



# STATE REGISTER

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## STATE OF MINNESOTA

EXECUTIVE ORDERS

RULES

SUPREME COURT

STATE CONTRACTS

OFFICIAL NOTICES

VOLUME 3, NUMBER 27

JANUARY 8, 1979

Pages 1361-1392

# STATE REGISTER

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## Printing Schedule for Agencies

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\*\*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.

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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. 188

### Providing for Equal Opportunity in State Procurement

I, Rudy Perpich, Governor of the State of Minnesota, by virtue of the authority vested in me by the Constitution and applicable statutes, do hereby issue this Executive Order.

Whereas, The State of Minnesota is committed by statute to provide and promote procurement opportunities for small businesses owned by socially and economically disadvantaged persons; and,

Whereas, the State of Minnesota has responsibility beyond those legal requirements to insure optimum use of all state human resources and to assist in providing economic opportunities for all its citizens, including those who are socially and economically disadvantaged, so as to insure their participation in the economic mainstream of the State.

Now, therefore, I order:

1. The Executive Branch of State Government, over and above those applicable legal requirements of existing state and federal law, shall take immediate action to insure procurement and contract opportunities in all state agencies for small businesses owned by socially and economically disadvantaged persons as defined in Minn. Stat. § 16.082 (1978).

2. Each agency head shall insure his or her agency's compliance with this order. Each agency head shall develop, implement, and maintain in the agency a plan to provide procurement and contract opportunities for small businesses owned by socially and economically disadvantaged persons. Plans shall not be inconsistent with existing statutes and rules relating to procurement of goods or services.

3. There is established the Governor's Council on Equal Business Opportunity to consist of the Commissioners of Administration, Economic Development, Human Rights, Transportation, Economic Security, Education, and the Executive Director of the Minnesota Housing Finance Agency, or their duly appointed representatives. The Council will report directly to the Governor on its activities. The Council shall devise and sponsor procurement related training courses, collect and distribute information to other government agencies, and promote a general awareness of programs to assist small businesses owned by socially and economically disadvantaged persons.

4. The Commissioner of Economic Development shall be responsible for public advocacy on behalf of this program.

Pursuant to Minn. Stat. § 4.035 (1978), this order shall be effective 15 days after its publication in the *State Register* and filing with the Secretary of State 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.

In testimony whereof, I hereunto set my hand on this 21st day of December, 1978.



# 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 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.

## Department of Education Board of Education

### Adopted Rules Governing the Standard for Determining School Segregation and Community Services Dealing Specifically with the Limitations on Aids and Levies and the Annual Reporting Date

The proposed rules published at *State Register*, Volume 3, Number 1, pp. 28-30, July 10, 1978, (3 S.R. 28) are identical to their proposed form with the following amendments.

#### Rules as Adopted

##### Chapter Thirty-One: Rules Relating to Equality of Educational Opportunity and School Desegregation

#### EDU 621 Definitions.

C. Segregation occurs in a public school district when the minority composition of the pupils in any school build-



The earliest English trading explorer to arrive in Minnesota, Jonathan Carver planned to lead an expedition seeking a northwest passage to the Pacific, but went only a short distance up the Minnesota River. In 1776 he discovered and named Carver's Cave on the Mississippi River in present-day St. Paul. This drawing appeared in the third edition of *Carver's Travels*, published in London in 1781. (Courtesy of Minnesota Historical Society)

ing exceeds the minority racial composition of the student population of the entire district, for the grade levels served by that school building, by more than 15 percent.

#### EDU 625 Contents of plan: approval or rejection.

A. The 15 percentage points requirement of EDU 621 C., shall be used as the standard for local school boards in the process of developing plans to remove racial segregation in the district.

Notwithstanding the 15 percentage points standard, the commissioner ~~may~~ shall, if the local board can justify an educational reason for a variance to the state board from the comprehensive school desegregation plan submitted, approve school desegregation plans that vary from the standard except the variance may not cause any school building to exceed 50 percent minority enrollment.

An educational reason shall include the effect on bicultural and bilingual programs, making magnet schools available to minorities, effectiveness of school pairing programs, and other educational programs that should result in a better education for the children involved. In determining whether the educational reason put forth by the district justifies the variance, the state board shall determine whether other alternatives are educationally and economically available to the district such that the variance is not needed.

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## Chapter Thirty-Four: Community Services

### EDU 687 Annual report.

Each year on or before August 15, each district having a community service levy shall report to the department of education on forms authorized by the commissioner.

## Department of Natural Resources

### Adopted Rules for Public Use of State Parks, Forest Campgrounds and Forest Day Use Areas

The proposed rules published at *State Register* Volume 2, Number 15, pp. 777-784 October 17, 1977 (2 S.R. 777) are adopted in their proposed form with one change. The rules were proposed as NR 1 State Parks and NR 10 State Forest Campgrounds. At the suggestion of the Hearing Examiner and to avoid duplication the two rules were combined into one — NR 1 — as titled below. There were no substantive changes in the text and to minimize any possible confusion the adopted rule is being printed in its entirety.

#### Rule as Adopted

**NR 1 Public use of state parks, recreational areas, historic sites, waysides, forest campgrounds and forest day use areas.**

##### A. Authority and scope.

1. These rules apply to those state parks, recreational areas, historic sites, waysides, forest campgrounds and forest day use areas which are under the control of or operated by the Commissioner of Natural Resources.

2. The purpose of these rules is to provide for public enjoyment of the same in a way that will leave them unimpaired and minimize conflicts among users.

3. These rules shall not apply to any person lawfully engaged in the performance of his duties in the development, maintenance and operation of these areas including, but not limited to, the Commissioner of Natural Resources, his agents, employees, those persons operating under contract with the Department of Natural Resources and law enforcement officers.

4. These rules are authorized by Minn. Stat. §§ 84.03, 85.05, 89.031 and 89.21.

##### B. Penalty.

Any person who violates any of these rules is guilty of a misdemeanor and subject to immediate removal from the park, forest campground or forest day use area and to appropriate legal action.

##### C. Definitions.

For the purpose of these rules, unless a different meaning is manifest from the context, the terms defined in this section have the meanings given them.

1. "Commissioner" means the Commissioner of Natural Resources, State of Minnesota, acting directly or through his authorized agents.

2. "State park" means all of those areas over which the Commissioner of Natural Resources has regulatory authority within the confines of any legislatively designated state park, state recreation area, state wayside, or state historic site.

3. "Forest day use area" means a posted area to be used for day time activities such as picnic areas, swimming beaches, boat accesses and the like.

4. "Forest campground" means those areas developed and maintained by the Commissioner on state lands administered by the Division of Forestry for camping and related recreational activities.

5. "Person" means any individual, partnership, corporation or association.

6. "Intoxicating liquor" means intoxicating liquor as defined in Minn. Stat. § 340.07 and intoxicating malt liquors as defined in Minn. Stat. § 340.401.

7. "Shelter" means equipment used to sleep in or on, excluding sleeping bags. Examples are tents, trailers, pick-up campers, buses, station wagons, motor homes and boats.

8. "Beach" means that part of a body of water and shore designated for swimming and sunning.

9. "Motor vehicle" means any self-propelled vehicle including but not limited to, automobiles, trucks, dune buggies, mini-bikes, motorcycles, trail bikes and all terrain vehicles (AVT's), but not including snowmobiles.

**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."

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10. "Snowmobile" means any self-propelled vehicle designed for travel on snow or ice and steered by skis or runners.

11. "Watercraft" means any contrivance used or designed for navigation on water other than (a) duck boats during the duck hunting season, (b) rice boats during the harvest season, or (c) seaplanes.

## D. When open.

### 1. State parks.

a. State parks will be open each day of the year from 8:00 a.m. to 10:00 p.m., except trails otherwise posted, and during emergencies.

b. After 10:00 p.m. until 8:00 a.m., no person shall enter or remain in a state park unless he is a member of a registered camping party, or a registered cabin or lodge guest. Park managers may, at their discretion, allow entry earlier than 8:00 a.m.

### 2. Forest campgrounds and forest day use areas.

a. Forest campgrounds and forest day use areas will be open officially from the first Saturday in May through the second Sunday in September. Except for unusual circumstances such as fire emergencies and site rehabilitation, the public shall be allowed access to these areas during the entire year.

b. Forest day use areas will be open from 6:00 a.m. to 10:00 p.m.

## E. Personal conduct.

1. A person's conduct shall be as prescribed in Minn. Stat. § 609.72.

2. No person shall use a public address system, amplifier or power equipment, or otherwise make noise of a volume tending reasonably to arouse alarm, anger, or resentment in other park users, without prior permission from the park manager or forest officer.

3. It is unlawful for any person to consume intoxicating liquors.

4. A person's possession and use of drugs shall be in accordance with state laws.

## F. Public safety; hunting.

1. While in a state park, or while in a forest campground or forest day use area during the official open season for these areas, it is unlawful for any person to:

a. possess explosives of any kind;

b. possess a firearm, including an air gun, unless the firearm is unloaded both in barrel and magazine and completely contained in a gun case expressly made for that purpose, which is fully enclosed by being zipped, snapped, buckled, tied or otherwise fastened, or unless unloaded and contained in the trunk of a car with the trunk door closed;

c. possess a bow and arrows, unless either unstrung or completely contained in a case or contained in the trunk of a car with the trunk door closed;

d. use or display any other type of weapon including but not limited to slingshots, switchblade knives, and traps.

2. When hunting or trapping is authorized in a state park, the restrictions of F.1. above on firearms, bows and arrows and traps are waived to the extent necessary to allow the authorized activity.

## G. Environmental protection.

The environment is for the enjoyment of all. Therefore, no person shall disturb, destroy, injure, damage, molest or remove any state property, including but not limited to wildflowers or vegetation of any kind dead or alive, ruins, wildlife, geological formations, signs, or facilities, except edible fruit, mushrooms and wild animals legally taken and vegetation unavoidably damaged or destroyed by the ordinary uses of these areas as specifically permitted by these rules. Collections for scientific and educational purposes may be made with the written consent of the Commissioner previously obtained. Damaging rock with rock-climbing equipment is forbidden.

## H. Fires and refuse.

1. It is unlawful to build a fire except in a fireplace or a fire ring provided for that purpose. However, portable gas or liquid fueled camp stoves or charcoal burners may be used within a camping or rest area if such use does not create a hazard or danger to the area or to others.

