 45 days prior to such hearings. Persons who wish to receive a notice of these hearings should contact the EQB.

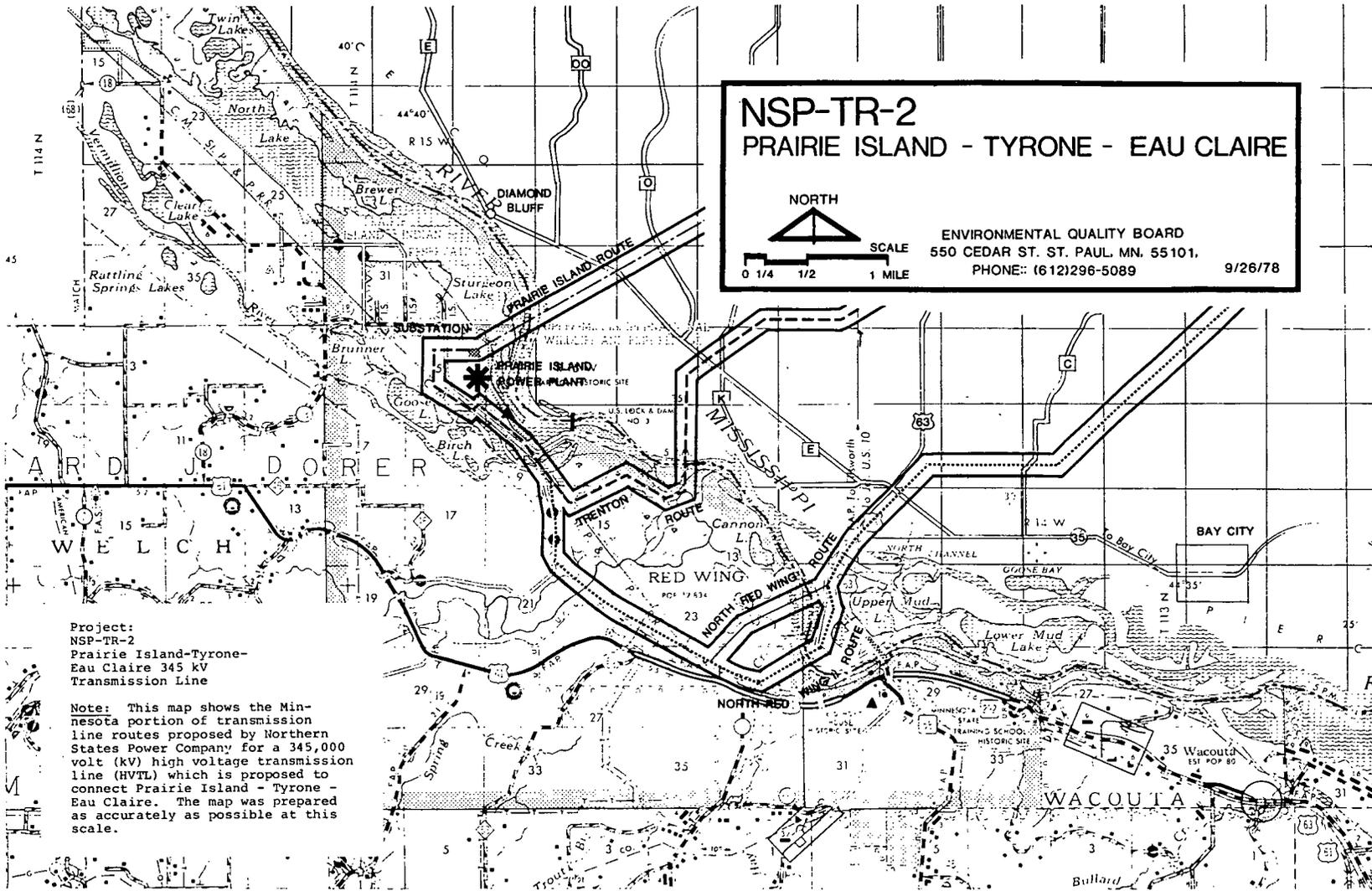
Additional Route Proposals: Persons who wish to suggest additional routes for this line may do so. Route proposals should be submitted to Larry Hartman, Environmental Quality Board, (address below) telephone (612) 296-5089. The suggested route or route segment proposal must be specifically located on the appropriate general county highway map (available from the Minnesota Department of Transportation) or on the appropriate United States Geological Survey Topographical maps. Certain additional information about the route or route segment must also be included.