2. The Commissioner may limit or ban fires when he declares that a forest fire emergency exists. Such declaration will be posted conspicuously at the entrance of the area affected.

3. Where firewood is provided at no charge its use shall be within reasonable limits.

4. Minn. Stat. § 85.20, subd. 6, and § 609.68, forbidding littering, are incorporated in this rule by reference.

5. Where refuse receptacles are provided, they shall



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only be used for refuse generated at the area. Refuse is to be removed from areas where receptacles are not provided.

### I. Pets.

Pets are permitted, provided no person shall allow any dog, cat, or other pet animal to enter any building or beach; or permit any dog, cat, or other pet animal to be unrestrained. Such animals shall be effectively restrained by a portable enclosure or by a leash not exceeding six feet and shall be personally attended, and such animals shall not deprive or disrupt the enjoyment or use of any area by other persons.

### J. Picnicking.

Picnicking is not permitted except in designated picnic areas. No person or group of persons shall unreasonably exclude others from a picnic area or shelter.

### K. Camping area.

#### 1. State parks.

a. Camping is permitted only at assigned sites in designated camping areas.

b. A person may not camp in the same state park for more than 14 days aggregate during the period of June 15 through Labor Day, provided, however, that the park manager may in his discretion allow camping for such additional days as he may prescribe when conditions of nonuse so warrant.

c. Each camping party must register.

(1) A senior responsible person of a camping party may register for the group, giving the number in the group. Names may be requested.

(2) Registration must be in person.

(3) The rental period must begin with the day of registration, and must be paid in full at registration. The registration may be cancelled if the site is not personally occupied the first night.

(4) Camping permits shall expire at 4:00 p.m.

d. A campsite may be occupied by:

(1) Any group of six or less using one shelter for sleep; or by

(2) A family using one shelter, and an additional shelter with prior approval of the park manager. A family consists of a father and/or mother accompanied by any of the following: their parents, their children, and their blood relatives.

#### 2. Forest campgrounds and forest day use areas.

a. A nominal charge per campsite per night shall be collected in certain forest campgrounds. The determination of camping fees shall be based upon the nature and cost of facilities provided. Campers must pay the camping fee immediately upon occupying a campsite.

b. Camping is permitted only in designated camping areas within the prescribed limitations for the particular camping area.

c. Each camping party must register. The senior responsible person of a camping party may register for the group giving the number therein.

d. Camping shall be limited to a total period of fourteen days in any one forest campground during the period from the first Saturday in May through the second Sunday in September, provided, however, that the forest officer of any forest campground in his discretion, allow camping for such longer periods as he may prescribe when conditions or nonuse so warrant.

e. At all fee camping areas the campsite must be occupied by a member of the party on the first night of the permit.

f. Camping permits in fee campgrounds shall expire at 4:00 p.m.

g. Setting up camp between the hours of 10:00 p.m. and 6:00 a.m. is prohibited.

h. Any group desiring to occupy more than two campsites must obtain prior approval from the forest officer.

i. Only one individual, family or group shall occupy a single campsite. A group other than a family cannot exceed eight people.

3. It shall be unlawful for any person to install or affix in a permanent manner any camping facility, equipment, or structure.

4. The placement of tent stakes or anchors in the

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ground for the erection of tents is permitted. Digging or excavating is prohibited.

5. A watercraft used for shelter or sleeping which is tied on water frontage constitutes camping and is subject to these rules.

6. In camping areas, the hours between 10:00 p.m. and 8:00 a.m. are for outdoor solitude, and it shall be unlawful to make noise at a level above that of a quiet conversation.

### L. Boating.

1. Boating conforming to Minnesota laws and rules is permitted on waters within or adjacent to state parks, forest campgrounds and forest day use areas.

2. On any lake entirely within a state park, no person shall waterski or surf, or operate a watercraft in excess of 10 miles per hour, unless the lake is otherwise designated and posted.

### M. Fishing.

1. Fishing conforming to Minnesota laws and rules is permitted in the waters adjacent to state parks, forest campgrounds, and forest day use areas.

2. If a fish clearing facility is provided, no person shall clean fish and dispose of the remains except at that place.

### N. Beaches; swimming — state parks.

1. No person shall swim in a state park except at beaches designated for such use, and as directed by the lifeguard, if one is present.

2. It is unlawful on a beach:

- a. To allow any dog or other pet to enter;
- b. To possess glass containers;
- c. While in the water, to use air mattresses, inner tubes and other flotation devices not approved by the Coast Guard;
- d. To use the beach before sunrise or after sunset;
- e. To enter with any boat, canoe or raft;
- f. To fish;
- g. To swim beyond boundary buoy or marker;

h. To engage in any activity which is hazardous and could cause injury to others;

i. To use any soap, detergent or shampoo; and

j. To change clothes except in structures designated for such use.

### O. Motor vehicle permits — state park.

1. Requirements for motor vehicle permits for entry into state parks shall be as stated in Minn. Stat. § 85.05, Subd. 2 (a) and (c).

2. The permit shall be affixed by its own adhesive to the lower right-hand corner of the windshield.

### P. Motor vehicle use; boats, trailers, fish house.

1. Only motor vehicles which are licensed and which may be driven on Minnesota highways may be operated within state parks, forest campgrounds and forest day use areas. The operator must have a valid driver's license.

2. The motor vehicle may be operated only on designated roads and parking areas, and may be parked only in designated parking areas. It may not be driven on roads which are posted, chained or gated prohibiting motor vehicles.

3. The motor vehicle shall not be operated in excess of posted speeds or in a reckless or careless manner.

4. Within forest campgrounds and forest day use areas:

a. No person shall leave standing, whether attended or unattended a motor vehicle, trailer, or boat in any manner so as to block, obstruct, or limit the use of any road, trail, waterway, or winter sport facility.

b. No vehicle, trailer, boat, fish house, or any other equipment or material may be stored or abandoned. This paragraph shall not apply, however, to the temporary storage of such items by a person who remains in the immediate vicinity.

c. Any vehicle, trailer, boat, fish house, or any other equipment or material left for a period longer than thirty days shall be deemed abandoned and shall be transferred to the custody of the Commissioner of Administration for disposal pursuant to Minn. Stat. § 16.0231.

### Q. Snowmobiles — state parks.

1. No person shall operate a snowmobile in a state park unless on trails and areas posted and designated for

## RULES

such use, under conditions of snow cover considered adequate for protection of the park by the park manager.

2. Within state parks no snowmobile shall be operated before 8:00 a.m. or after 10:00 p.m., except as otherwise posted.

### R. Non-motorized use.

1. People on foot may go anywhere that is not posted otherwise.

2. No person shall ride or lead or have a horse except on trails and areas designated for such.

3. People riding bicycles may go where motor vehicles are allowed, and on trails and areas designated for such use.

### S. Restricted areas.

It shall be unlawful to enter by any means a posted restricted area.

### T. Aircraft.

It is unlawful for any person to land any aircraft on lands or waters totally within the boundaries of any state park except by permit, or on a designated airport, or landing strip, or in making an emergency landing, conducting rescue operations, or in conducting or assisting in the conducting or assisting in the conduct of official business of the United States of America, the State of Minnesota, or the county in which the park is located.

### U. Protection from peddling and soliciting.

It is unlawful for any person to engage in or solicit business of any nature whatsoever from visitors, except for authorized concessions, without the prior written consent of the park manager or forest officer.

### V. Suspension of rules.

In situations of emergency the Commissioner may provide temporary exceptions to the general rules for a specific state park, forest campground or forest day use area by posting notice of such exception at said unit.

### W. Repeal of preceding rules NR 1 and NR 10.

Previous rules NR 1 and NR 10, governing state parks, forest campgrounds and forest day use areas, are repealed.

## Energy Agency

### Adopted Rules Governing Contents of Applications for Certificates of Need and Criteria for Assessment of Need for Large LPG Storage Facilities, Large Oil Storage Facilities, Large Petroleum Pipelines and Oil Refineries for Petroleum Suppliers

The proposed rules published at *State Register*, Volume 2, Number 33, pp. 1560-1575, February 20, 1978 (2 S.R. 1560-1575), are adopted as of November 2, 1978. The adopted rules are identical to their proposed form, with the following amendments:

### Amendments as Adopted

#### EA 1002 Applicability of rules.

A. Each petroleum supplier applying for a certificate of need for one of the following types of large energy facilities shall provide all information required by these rules:

1. a new large oil or LPG storage facility;

2. a new large petroleum pipeline facility;

3. a new oil refinery;

4. any project which, within a period of one year, would expand the LPG storage capacity of an existing LPG storage facility in excess of either 20% of capacity or 100,000 gallons, whichever is greater;

5. any project which, within a period of one year, would expand the oil storage capacity of an existing oil storage facility in excess of either 20% of capacity or one million gallons, whichever is greater;

6. any project which, within a period of two years, would expand an existing large petroleum pipeline in excess of either 20% of its rated capacity or 10,000 barrels per day, whichever is greater; and

7. any project which, within a period of two four

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## RULES

years, would expand an existing oil refinery in excess of either 20% of its rated throughput or 10,000 barrels per day, whichever is greater.

### EA 1003 Application procedures and timing.

H. Prior to the submission of an application, a person shall ~~may~~ be exempted from any data requirement of these rules upon a written request to the director for exemption from specified rules and a showing by that person in the request that the data requirement 1) is unnecessary to determine the need for the proposed facility or 2) may be satisfied by submission of another document. A request for exemption must be filed at least 20 days prior to submission of an application. The director shall respond in writing to each such request within 15 days of receipt including reasons for his decision. The director shall file a statement of exemptions granted and reasons therefor prior to commencement of the hearing.

**EA 1004 Definitions.** For purposes of these rules, the following definitions shall apply:

L. "Large LPG Storage Facility" means a facility on a single site designed for or capable of storing more than 100,000 gallons of liquefied petroleum gas (LPG) ~~unless the facility would be at an existing LPG storage site and would constitute an increase of less than 20 percent in the LPG storage capacity at that site;~~

M. "Large Oil Storage Facility" means a facility on a single site designed for or capable of storing more than one million gallons of crude petroleum or petroleum fuels or oil or their derivatives ~~unless the facility would be at an existing oil storage site and would constitute an increase of less than 20 percent in the oil storage capacity at that site;~~

### EA 1045 Environmental data.

C. Pollution control and safeguards equipment.

3. Oil spill, fire and explosion safeguards. Describe measures that would be taken to prevent oil spills, fires and explosions or to minimize the environmental impact of a spill, a fire or an explosion.

### EA 1053 Description of proposed facility.

A. Design. The applicant shall provide the following information pertaining to the design of the proposed construction of a large petroleum pipeline:

4. its initial and ultimate design capacities in barrels per day and its diameter, length in Minnesota, and maximum number of pumping stations in Minnesota and nominal station spacing design pressure; and

B. Construction. The applicant shall provide the following information pertaining to the proposed construction of the ~~proposed~~ facility:

1. if known, the complete name and address of the company to be responsible for the construction;

2. the proposed date for commencement of construction and the proposed in-service date; and

3. an estimate of the in-service date if the construction were to be on a fully-expedited basis.

**EA 1055 Environmental data.** Each applicant shall provide environmental data for the proposed facility and for each alternative discussed in response to rule EA 1054, to the extent that such data is reasonably available. Environmental data for each pipeline considered shall conform to the format given in subdivisions A. through D. of rule EA 1055. Information for each of the other types of alternatives considered shall include 1) a list of the natural and cultural resources, as given in items g. through j ~~k.~~ of rule EA 1055 A. 2., that would be directly impacted and 2) a discussion of those applicable areas of environmental concern that are detailed in subdivisions B. through D. of rule EA 1055.

A. Location.

1. If a particular route has been selected for the new (sections of) pipeline, indicate that route on an appropriate map. If no particular route has been selected, indicate on an appropriate map each possible route that has been given serious consideration.

2. For each route identified in response to rule EA 1055 A. 1., list:

h. trunk highways, railroads and airports along ~~within one mile of the route;~~

C. Pollution control and safeguards equipment.

3. Oil spill, fire and explosion safeguards. Describe measures that would be taken to prevent oil spills, fires and explosions or to minimize the environmental impact of a spill, a fire or of an explosion.

# Housing Finance Agency

## Adopted Rules Governing the Home Improvement Loan, Accessibility Improvement Grant, and Warranty Claim Programs

The rules published at *State Register*, Volume 3, Number 8, pp 309-313, August 28, 1978 (3 S.R. 309), are adopted with the following amendments:

### 12 MCAR § 3.051 Eligible applications.

A. Each applicant must individually or in the aggregate ~~be an individual~~ possess at least a one-third interest in a fee, ~~owner or a contract for deed purchaser of, or the holder of a~~ life estate in the property to be improved. All persons who, individually or collectively, possess the type of ownership upon which the application is based, or whose income is to be included for the purpose of determining the Adjusted Income, and spouses of all such persons must join in the application and must execute the loan documents. However, occupancy of the property by the applicant shall not be required.

B. Each applicant must be a Person or Family (including nonrelated individual adults) of Low or Moderate Income.

C. Each applicant must be a reasonable credit risk with the ability to pay the loan obligation, as determined by the Agency or by the lending institution, if any, servicing the loan on behalf of the Agency.

D. The structure to be improved must be at least 15 years old, or in need of repair to correct damage resulting from a natural disaster, or in need of repair to correct defects or deficiencies which are hazardous to health or safety, or to directly improve energy efficiency.

E. The structure to be improved must not be in violation of applicable zoning ordinances or other applicable land use guides.

F. The property must be used primarily for residential purposes and must not contain more than six dwelling units. Mobile homes and trailers shall not be eligible for Home Improvement Loans.

G. Home Improvement Loan proceeds must be used to

finance only improvements upon or in connection with existing structures.

H. All improvements must be reasonably capable of being completed (except for causes beyond the applicant's reasonable control, such as fire, strike, and shortages of materials) within nine months of the date of the first disbursement of funds pursuant to the Home Improvement Loan.

I. At the time of application, conventional financing must not be available from private lenders upon equivalent terms and conditions.

J. Each applicant who is an owner of residential housing occupied in whole or in part by renters, shall enter into such agreement as the Agency shall require to ensure that for the term of the loan Persons and Families of Low and Moderate Income will occupy at least one of the units in the case of a two unit residence, two of the units in the case of a three unit residence, three of the units in the case of a four unit residence, and four of the units in the case of a five or six unit residence.

**12 MCAR § 3.063 Amount of grant.** The amount of the rehabilitation grant shall not exceed the lesser of

A. \$5,000, or in the case of an Accessibility Improvement Grant, \$7,500, or

B. the actual cost of the work performed, or

C. that portion of the cost of rehabilitation which the Agency determines cannot otherwise be paid by such person or family without spending an unreasonable portion of the income of such person or family thereon.

If a grant is made both for Accessibility Improvements and for other eligible improvements pursuant to these Rules, then the portion of the grant which is for such eligible improvements shall not exceed \$5,000, and the total amount of the grant for aggregate cost of such other eligible improvements and the Accessibility Improvements shall not exceed \$7,500.

**12 MCAR § 3.141 Eligible recipients for warranty claim payments.** To qualify for a payment the applicant must satisfy the following requirements:

A. The applicant must be a Person or Family of Low or Moderate Income as defined in 12 MCAR § 3.002 O.1. at the time of the application for the payment.

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## RULES

B. The applicant must either:

1. have received an Agency mortgage loan for a Limited-Unit Development or an Agency Home Improvement Loan for the construction or rehabilitation of the dwelling containing the defect; or

2. have purchased, from a recipient of an Agency mortgage loan for a Limited-Unit Development or an Agency Home Improvement Loan, a residential dwelling constructed or rehabilitated through the proceeds of such loan.

C. The applicant must be an individual fee owner or, in the case of an Agency Home Improvement Loan, possess, individually or in the aggregate, at least a one-third interest in a fee, a contract for deed purchaser of or holder of a life estate in, the dwelling containing the defect, and must occupy the dwelling as the applicant's principal place of residence.

D. The applicant must have taken all steps necessary to maintain the Agency approved warranties and all other applicable warranties in full force and effect.

E. The applicant must agree to cooperate with the Agency in any action to recover from the person responsible for the defect, execute all documents necessary to secure the Agency's right of subrogation to the applicant's claim, and assist the Agency in the prosecution of any legal action for breach of warranty that the Agency may deem appropriate.

## Department of Public Welfare Department of Health Department of Public Safety Minnesota Merit System

### Adopted Rules Governing the Compensation Plan; Salary Adjustments and Increases; Salary Conversion Tables; Salary Computation Tables; the Classification Plan; Certification of Eligibles; Separation, Tenure and Reinstatement; and Leaves of Absence

The rules published at *State Register*, Volume 3, Number 10, pp. 392-531, September 11, 1978 (3 S.R. 392) as proposed are adopted with the following amendments:

## Department of Public Welfare Amendments as Adopted

### 12 MCAR § 2.498 Certification of eligibles.

C.3. If more than one vacancy exists, the Supervisor shall certify at least as many names from the register as there are vacancies to be filled, together with any additional names of persons having an examination rating within three points of the person on the certification with the highest examination rating, and any additional names of persons having the same examination score as that of the seventh last person certified on a competitive certification or as that of the ~~third~~ last person certified on a promotional certification. Supplementary certifications will be issued only in instances in which it is found that there are less than seven available candidates on the competitive certification or three available candidates on the promotional certification.

### 12 MCAR § 2.590 Financial Assistance Supervisor III.

D. Minimum qualification of education and experience. Graduation from an accredited four-year college, with a major in social work, psychology, sociology, business administration, public administration or related fields, and ~~for~~ three years of experience as a Financial Assistance Supervisor I or equivalent level of experience.

OR

When taking a promotional examination for this position, an employee may substitute ~~two~~ one years of Financial Assistance Supervisor I experience for one year of college for up to two years of the required college education.

OR

Graduation from an accredited four-year college, with a major in social work, psychology, sociology, business administration, public administration or related fields, and ~~two~~ one years of experience as a Financial Assistance Supervisor II, or equivalent level of experience.

OR

When taking a promotional examination for this position, an employee may substitute one year of Financial Assistance Supervisor II experience for one year of college for ~~up to two~~ each years of the required college education.

OR

When taking a promotional examination for this position, completion of any four-year degree from an accredited college will substitute for the bachelor's degree requirement.

## RULES

### 12 MCAR § 2.591 Financial Assistance Supervisor IV.

E. Minimum qualification of education and experience. Graduation from an accredited four-year college with a major in social work, psychology, sociology, business administration, public administration or related fields, and two ~~one~~ years of experience as a Financial Assistance Supervisor III, or equivalent of experience.

OR

Graduation from an accredited four-year college with a major in social work, psychology, sociology, business administration, public administration or related fields, and for three years of experience as a Financial Assistance Supervisor II, or equivalent level of experience.

OR

When taking a promotional examination for this position, completion of any four-year degree from an accredited college will substitute for the bachelor's degree requirement.

OR

Master's degree level work in social work, psychology, sociology, human services administration, business administration, public administration or related fields may be substituted for the Financial Assistance Supervisor II level experience on a year-for-year basis, not to exceed two years.

### 12 MCAR § 2.629 Child Support ~~Worker~~ Officer I.

### 12 MCAR § 2.652 Child Support ~~Worker~~ Officer II.

## Department of Health

### Amendments as Adopted

#### 12 MCAR § 1.244 Certification of eligibles.

C. 3. If more than one vacancy exists, the Supervisor shall certify at least as many names from the register as there are vacancies to be filled, together with any additional names of persons having an examination rating within three points of the person on the certification with the highest examination rating, and any additional names of persons having the same examination score as that of the seventh ~~last~~ person certified on a competitive certification or as that of the third last ~~third~~ person certified on a promotional certification.

Supplementary certification will be issued only in instances in which it is found that there are less than seven candidates available on the competitive certification or three available on the promotional certification.

## Department of Transportation

### Adopted Rules Governing the Weight Limitations on Interstate Highways and Designated Routes

The rules proposed at *State Register*, Volume 3, Number 10, pp. 535-542, September 11, 1978 (3 S.R. 535) are adopted and are identical to their proposed form with the following changes. The routes are effective during the calendar year 1979.