More specific information regarding procedures for proposing additional routes are detailed in 6 MCAR § 3.073f (1978). This rule must be followed when such proposals are offered. Anyone who wishes to propose an additional route should contact the EQB immediately regarding requirements and time limits for route proposals.

MINNESOTA ENVIRONMENTAL QUALITY BOARD
550 Cedar Street, Room 100
St. Paul, Minnesota 55101
Telephone: (612) 296-5089

Dated this 5th day of October, 1978.

Peter Vanderpoel, Chairman
Environmental Quality Board



NSP-TR-2
PRAIRIE ISLAND - TYRONE - EAU CLAIRE

NORTH

SCALE
 0 1/4 1/2 1 MILE

ENVIRONMENTAL QUALITY BOARD
 550 CEDAR ST. ST. PAUL, MN. 55101.
 PHONE: (612)296-5089 9/26/78

Project:
 NSP-TR-2
 Prairie Island-Tyrone-
 Eau Claire 345 kV
 Transmission Line

Note: This map shows the Min-
 nesota portion of transmission
 line routes proposed by Northern
 States Power Company for a 345,000
 volt (kV) high voltage transmission
 line (HVTL) which is proposed to
 connect Prairie Island - Tyrone -
 Eau Claire. The map was prepared
 as accurately as possible at this
 scale.

230 Kilovolt Power Line Planned for Sauk Rapids-Milaca Area

Note: This notice contains information about the acceptance by the Minnesota Environmental Quality Board of an application from United Power Association, Inc. to build a 230 kilovolt power line from southeastern Benton County to Milaca, Minnesota. It also serves to provide notification of two public information meetings which will be held in the area to describe the project and the public participation process set up by state law.

On September 21, 1978, the Minnesota Environmental Quality Board (MEQB) formally accepted an application from United Power Association, Inc. (UPA) for a Construction Permit and Route Designation for a single circuit 230 kilovolt alternating current transmission line and associated facilities. The proposed line would connect an existing substation which is located about five miles east of Sauk Rapids in Benton County with a substation to be constructed by UPA on the east side of Milaca in Mille Lacs County.

Under the Power Plant Siting Act as amended in 1977, the MEQB is the official state body authorized to determine the location of this line and to issue a construction permit for it. The permit will contain provisions related to clearing, construction practices, right of way maintenance, electrical fields, complaint and abandonment. The MEQB must designate a route and issue a permit within one year.

UPA has proposed a preferred and an alternate route for this line (see attached map). It is important to note that a route is a strip of land up to a mile and a quarter wide in which the right of way could be located. A right of way differs from a route in that it is the actual easement obtained by the utility on which the line will be built. In most cases, a final right of way is not designated by the MEQB in order to allow the landowner and the utility some room for negotiation in the final placement of the line.

The preferred route submitted by UPA is approximately 27 miles in length, and the alternate route is approximately 32 miles long. The proposed line consists of a single circuit 230 kV line constructed with wooden H-frame poles. These poles would be from 70 to 90 feet tall, depending on terrain, and would be placed approximately 80 feet apart. Right of way width requirements would vary from 80 feet (where the line parallels other rights of way) to 130 feet.

The process of EQB will follow in designating this route is spelled out in the EQB Rules "Routing High Voltage Transmission Lines and Siting Large Electric Power Generating Plants" (6 MCAR §§ 3.071-3.082, effective

June 12, 1978). This process is outlined below. In addition, two public information meetings will be held, one in Benton County in Foley, and one in Mille Lacs County in Milaca, to describe the project and the EQB process in detail. The meeting information is as follows:

October 19 (Thursday), 7:30 p.m., Foley, Benton County Courthouse, Courtroom #1

October 23 (Monday), 7:30 p.m., Milaca, High School Little Theater

Background Information: Copies of the application, rules governing the process and the Power Plant Siting Act will be available at public libraries in Foley, Milaca, Princeton and St. Cloud. As other information about this project becomes available it will also be placed there. All information can also be obtained from the EQB offices.

Public Advisor: A public advisor has been appointed to assist and advise interested persons in how to take part in this process. His name is William Green. He can be contacted at the Environmental Quality Board (address below), telephone (612) 296-9923.

Information Meeting: At this meeting staff will explain the power line project and the state routing process, answer questions and introduce members of the Route Evaluation Committee appointed by the EQB. Representatives of UPA will also be present. Meeting dates and location are listed above.

Route Evaluation Committee: A committee of local residents appointed by the EQB will study routes for this line and recommend one to the EQB. The committee may also suggest additional routes. Their meetings are open to the public and anyone interested in the line route is encouraged to attend.

Public Hearings: Formal public hearings on the route proposals will be held at a later date which will be announced in local newspapers. Persons who wish to receive a notice of these hearings should contact the EQB.

Additional Route Proposals: Persons who wish to suggest additional routes for this line may do so. Route proposals should be submitted to Jenifer Callaway or Larry Hartman, Environmental Quality Board, (address below) telephone (612) 296-2503. The suggested route or route segment must be set out specifically on the appropriate general county highway map (available from the Minnesota Department of Transportation) or on the appropriate United States Geological Survey Topographical maps. Certain information about the route or route segment must also be included.

Anyone who wishes to propose an additional route should

OFFICIAL NOTICES

contact the EQB immediately regarding requirements and time limits for route proposals.

MINNESOTA ENVIRONMENTAL QUALITY BOARD
550 Cedar Street, Room 100
St. Paul, Minnesota 55101
Telephone: 612/296-2096