#### 14 MCAR § 1.5050 Weight limitations on interstate highways and designated routes.

A. Purpose. The purpose of these rules is to carry out the mandate of the legislature and to effectuate that mandate as set forth in Minn. Stat. § 169.832 (1977 Supp.) with reference to the establishment of weight limitations on interstate highways and designated routes in Minnesota.

B. Scope. The scope of these rules is intended to be confined within the framework of and consistent with Minn. Stat. § 169.832.

C. Jurisdiction and effect. These rules are adopted by the Commissioner of Transportation as the means to designate certain streets or highway routes, or segment of a route, to carry the gross weights permitted under Minn. Stat. § 169.832 (1977 Supp.).

#### DESIGNATED 10-TON ROUTES TRUNK HIGHWAYS 12 MONTHS

- |      |    |   |
|------|----|---|
| T.H. | 2  | From Jct. I-35 in Duluth to Arrowhead Bridge      |
| T.H. | 3  | From Jct. T.H. 110 to T.H. 212                    |
| T.H. | 5  | From Mississippi River to Jct. I-494              |
| T.H. | 7  | From I-494 to Jct. T.H. 15 (Hutchinson)           |
| T.H. | 10 | From W. State Line to Becker Co. CSAH 10 (Frazee) |
| T.H. | 12 | From T.H. 280 to I-694                            |

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# RULES

T.H. 12	I-694 to Wisconsin	I-90	W. Border to E. Border (including yet to be constructed)
T.H. 13	From Jct. T.H. 101 to I-35W	I-94	Continuous from N.D. border to I-694, east of St. Paul (includes yet to be constructed segment at Lyndale Ave. location in Mpls.)
T.H. 14	From Jct. T.H. 57 (Kasson) to Jct. T.H. 52	T.H. 95	From Jct. T.H. 12 to south Jct. T.H. 212
T.H. 14	From I-35 west to 24th Avenue N.W. in Owatonna	T.H. 100	From I-494 to T.H. 52
T.H. 15	S. State Line to I-90	T.H. 101	From Jct. I-94 (Rogers) to Jct. T.H. 169 (Elk River)
T.H. 23	From Jct. I-94 to T.H. 55 in Paynesville	T.H. 101	From Jct. 169 (in Shakopee) to Jct. T.H. 13
T.H. 25	From I-94 to Sherburne County CSAH 11	T.H. 110	From T.H. 56 W. to Jct. T.H. 3
<del>T.H. 27</del>	<del>From I-35 to Jct. T.H. 73 (Moose Lake)</del>	T.H. 152	From Jct. I-94 (Brooklyn Park) to Jct. I-94 in Rogers
T.H. 28	From 5th St. N.W. in Glenwood to Jct. I-94	T.H. 169	From Jct. I-494 to T.H. 100
T.H. 29	From Jct. I-94 to its N. Jct. with T.H. 27 (Alexandria)	T.H. 169	From Jct. T.H. 21 (Jordan) to Jct. T.H. 101 (Shakopee) /
I-35	Continuous from Iowa border to 1.0 mile N. of Jct. with I-535 in Duluth — includes I-35W, I-35E, from downtown St. Paul to vicinity of Forest Lake	T.H. 210	From Jct. I-94 E. to St. Andrews St. S. in Fergus Falls
T.H. 36	From Jct. I-35W to T.H. 212 near Stillwater	T.H. 212	(E. 7th St.) From T.H. 52 (Robert St.) east to East Minnehaha Avenue
T.H. 47	From Jct. 10 in Anoka to 2 miles S. of Jct. I-694	T.H. 212	From Jct. T.H. 36 (near Stillwater) to Jct. T.H. 95
T.H. 51	From Jct. I-694 to I-94	T.H. 218	From E. Jct. I-90 to 1 ¼ miles south
T.H. 51	From I-494 to West 7th Street St. Paul (Snelling Avenue from I-94 to Montreal Avenue, then Montreal Avenue from Snelling Avenue to West 7th Street.)	T.H. 218	From W. Jct. I-90 to 2 miles north
T.H. 52	From Jct. I-90 to Olmsted CR 14, 5 miles N. of west Jct. T.H. 14 in Rochester	T.H. 280	From Jct. I-94 to Jct. T.H. 36
T.H. 52	From Jct. T.H. 100 to I-94	T.H. 324	From I-35 to its Jct. with T.H. 361 in Pine City
T.H. 52	From west City Limits of St. Paul to Plato Blvd.	I-494	From Jct. I-94 (Fish Lake) to present end I-494 at T.C. Int. Airport
T.H. 55	From Jct. T.H. 23 (Paynesville) to 6.5 miles W. of Jct. 71 (Brooten)	I-494	From T.H. 56 to Jct. I-94 E. of St. Paul
T.H. 55	East 24th Street in Minneapolis to Jct. T.H. 5	I-535	In Duluth, from I-35 to Wisconsin
T.H. 55	From Jct. T.H. 22 (Eden Valley) to 1 ½ miles E. of T.H. 100	I-694	From Jct. I-94, E. of St. Paul, to Jct. I-94 (Brooklyn Center).
T.H. 59	From Jct. T.H. 10 to I-94 (Fergus Falls)	DESIGNATED 10-TON ROUTES COUNTY ROADS 12 MONTHS	
T.H. 59	From Jct. I-94 north to Sheridan Avenue in Fergus Falls		
T.H. 61	From end I-35 (Duluth) to Lake CR 2 (Two Harbors)	Becker County	
T.H. 61	From N. Jct. I-90 to 1 mile N. of T.H. 60 at Wabasha	CSAH 10	connections to T.H. 10
T.H. 61	From Hastings to Jct. I-94	Clay County	
T.H. 61	From Jct. T.H. 96 to Jct. T.H. 212 (E. 7th St.)	CSAH 11	from T.H. 10 to Truck Stop ½-mile south of I-94
T.H. 63	From Jct. with I-90 to Jct. T.H. 52	Douglas County	
T.H. 65	From S. Jct. I-35 (S. of Albert Lea) to 2.3 miles N.	CSAH 41	from I-94 to its Jct. with CSAH 82.
T.H. 71	From Jct. I-94 N. to North 4th St. in Sauk Centre	CSAH 82	from CSAH 41 to its Jct. with T.H. 29 in Alexandria.
<del>T.H. 73</del>	<del>From Jct. T.H. 27 (Moose Lake) to Jct. I-35</del>	Hennepin County	
T.H. 74	From Jct. I-90 N. to Jct. T.H. 14 in St. Charles	— CSAH 3 (Excelsior Blvd.)	— From CSAH 18 to T.H. 100
		— CSAH 10 (Bass Lake Rd.)	— From FAI 494 to CSAH 156
		— CSAH 15 (Shoreline Blvd.)	— From CSAH 110 to CSAH 19



## RULES

- |                              |                            |
|------------------------------|----------------------------|
| — CSAH 18                    | — From FAI 494 to T.H. 7   |
| — CSAH 18                    | — From CSAH 10 to FAI 94   |
| — CSAH 19                    | — From T.H. 7 to CSAH 15   |
| — CSAH 20 (Blake Rd.)        | — From CSAH 3 to T.H. 7    |
| — CSAH 34 (Normandale Blvd.) | — From 94th St. to FAI 494 |
| — CSAH 109 (85th Ave. No.)   | — From CSAH 18 to T.H. 52  |
| — CSAH 156 (Winnetka Ave.)   | — From CSAH 9 to CSAH 10   |

### McLeod County

County Road 90 from T.H. 7 to 1 ¼ miles south.

### Pine County

CSAH 61 from Int. of T.H. 361 and T.H. 324 to its Jct. with CSAH 11 in Pine City.

County Road 55 from CSAH 61 to Industrial Park — Pine City.

CSAH 8 from CSAH 61 to E. 2nd St.

### Ramsey County

CR D (CSAH 19) from Old T.H. 8 to I-35W in Ramsey County.

Old Highway 8 (CSAH 77) from CR D to First Street S.W. in Ramsey County.

Cleveland Avenue (CSAH 46) from CR C to CR C-2 in Ramsey County.

CR C (CSAH 23) from Walnut Street to Prior Avenue in Ramsey County.

### Washington County

CSAH 22 from T.H. 61 to Jct. with CSAH 38.

CSAH 38 from Jct. with CSAH 22 to Jct. with I-494.

### DESIGNATED 10-TON ROUTES CITY STREETS 12 MONTHS

### ALBERT LEA

Margaretha Avenue from T.H. 65 south to 13th Street, and 13th Street east to its terminus.

### BLAINE

85th Avenue from I-35W to 3601 (truck terminal in the City of Blaine).

### DETROIT LAKES

Randolph Road from Gabor Terminal to Roosevelt Avenue; then Roosevelt Avenue south to T.H. 10.

### FERGUS FALLS

Douglas Avenue from T.H. 59 to T.H. 210.

Sheridan Avenue from T.H. 59 and 210 north to Washington Avenue, west on Washington Avenue one block to Sherman Street, then south one block on Sherman Street to Junius Avenue.

From T.H. 210 south on St. Andrews Street to West Lincoln Avenue, west on West Lincoln Avenue to Sewage Plant Road, then south on Sewage Plant Road to Central By-Products Plant.

### GLENWOOD

Junction of T.H. 28 and Minnesota Avenue to North Lakeshore Drive, then North Lakeshore Drive to the West Corporate Limits of Glenwood.

### MINNEAPOLIS

18th Avenue N.E. from Arthur Street N.E. to New Brighton Blvd. (T.H. 8).

Arthur Street N.E. from 18th Avenue N.E. to New Brighton Blvd. (T.H. 8)

Stinson Blvd. from 18th Avenue N.E. to Broadway Street N.E.

I-35W North Frontage Road from Stinson Blvd. to New Brighton Blvd. (T.H. 8).

I-35W South Frontage Road from Stinson Blvd. to New Brighton Blvd. (T.H. 8).

Broadway Street N.E. from Arthur Street N.E. to Minneapolis East City Limits.

Arthur Street N.E. from Summer Street N.E. to Broadway Street N.E.

Taft Street N.E. from Kennedy Street N.E. to Broadway Street N.E.

Industrial Blvd. N.E. from Broadway Street N.E. to I-35W.

New Brighton Blvd. from I-35W North Frontage Road to South Frontage Road.

T.H. 55 (Hiawatha Avenue) from East 24th Street to Minneapolis South City Limits.

Cedar Highway from East 24th Street to Minnehaha Avenue.

Cedar Avenue from I-94 Exit Ramp to Minnehaha Avenue.

Minnehaha Avenue from I-94 to East 26th Street.

East 26th Street from Minnehaha Avenue to 26th Avenue South.

26th Avenue South from East 26th Street to East 27th Street.

### MOORHEAD

1st Avenue North from 8th Street North to T.H. 10.

### OWATONNA

Hoffman Drive from I-35 to North Street, North Street from Hoffman Drive east to the railroad tracks.

### PINE CITY

Seventh Street from Hillside Avenue to 8th Avenue West, from 4th Avenue West to 3rd Avenue West, from 2nd Avenue West to river.

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# RULES

Fourth Street from Hillside Avenue to 8th Avenue East, 5th Avenue East to 3rd Avenue East.

Third Street from 3rd Avenue East to river.

Second Street from 3rd Avenue East to 2nd Avenue East.

First Avenue East from CSAH 61 to railroad tracks.

Second Avenue West from 7th Street to CSAH 61.

Second Avenue East from CSAH 61 to Second Street.

Third Avenue West from 7th Street to CSAH 61.

Third Avenue East from CSAH 61 to 2nd Street.

Fourth Avenue West from 7th Street to CSAH 61.

Eighth Avenue West from 7th Street to CSAH 61.

Eighth Avenue East from CSAH 61 to 4th Street.

Hillside Avenue from CSAH 61 to Fourth Street.

## SAINT PAUL

Dale Street from Grand Avenue to Larpenleur Avenue.

Plato Blvd. from Water Street to Fillmore Avenue.

Chester Street from T.H. 3 to Plato Blvd.

North Cleveland Avenue from University Avenue South to Wabash Avenue, then Wabash Avenue on North Cleveland to Vandalia Street, then Vandalia Street to I-94.

East Seventh Street from East Minnehaha Avenue to Atlantic Street, then Atlantic Street north to railroad tracks.

Wacouta Street from I-94 to Fifth Street, then Fifth Street from Wacouta Street to Broadway.

Shepard Road from T.H. 5 to Warner Road. Then Warner Road from its intersection with Shepard Road to T.H. 61.

Elway Street from Shepard Road to Montreal Avenue. Then Montreal Avenue from Elway Street to Stewart Avenue. Then Stewart Avenue to Texaco Terminal.

Minnehaha Avenue West from Dale Street to Arundel Street.

Otto Avenue from Shepard Road to West 7th Street.

White Bear Avenue from I-94 to East Minnehaha Avenue.

East Minnehaha Avenue from White Bear Avenue to Birmingham Street.

Childs Road from Warner Road to the southerly limits of Childs Road.

Mounds Blvd. from I-94 to East Seventh Street.

Snelling Avenue (T.H. 51).

## DESIGNATED 10-TON ROUTES TRUNK HIGHWAYS SEASONALLY RESTRICTED

Experimental Seasonally Restricted 10 Ton Routes. These trunk highway routes have been experimentally designated with the understanding that in

the event of deterioration of the roadway, the Commissioner of the Minnesota Department of Transportation may undesignate any route pursuant to Section 169.832, Subdivision 12 and Section 15.0412, Subdivision 5.

T.H. 1 From W. state border to Jct. T.H. 32

T.H. 2 In its entirety from W. state border to Jct. T.H. 61

T.H. 3 From Jct. T.H. 65 to Jct. T.H. 55

T.H. 4 From Jct. T.H. 14 N. to Jct. T.H. 68

T.H. 5 From Jct. T.H. 41 to I-494  
From W. Jct. T.H. 19 to T.H. 212  
From Mississippi River to T.H. 61 (Mounds Blvd.)

T.H. 6 From Jct. T.H. 18 to E. Jct. T.H. 210

T.H. 7 From Jct. T.H. 12 E. to Jct. T.H. 15  
From Jct. I-494 to Jct. T.H. 100

T.H. 8 From Jct. I-35 to E. State Line (St. Croix River)

T.H. 9 From Jct. T.H. 29 to Jct. T.H. 59

T.H. 10 From Anoka to CSAH 10 Becker County (Frazee)  
From Jct. T.H. 47 to Jct. I-694

T.H. 12 From Jct. T.H. 59 to Jct. T.H. 100  
From W. State Line to N. Jct. T.H. 7 (Ortonville)

T.H. 13 From Jct. I-90 (Albert Lea) to W. Jct. T.H. 19  
From Jct. T.H. 282 N.E. to Jct. T.H. 101

T.H. 14 From Jct. T.H. 23 to 2 miles W. of I-35  
From Jct. I-35 to Jct. T.H. 57 (Kasson)  
From Jct. T.H. 52 to Jct. T.H. 61

T.H. 15 From Jct. I-90 to Jct. T.H. 257  
From W. Jct. T.H. 14 to Jct. T.H. 19

T.H. 16 From Jct. I-90 to E. Jct. T.H. 52  
From Jct. T.H. 44 to Jct. T.H. 61

T.H. 18 From Jct. T.H. 210 to N. Jct. T.H. 169  
From S. Jct. T.H. 47 to N. Jct. T.H. 47  
From Finlayson (CSAH 61) to E. Jct. T.H. 23

T.H. 19 From Jct. T.H. 59 into Morton  
From Jct. T.H. 4 to Jct. T.H. 22

T.H. 21 From S. Jct. T.H. 13 to Jct. 169

T.H. 22 From Jct. T.H. 109 to Jct. T.H. 14  
From Jct. T.H. 212 to Jct. T.H. 55

T.H. 23 From Jct. T.H. 269 to N. Lyon Co. Line  
From Maynard to T.H. 55  
From Jct. I-94 to S. Jct. I-35  
From N. Jct. I-35 to Jct. T.H. 123

T.H. 24 From Jct. I-94 to Jct. T.H. 10

T.H. 25 From S. Jct. T.H. 5 to Norwood  
From Sherburne CSAH 11 to N. Jct. T.H. 10  
From Jct. T.H. 18 to Merrifield

T.H. 26 From S. Jct. T.H. 44 to Jct. T.H. 14

# RULES

- T.H. 27 From Jct. T.H. 75 to Jct. T.H. 9  
From Jct. T.H. 29 to Jct. T.H. 127  
From S. Jct. T.H. 71 to Jct. T.H. 25  
From N. Jct. T.H. 47 to Jct. T.H. 65  
From I-35 to Jct. T.H. 73 (Moose Lake)
- T.H. 28 From W. State Line to S. Jct. T.H. 9  
T.H. 28 From Morris to Cyrus
- T.H. 29 From Jct. T.H. 212 to Jct. T.H. 7
- T.H. 30 From Jct. T.H. 75 to N. Jct. T.H. 59  
From Jct. T.H. 4 to S. Jct. T.H. 15
- T.H. 33 From Jct. I-35 to Jct. T.H. 53
- T.H. 34 From Osage to Jct. T.H. 371
- T.H. 37 In its entirety
- T.H. 40 From W. State Line to Jct. T.H. 75
- T.H. 41 From Jct. T.H. 169 to Jct. T.H. 212  
From Jct. T.H. 5 to Jct. T.H. 7
- T.H. 44 From W. Jct. T.H. 52 to Jct. T.H. 14
- T.H. 47 ~~From 2 miles S. of Jct. I-694 to Mpls. City Limits~~  
From S. Jct. T.H. 27 to N. Jct. T.H. 18
- T.H. 49 From Jct. T.H. 3 to N. Jct. T.H. 55
- T.H. 52 From Jct. I-94 (Vic. St. Cloud) to N. Jct. T.H. 152  
From Jct. T.H. 3 to Olmsted Co. Rd. 14  
From Jct. I-90 to S. State Line
- T.H. 53 From Jct. I-35 to S. Jct. T.H. 169
- T.H. 55 From Jct. T.H. 28 to Brooten  
From Jct. T.H. 23 to Jct. T.H. 22  
From Jct. T.H. 5 to Jct. I-35E  
From Jct. T.H. 110 to Jct. T.H. 61
- T.H. 56 From Jct. T.H. 3 to Jct. T.H. 52 (Hampton)  
From Jct. T.H. 30 to Jct. T.H. 63
- T.H. 57 From Jct. T.H. 60 to Jct. T.H. 14
- T.H. 59 From N. State Line to Jct. T.H. 1  
From Jct. T.H. 200 to Jct. T.H. 10 (and 210). In Fergus Falls  
along T.H. 59 and 210 from Sheridan Ave. to St. Andrews  
St. South  
From Jct. T.H. 12 to E. Jct. T.H. 212  
From Jct. T.H. 23 to S. Jct. 30  
From Jct. T.H. 200 to Jct. T.H. 2  
From T. H. 9 to T. H. 59 and T. H. 28
- T.H. 60 From S. State Line to E. Jct. T.H. 14  
From Jct. T.H. 57 to N. Jct. T.H. 52
- T.H. 61 From Jct. T.H. 8 to S. Jct. T.H. 96  
From Jct. I-90 to Jct. T.H. 16
- T.H. 63 From Jct. T.H. 16 to Jct. I-90  
From S. State Line to Jct. T.H. 56
- T.H. 65 From N. Jct. T.H. 169 to Pengilly  
From S. Jct. T.H. 27 to Jct. I-694  
From 2.3 miles N. of S. Jct. I-35 to N. Jct. I-35  
From S. State Line to S. Jct. I-35
- T.H. 67 From W. Jct. T.H. 19 to Jct. T.H. 68
- T.H. 68 From Jct. T.H. 23 to E. Jct. T.H. 19  
From Jct. T.H. 67 to N. Jct. T.H. 15
- T.H. 71 From Jct. I-90 to Browerville  
From Jct. 19 to Jct. T.H. 212  
From Jct. T.H. 10 to Jct. T.H. 34  
From Jct. T.H. 2 to Jct. T.H. 72 in Blackduck
- T.H. 73 From S. Jct. T.H. 169 to N. Jct. T.H. 169 (Hibbing)  
From Jct. T.H. 27 (Moose Lake) to Jct. I-35
- T.H. 75 From South State Line to Canadian Border
- T.H. 87 From S. Jct. T.H. 71 to N. Jct. T.H. 71
- T.H. 89 From Jct. T.H. 2 to South Jct. T.H. 1
- T.H. 95 From Jct. T.H. 169 to Jct. I-35
- T.H. 96 From Jct. I-35W to Jct. T.H. 61
- T.H. 101 From S. Jct. T.H. 169 to Jct. T.H. 212 and 169
- T.H. 109 From Jct. T.H. 22 to Jct. I-90
- T.H. 127 From Jct. I-94 to Jct. T.H. 27
- T.H. 135 From Jct. T.H. 53 to Aurora
- T.H. 152 From Jct. I-94 to Jct. T.H. 52 (St. Cloud)
- T.H. 169 From S. State Line to Jct. T.H. 21 (Jordan)  
From S. Jct. T.H. 101 to Jct. I-494  
From S. Jct. T.H. 52 to Jct. T.H. 23  
From S. Jct. T.H. 27 to W. Jct. T.H. 210  
From Jct. T.H. 200 to South Jct. T.H. 53
- T.H. 200 From W. State Line to Jct. T.H. 9  
From S. Jct. T.H. 371 to N. Jct. T.H. 371
- T.H. 201 From Jct. T.H. 10 to Jct. T.H. 169 (Elk River)
- T.H. 210 From West Jct. T.H. 10 to I-35
- T.H. 212 From W. State Line to Dawson (E. of T.H. 75)  
From Jct. T.H. 29 to Dawson  
From E. Jct. T.H. 59 to South Chippewa County Line  
(Montevideo)  
From W. Jct. T.H. 71 to Jct. T.H. 15  
From E. Jct. T.H. 22 to Jct. T.H. 41  
From Jct. T.H. 41 to Carver County Road 10 (Walnut Street —  
Chaska)  
From Jct. T.H. 101 to Jct. I-494
- T.H. 218 From S. State Line to 1¼ miles S. of Jct. I-90  
From 2.0 miles N. of Jct. I-90 to Jct. T.H. 14