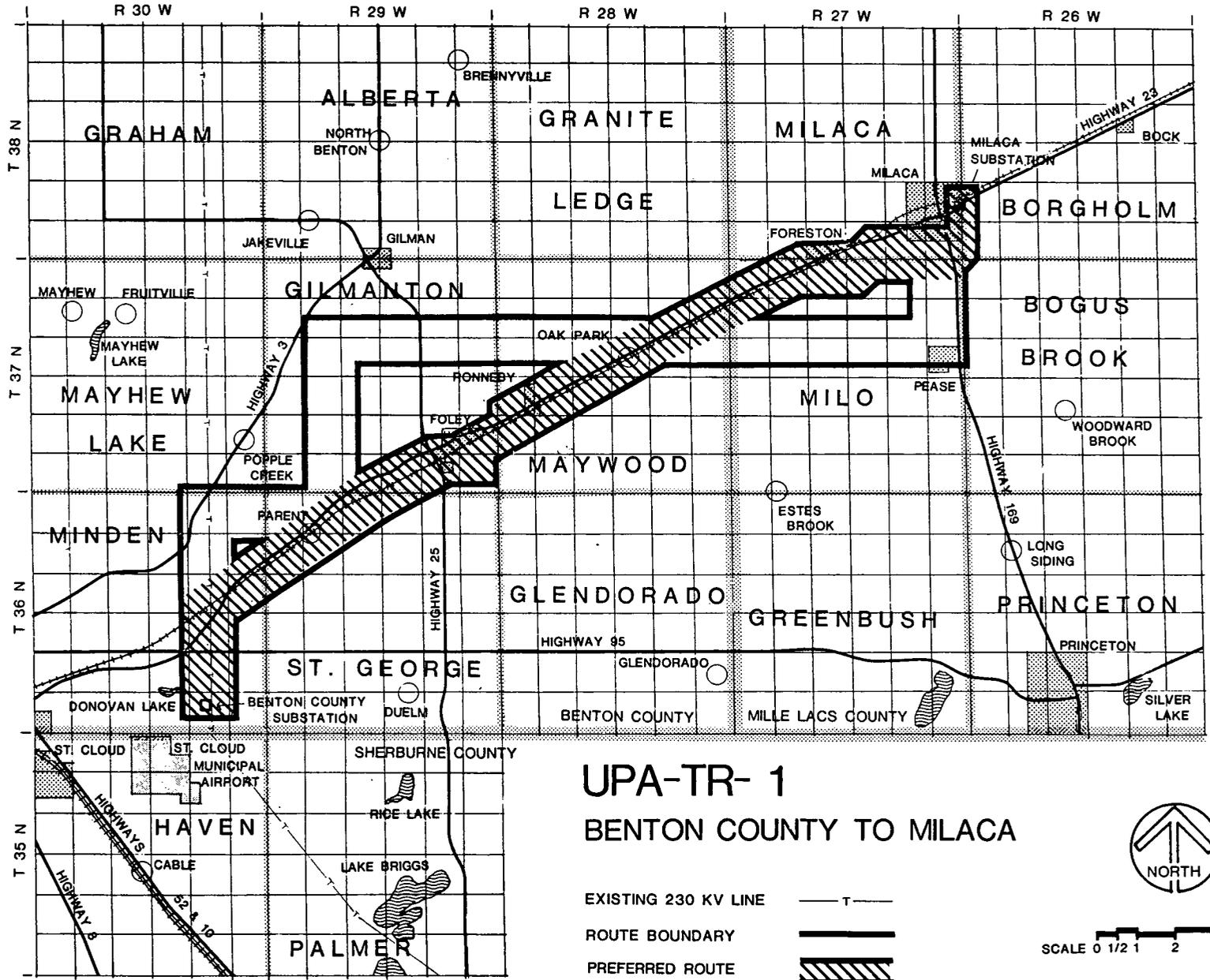
Dated this 2nd day of October, 1978.

Mary Sullivan
EQB Administrator

(CITE 3 S.R. 739)

STATE REGISTER, MONDAY, OCTOBER 16, 1978

Page 739



UPA-TR- 1
BENTON COUNTY TO MILACA

- EXISTING 230 KV LINE ——— T ———
- ROUTE BOUNDARY —————
- PREFERRED ROUTE // // //


 NORTH


 SCALE 0 1/2 1 2 4 MILES

ENVIRONMENTAL QUALITY BOARD
 550 CEDAR ST. ST. PAUL, MN 55101
 PHONE: (612)296-2169 9/28/78

**Department of Personnel
Notice of Intent to Solicit Outside
Opinion Regarding Proposed
Rules Governing the Statewide
Affirmative Action Program**

Notice is hereby given that the Department of Personnel is seeking information or opinions from sources outside the agency in preparing to propose rules implementing laws of 1978, ch. 708 relating to the statewide affirmative action program.

The department invites interested persons or groups to submit information or comments on the statewide affirmative action plan in writing or orally to Stanley Gardner, State Director of Equal Opportunity, 3rd Floor, Space Center Building, 444 Lafayette Road, St. Paul, Minnesota 55101.

**Department of Public
Welfare
Medical Assistance
Division**

**Correction to Notice of Extension
of Comment Period Concerning
the Surveillance and Utilization
Review Program**

This notice hereby corrects an error in the Department of Public Welfare's extension of the comment period for the Notice of Solicitation of Outside Opinion concerning draft Rule DPW 64, published at *State Register*, Monday, September 18, 1978 (3 S.R. 583).

The extension notice incorrectly referred to Rule DPW 64, Surveillance and Utilization Review, as a proposed rule. Rule DPW 64 is not a proposed rule; rather, it is a rule in working draft stage only.

STATE OF MINNESOTA
OFFICE OF THE STATE REGISTER

Suite 415, Hamm Building
408 St. Peter Street
St. Paul, Minnesota 55102
(612) 296-8239

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