**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."

# RULES

T.H. 226 From Jct. T.H. 34 into Dorset

T.H. 231 From West State Line to I-94 (Moorhead)

T.H. 257 From Jct. T.H. 15 into Hanska

T.H. 268 From Jct. T.H. 75 into Edgerton

T.H. 270 From Jct. T.H. 75 into Hills

T.H. 282 From Jct. T.H. 169 to Jct. T.H. 13

T.H. 322 From Jct. T.H. 371 to Jct. T.H. 18

T.H. 329 From T.H. 59 for  $\frac{3}{4}$  mile east into the University of Morris experimental station

T.H. 361 From I-35 to Rush City

T.H. 371 From Jct. T.H. 10 to Jct. T.H. 2

## DESIGNATED 10-TON ROUTES COUNTY ROADS SEASONALLY RESTRICTED

### ANOKA COUNTY

CSAH 23 (Naples Street) from CSAH 32 to CR 105.

CR 102 (57th Avenue) from T.H. 47 to Main Street (CR 102).

CR 102 (Main Street) from 57th Avenue to CSAH 2 (44th Avenue).

CSAH 32 (85th Avenue) from 3601-85th Avenue to 3701-85th Avenue.

CSAH 7 (7th Avenue) from T.H. 10 to Tyler Street (in Anoka).

T.H. 242 (Main Street) from T.H. 10 to 9th Avenue (in Anoka).

### BECKER COUNTY

CSAH 10 from T.H. 10 west of Frazee to T.H. 10 east of Frazee..

### McLEOD COUNTY

CSAH 9 Plato to T.H. 212.

CR 81 in Glencoe.

### SHERBURNE COUNTY

CSAH 11 from T.H. 25 to T.H. 10.

### STEVENS COUNTY

CSAH 13 Chokio only.

CSAH 9 Alberta only.

### TRAVERSE COUNTY

CSAH 4 Browns Valley only.

### WASECA COUNTY

CSAH 3 from Waldorf to Jct. T.H. 14.

CSAH 9 from West County Line to CSAH 3.

CSAH 12 from CSAH 1 to T.H. 13.

CSAH 2 from CR 53 to T.H. 14.

CR 53 from CSAH 2 to CSAH 5.

CSAH 5 from CR 53 to CSAH 30.

CSAH 30 from CSAH 5 to T.H. 13.

## DESIGNATED 10-TON ROUTES CITY STREETS SEASONALLY RESTRICTED

### ANOKA

MSAS 9th Avenue from T.H. 242 to Hoffman Engineering

MSAS Tyler Street from 7th Avenue to Federal Cartridge.

### CYRUS

From 2 blocks south of Int. of T.H. 28 and CSAH 3 on Dahl Street to T.H. 28

### MORRIS

Pacific Avenue from T.H. 59 to Park Avenue

### NEW ULM

Front Street from 8th North Street to Center Street, then Center Street from Front Street to Valley Street, then South Valley Street from Center Street to First South Street.

### OWATONNA

From T.H. 14 south to railroad tracks.

### ROSE CREEK

3rd Street.

### SAUK CENTRE

4th Street North from T.H. 71 to 331 North 4th Street.

### SAINT PAUL

T.H. 5 from Mississippi River to T.H. 61 (Mounds Blvd.).

### WELLS

Broadway Avenue from T.H. 109 South to 7th Street S.E.

### WORTHINGTON

Oxford Street from T.H. 60 to T.H. 266.

# SUPREME COURT

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## Decision Filed Friday, December 29, 1978

Compiled by John McCarthy, Clerk

48266/374    In the Matter of the Application for the Disbarment and Request to Resign of Edwin Aron Hetland, an Attorney at Law of the State of Minnesota. Supreme Court.

It is hereby ordered that Edwin Aron Hetland be disbarred for flagrant violations of mandatory ethical standards. Disbarred. Per Curiam.

## Order Filed December 26, 1978

48421/41    In the Matter of the Application for the Disbarment of John D. Furuseth, an Attorney at Law of the State of Minnesota. Supreme Court.

It is hereby ordered that the disposition to which the parties have stipulated is accepted:

Mr. Furuseth is suspended from the practice of law for a minimum period of three years from the date of this order, during which time he shall neither engage in the practice of law nor hold himself out to be an attorney.

Prior to filing any petition for reinstatement to the practice of law, Mr. Furuseth shall demonstrate successful treatment for the disease of alcoholism, and total abstention from the use of alcohol for three consecutive years.

Prior to filing any petition for reinstatement to the practice of law, Mr. Furuseth shall reimburse any client or other party for pecuniary losses suffered by such parties as a consequence of his neglect or defalcation.

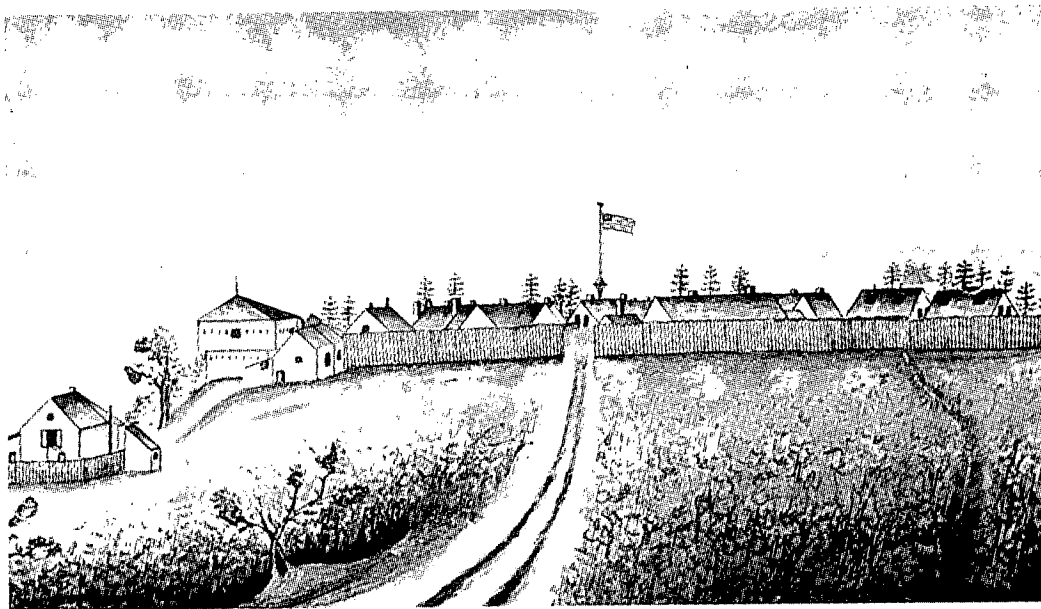
At the time any petition for reinstatement of Mr. Furuseth to the practice of law is considered, he shall have the burden of proving by clear and convincing evidence his mental and physical competence and capacity to engage in the practice of law.

Prior to filing any petition for reinstatement to the practice of law, Mr. Furuseth shall satisfy any continuing legal education requirements that would otherwise have been imposed upon him as a practicing attorney.

Suspended for a minimum period of three years. Sheran, C. J.

# STATE CONTRACTS

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Fort Ripley near Little Falls replaced Fort Snelling as the northernmost post on the Mississippi River in 1849. The site is now part of the Camp Ripley Military Reservation. (Drawing by August Harfeldt, 1862, courtesy of Minnesota Historical Society)

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## Department of Public Welfare Income Maintenance Bureau

### Notice of Request for Proposals to Study Nutritional Needs

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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.

Notice is hereby given that the Income Maintenance Bureau, Department of Public Welfare, is requesting proposals from qualified contractors to undertake a study of payment for special nutritional needs through public assistance programs. The purpose of this study is twofold: (1) to identify nutritional needs according to medical conditions and to categorize the requested nutritional items; (2) to determine what kinds of special diets are nutritionally sound, what cost factors are associated with these special diets, and how the various public assistance programs may be used to provide for these special nutritional needs.

Specifically, the contractor will be required to perform the following functions: to determine what kinds of special nutritional needs have been identified and which of these needs have been provided through the various public assistance programs; to identify certain therapeutic diets which are prescribed in accordance with generally accepted medical practice; to determine the nutritional adequacy of these therapeutic diets; to determine which kinds of special nutritional needs can appropriately be provided through the available public assistance programs.

This request for proposal does not obligate the State to complete the project and the State reserves the right to cancel the solicitation if it is considered to be in its best interest.

Please note: Other department personnel are not allowed to discuss the project with responders before the deadline for submission of proposals.

## STATE CONTRACTS

### Submission of Proposals

All proposals must be sent to and received by:

Marcia Schmidt  
Client Eligibility Unit  
Assistance Payments Division  
Bureau of Income Maintenance  
Department of Public Welfare  
Centennial Office Building  
St. Paul, Minnesota 55155

not later than 4:00 p.m., Monday, January 29, 1979.

Late proposals will not be accepted. Proposals must be submitted in triplicate. Proposals are to be sealed in mailing envelopes or packages with the responder's name and address clearly written on the outside. Each copy of the proposal must be signed by an authorized member of the firm. Prices and terms of the proposal as stated must be valid for the length of the project.

### Project Costs

The Department has estimated that the cost of this project should not exceed \$5,000 for professional services and expenses.

Responders will prepare a detailed cost and work plan which will identify the major tasks to be accomplished and be used as a scheduling and managing tool as well as the basis for invoicing.

### Department Participation

The Department will provide technical assistance in referencing Federal and State regulations to determine coverage of nutritional costs under existing public assistance programs. Income Maintenance staff will be made available for consultation, both for the assistance payments and medical assistance programs. Written materials such as federal and state regulatory rules, manuals, and agency file, will also be made available.

### Evaluation

All proposals received by the deadline will be evaluated by representatives of the Department of Public Welfare. In some instances, an interview will be part of the evaluation process. Factors upon which proposals will be evaluated include, but are not limited to, the following:

- a. Expressed understanding of project objectives.
- b. Project work plan.
- c. Project cost detail.
- d. Qualifications of responder.

The written proposal must include the qualifications of the individual submitting the proposal and the name and qualifications of the project director and associates (if any). The Department requires that the study be undertaken by a registered dietician with at least a Master's degree. Research background and experience is desirable.

The contractor must be prepared to meet the representatives of the Department prior to conducting the study to explain the procedures to be used and to answer questions. The contractor will be required to complete this study within 90 days after award of the contract.

## **Department of Public Welfare Mental Health Bureau**

### **Notice of Request for Proposals to Provide Design, Printing and Data Processing Services for the Minnesota Developmental Programming System Client Assessment Battery (MDPS-CAB)**

Notice is hereby given that the Mental Retardation Division, Department of Public Welfare, is soliciting professional assistance in implementing the MDPS-CAB in each of its eight state hospitals for the mentally retarded and in each of its 87 county social service agencies.

#### I. Scope of the Project

The MDPS-CAB is comprised of two discrete types of data: demographic and behavioral. The MDPS-CAB represents a comprehensive set of materials and data processing services that collect, analyze and store (on magnetic tape) demographic and behavioral data on approximately 11,000 persons in Minnesota. Approximately 500 bites of data are annually collected on each client for analysis of change over time in behavioral functioning levels for program planning purposes. Data analysis procedures must produce a minimum of 25 separate reports with system capability to cross tabulate any of the approximately 500 bites of data collected on each client. Each MDPS-CAB must also produce an individual profile that will be returned to the county of legal responsibility and, if appropriate, to the state hospital of residence. This project shall be funded for six months only.

## STATE CONTRACTS

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### II. Objective

The objective of the contractor shall be to update the MDPS-CAB on all those clients who have an annual review date during the six month project. This includes 5000 MDPS-CAB forms by June 30, 1979.

### III. Project Tasks

1. To revise and print 10,000 MDPS-CAB booklets by February 15, 1979. The revised form shall not exceed an eight page, machine readable booklet that includes all behavioral and demographic data as specified by the DPW.
2. To distribute 3000 booklets to the state hospitals and 3000 booklets to the 87 county social service departments according to a distribution plan provided by the DPW.
3. To develop programs to treat the completed assessments and to print individual behavioral profile reports on each person on whom a booklet is completed and returned to the contractor.
4. To read and analyze programs to treat the completed assessments and print individual behavioral profile reports on each person assessed. Minimum turnaround time from receipt of forms by contractor to receipt of returned profiles by state hospitals shall not exceed ten working days.
5. To receive, read and produce individual profiles on each client assessed not residing in a state hospital by June 30, 1979.
6. Develop at least 25 summary routines for aggregate data analysis as specified by the DPW by April 15, 1979.
7. To distribute all summary runs to 28 mental health centers and eight state hospitals using the DPW distribution guidelines no later than June 30, 1979.
8. All programs shall be compatible with existing data base so as to permit trend analysis year by year.
9. Contractor will assume handling and postage costs for distribution of the materials (assessment booklets) and returns of reports (individual profiles).
10. To develop and maintain a system for logging, sorting and distributing forms received from the county social service departments no later than February 15, 1979.
11. To maintain "on-line" computer file for access by DPW on individual and/or group analysis for special requests by DPW.
12. Contractor will provide a 40 hour per week techni-

cal assistance telephone number to handle all requests and queries on special data analysis requests from the DPW.

### IV. Proposal Content

The following will be considered minimum contents of the proposal:

- A. A restatement of the objective to show or demonstrate the responder's view of the nature of the project.
- B. Identify and describe the deliverables to be provided by the responder.
- C. Outline the responder's background and experience with particular emphasis on local and state government work. Identify personnel to conduct the project and detail their training and work experience. No change in personnel assigned to the project will be permitted without the approval of the state Project Director or Manager.
- D. Responder will prepare a detailed cost and work plan which will identify the major tasks to be accomplished and be used as a scheduling and managing tool as well as the basis for invoicing.
- E. Identify the level of the department's participation in the project as well as any other services to be provided to the department.

### V. Evaluation

All proposals received by the deadline will be evaluated by representatives of the Department of Public Welfare. In some instances, an interview will be part of the evaluation process. Weighted factors upon which proposals will be judged include but are not limited to the following:

- A. Expressed understanding of project objectives: 30
- B. Project work plan: 30
- C. Project cost detail: 20
- D. Qualifications of both company and personnel: 20

(Experience of project personnel will be given greater weight than that of the firm.)

Evaluation and selection will be completed by January 30, 1979. Results will be sent immediately by mail to all responder.

The estimated amount of the contract will not exceed \$26,000.00.

Responses must be received by January 29, 1979, by 3:30 p.m.



## STATE CONTRACTS

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Direct inquiries to:

Dr. Warren H. Bock, Assistant Director  
Mental Retardation Division  
Mental Health Bureau  
Department of Public Welfare  
4th Floor Centennial Office Building  
658 Cedar Street  
St. Paul, Minnesota 55155  
Phone: 612-296-4421

### **Department of Transportation Bridges and Structures**

#### **Notice of Availability of Contract for Minnesota Consulting Engineers — Registered Civil and Structural**

The Minnesota Department of Transportation (Mn/DOT) intends to retain qualified Consultants to design and prepare construction plans for a number of bridges of average complexity during 1979. Particular emphasis will be placed on background and experience in bridge design for local, state and federal agencies. Design firms desiring to be considered as design contractors are asked to submit a brochure or resume giving qualifications and experience to K.V. Benthin, Bridge Engineer, 610D Transportation Building, Mn/DOT St. Paul, Minnesota 55155. Identify personnel to conduct the project and detail their training and experience. Brochures and resumes will be received until 4:30 p.m. January 29, 1979. Qualified applicants will be contacted and may be requested to appear at Mn/DOT Building in St. Paul for interviews.

Design of bridges of above average complexity will be solicited by specific proposal.

Names of qualified firms will be retained on file with Mn/DOT for the remainder of the year for consideration.

# 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.



Giacomo C. Beltrami was an Italian lawyer who traveled with the government expedition led by Stephen Long in 1823. Leaving the Long group at Pembina, North Dakota, he wandered eastward to a lake in what is now Beltrami County which he named Lake Julia. He incorrectly believed the lake to be the source of both the Mississippi and Red rivers. Giacomo's book, *A Pilgrimage in Europe and America*, was published in the same year. (Oil painting by G. A. Micheli, courtesy of Minnesota Historical Society)

## Department of Agriculture

### Notice of Postponed Hearing on Proposed Rules Governing the Purchase of Milk on the Basis of Protein

Notice is hereby given that the public hearings in the above-entitled matter published in the *State Register* December 11, 1978, and originally scheduled to be held in the Administration Building, Room 116A, 50 Sherburne Avenue, Saint Paul, Minnesota on January 15, 1979, commencing at 10:00 a.m., and also at the Houston County Courthouse, 304 South Marshall Street, Caledonia, Minnesota on January 16, 1979, commencing at 7:00 p.m., have been rescheduled. Hearings will now be held in the Veterans Service Building, Room D, 20 West 12th Street and Columbus Avenue, Saint Paul, Minnesota on July 16, 1979, commencing at 10:00 a.m., or as soon thereafter as possible; and at the Houston County Courthouse, 304 South Marshall Street, Caledonia, Minnesota on July 17, 1979, commencing at 7:00 p.m., or as soon thereafter as possible. Additionally, a hearing will be held in the Sauk Center City Hall, Meeting Hall, 405 Sinclair Lewis Avenue, Sauk Center, Minnesota on July 19, 1979, at 7:00 p.m., or as soon thereafter as possible, and continuing until all persons have had an opportunity to be heard.

January 2, 1979

Mark Seetin  
Commissioner of Agriculture

## Ethical Practices Board

### Notice of Meeting

#### Preliminary Agenda

Wednesday, January 17, 1979, Room 42, State Office Building

1. MINUTES (November 28, 1978)
2. CHAIRMAN'S REPORT
3. LEGAL COUNSEL REPORT
4. 1979 CAMPAIGN FINANCE LIMITS
5. RESEARCH PROPOSAL

## OFFICIAL NOTICES

### 6. EXECUTIVE DIRECTOR'S REPORT

- a. Financial
- b. Delinquency
- c. Legislative
- d. Economic Interest Informal Question

### 7. OTHER BUSINESS

8. EXECUTIVE SESSION pursuant to Minn. Stat. § 10A.02, subd. 11

In the future the board, through its rulemaking powers under the Ethics In Government Act, will consider establishing the principle that articles prepared and distributed under the byline of a candidate after sine die adjournment of the legislature in an election year through election day is a contribution or expenditure subject to Minn. Stat. ch. 10A reporting, unless such articles are paid political advertisements.

Roger F. Noreen, Chairman

Copies of the correspondence and other related materials are available for public viewing in the office of the Ethical Practices Board, 41 State Office Building, St. Paul, MN 55155. Questions may be addressed to B. Allen Clutter, Executive Director (296-1720).

## Ethical Practices Board

### Finding of Fact in the Matter of the Complaint Against the *Eastsider* Newspaper Approved November 28, 1978

A complaint was filed on October 16, 1978, by Lee Runyon alleging that the *Eastsider* newspaper was making contributions or expenditures on behalf of Representative Gene Waldorf and Representative Randy Kelly by printing an article prepared by Representative Waldorf or an advertisement without a paid disclaimer.

#### Finding:

The Ethical Practices Board finds, based upon the information submitted to it, and the testimony of William C. Godwin, Editor, the *Eastsider*, that the article prepared by Representative Waldorf in the *Eastsider* newspaper was a paid political advertisement which did not contain a paid advertisement disclaimer as required by the Minnesota Fair Campaign Practices Act. Based upon Mr. Godwin's testimony, the board concludes the article cannot be considered a donation in kind from the *Eastsider* newspaper to the Waldorf Volunteer Committee since Mr. Godwin said the \$135.00 charge paid by Representative Waldorf included payment for the article announcing the results of the opinion poll.

It should be noted that the board unanimously agrees the material delivered with the *Eastsider* was for the purpose of influencing the nomination or election of a candidate. As a result, the article prepared by Representative Waldorf published in the *Eastsider* prior to the general election and distributed to thousands of households on the East side of St. Paul, is not exempted by Minn. Stat. § 10A.01, subd. 7 or subd. 10 as "a news item by the news media."

## Office of the Governor

### Notice of Appointment of Acting Department Heads

In accordance with the provisions of Minn. Stat. § 15.06, subds. 4 and 5, notice is hereby given of the following appointments of acting department heads. The effective date of these appointments is January 1, 1979.

Administration

William Strusinski

Agriculture

Rollin Dennistoun

Commerce:

Banks

Robert Mampel

Insurance

Joseph Koleski

Securities

Charles Balck

Consumer Services

Richard Auld

Corrections

Orville Pung

Economic Development

Henry Todd

Economic Security

Marijo Olson

Energy

John Millhone

Finance

Norman Dybdahl

Health

Dr. Warren Lawson

Housing Finance

James Solem

Human Rights

William Wilson

Iron Range Resources

Patrick McGauley

and Rehabilitation

E. I. "Bud" Malone

Labor and Industry

Joseph Alexander

Natural Resources

Theatrice Williams

Ombudsman for Corrections

Donn Escher

Personnel

Sandra Gardebring

Pollution Control

Edward Novak

Public Safety

Lawrence Anderson

Public Service/Ex. Dir.

Edward Dirkswager

Public Welfare

Arthur Roemer

Revenue

Richard Braun

Transportation

Russell Green

Veterans Affairs

Ernest Jones

Mediation Services

**Department of Health  
Environmental Health  
Division**

**Notice of Intent to Solicit Outside  
Opinion Regarding Proposed  
Revision of Rules and Adoption  
of New Rules Relating to  
Transportation of Radioactive  
Materials**

Notice is hereby given, pursuant to the provisions of Minn. Stat. § 15.0412, subd. 6 (1976) that the Commissioner of Health will propose the amendment and revision of existing rules and adoption of new rules.

All interested parties desiring to submit data or views relating to the proposed adoption, amendment, deletion or revision of the rules noted below should address their written comments to Ms. Alice T. Dolezal, Minnesota Department of Health, Division of Environmental Health, 717 Delaware S.E., Minneapolis, Minnesota 55440 or by calling 612/296-5323. Evidence submitted for consideration should be pertinent to the matter at hand. Any material received by the Department of Health will become part of the hearing record.

Amendments, deletion and revisions to rules relating to the following subjects are proposed.

1. Notification of radioactive materials being transported into or out of Minnesota.
2. Notification of radioactive materials being transported intrastate.
3. Maintenance of records regarding radioactive materials being transported.
4. Correlation with existing federal and state legislation.
5. Information regarding the mode and vehicle for transportation of radioactive materials.

Any materials submitted shall be reviewed and considered by the Department of Health during the preparation of the proposed rules. Notice of the public hearing on the proposed rules shall be published in the *State Register* and

given to all interested parties who have registered with the Secretary of State's Office in accordance with the provisions of the Administrative Procedures Act.

**Notice of Intent to Solicit Outside  
Opinion Regarding Proposed  
Revision of Rules Relating to  
Certification of Laboratories**

Notice is hereby given pursuant to the provisions of Minn. Stat. § 15.0412 subd. 6 (1976) that the Commissioner of Health will propose to revise MHD 143 (7 MCAR § 1.143). The proposed revision would expand the types of measurements and analyses for which laboratories may be certified, to include inorganic, organic and radio-chemical analysis and a variety of physical measurements of the environment which may affect the public health.

All interested parties desiring to submit data or views relating to the proposed revision of MHD 143 (7 MCAR § 1.143) should address their comments (either written or oral) to Ms. Pauline M. Bouchard, Minnesota Department of Health, Division of Environmental Health, 717 S.E. Delaware Street, Minneapolis, Minnesota 55440, or by calling (612) 296-5525. Evidence submitted for consideration should be pertinent to the matter at hand. Any material received by the Department of Health will become part of the hearing record.

Any materials submitted shall be reviewed and considered by the Department of Health during the preparation of proposed revision. Notice of the public hearing on the proposed revision shall be published in the *State Register* and given to all interested parties who have registered with the Secretary of State's Office in accordance with the provisions of the Administrative Procedures Act.

**Minnesota Teachers  
Retirement Association  
Notice of Meeting**

The Board of Trustees, Minnesota Teachers Retirement Association, will hold a meeting on Friday, January 26, 1979, 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.

## Pollution Control Agency

### Notice Regarding Proposed Rule WPC 39 Governing Preparation of Behind-schedule and Substandard Project List

Notice is hereby given that the hearing on the above-entitled matter, which commenced on December 4, 1978, has been recessed.

Notice is further given that members of the Minnesota Pollution Control Agency (Agency) staff will be meeting with various members of the public while the hearing is recessed to discuss the rule and possible amendments to the rule as proposed. Any interested or affected persons or groups are encouraged to participate in these discussions. Any person or group who wishes to receive notice of such meetings should contact:

Mr. Larry Christensen  
Minnesota Pollution Control Agency  
Division of Water Quality  
1935 West County Road B-2  
Roseville, Minnesota 55113  
(612) 296-7310

In addition, written or oral comments may be submitted to the Agency in regard to the proposed rule or possible amendments thereto. Written statements may be addressed to Larry Christensen at the above address. Oral statements will be received during regular business hours over the telephone at the above telephone number and in person at the above address. Any written material received by the Agency shall become part of the hearing record in the event rules governing this subject are promulgated.

If the Agency proposes further amendments to the rule as proposed, notice of the proposed amendments will be given, together with the date(s) of the reconvened hearing, in the manner specified in Minn. Stat. § 15.0412, subd. 4 (Supp. 1977). Any person or group who wishes to be given notice of any amendments to the rule as proposed or the dates of the reconvened hearing should contact Larry Christensen at the address or telephone number noted above.

December 28, 1978

Sandra S. Gardebring  
Executive Director

## Department of Transportation

### Notice of Application and Opportunity for Hearing Regarding Chicago and North Western Transportation Company for Authority to Retire and Remove Two Unnumbered Tracks Near the Intersection of First Street North and Van Buren Avenue Located in Hopkins, Minnesota

Notice is hereby given that Chicago and North Western Transportation Company with attorneys at 4200 IDS Center, 80 South 8th Street, Minneapolis, Minnesota 55402 has filed a petition with the Commissioner of Transportation pursuant to Minn. Stat. § 219.741 and § 218.041, subd. 3 (10) to retire and remove two unnumbered tracks near the intersection of First Street North and Van Buren Avenue located in Hopkins, Minnesota. The petition recites among other matters that:

“The subject track is no longer needed for rail transportation service, and constitutes a continuing and burdensome maintenance expense. The track is not used at the present time and there is no present prospect that the subject track will be needed in the future. The only shippers, patrons or members of the public who might have any interest in the retention of the tracks or facilities, or who have used the same to any substantial degree within the past several years is Space Center, Inc. of St. Paul, Minnesota. Attached is the written request of the Vice President of Space Center, Inc. for the removal of this trackage.”

Any person may file a written objection to the proposed action by means of a letter addressed to the Commissioner of Transportation, Transportation Building, Saint Paul, Minnesota 55155, not later than the date specified below. An objection must be received on or before January 29, 1979. The objection should state specifically how the objector's interest will be adversely affected by the proposed action.

Upon receipt of a written objection, the Commissioner will, with respect to the named petitioner, set the matter

## OFFICIAL NOTICES

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down for hearing. If no objections are received, the Commissioner may grant the relief sought by the petitioner.

If this matter is set for hearing, any person who desires to become a Party to this matter must submit a timely Petition to Intervene to the Hearing Examiner pursuant to Minn. Reg. HE 210, showing how the person's legal rights, duties and privileges may be determined or affected by the decision in this case. The petition must also set forth the grounds and purposes for which intervention is sought. All parties have the right to be represented by legal counsel or any other representative of their choice. In the event the objecting party does not do so, or otherwise does not participate in the hearing, the statements contained in the application filed may be taken as true.

December 28, 1978

Jim Harrington  
Commissioner of Transportation

## Minnesota State Agricultural Society

### Meeting Notice

The 120th annual meeting of the Minnesota State Agricultural Society, governing body of the State Fair, will be held Jan. 21, 22 and 23 at the Leamington Hotel, Minneapolis. It will be followed by meetings of the society's board of managers, Jan. 23 and 24.

A complete program of all scheduled meetings is available during regular business hours at the Administration Building on the fairgrounds, Falcon Heights, or at the hotel during the meeting.

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