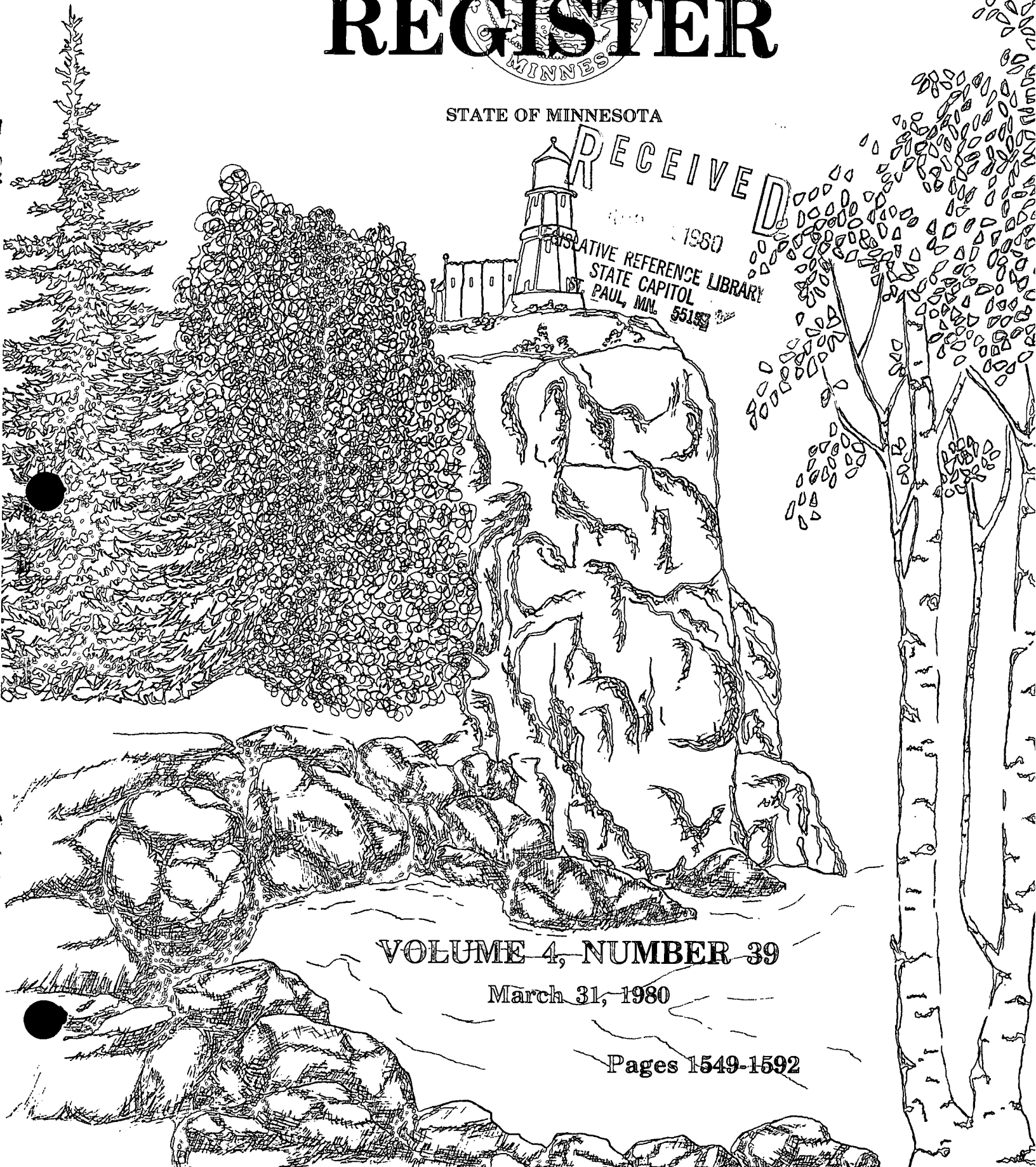
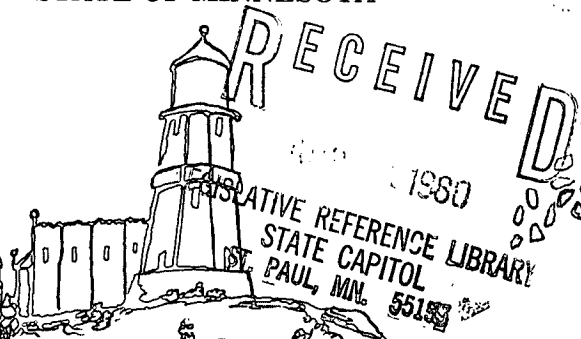


# STATE REGISTER

STATE OF MINNESOTA



VOLUME 4, NUMBER 39

March 31, 1980

Pages 1549-1592



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**Volume 4 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 4			
40	Monday Mar 24	Monday Mar 31	Monday Apr 7
41	Monday Mar 31	Monday Apr 7	Monday Apr 14
42	Monday Apr 7	Monday Apr 14	Monday Apr 21
43	Monday Apr 14	Monday Apr 21	Monday Apr 28

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

\*\*Notices of Public Hearings on proposed rules 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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How to Follow State Agency Rulemaking Action in the State Register

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

The PROPOSED RULES section contains:

- Proposed new rules (including Notice of Hearing).
Proposed amendments to rules already in existence in the Minnesota Code of Agency Rules (MCAR).
Proposed temporary rules.

The ADOPTED RULES section contains:

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

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

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

Table with 2 columns: Issue numbers and cumulative listings. Includes rows for Issues 1-13, 14-25, 26, 27-38, 39, 40-51, and 52.

The listings are arranged in the same order as the table of contents of the MCAR.

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# EXECUTIVE ORDERS

## Executive Order No. 80-1

### Amending Executive Order No. 79-4

I, **Albert H. Quie, Governor of the State of Minnesota**, by virtue of the authority vested in me by the Constitution of the State of Minnesota and applicable statutes, do hereby issue this Executive Order amending Executive Order No. 79-4:

**Whereas**, Executive Order No. 79-4 creating the Governor's Committee on the Northeast Minnesota Economic Protection Fund was issued on February 23, 1979; and

**Whereas**, it is desirable that the Commissioner of the Iron Range Resources Rehabilitation Board be made an *ex officio* member of that committee to bring his expertise to the work of the committee; and

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**EXECUTIVE ORDERS**

**Whereas**, it is necessary and desirable to make provision for payment of travel expenses to the members of the committee;

**Now, therefore**, I order:

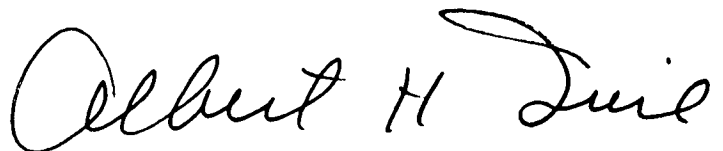
Sections 1.a. and 1.e. of Executive Order No. 79-4 are hereby amended as follows:

1.a. The committee shall consist of appropriate representation from the area and four (4) *ex officio* members, including the Commissioner of the Iron Range Resources Rehabilitation Board and representatives of the Department of Revenue, Pollution Control Agency, and the Department of Economic Development.

1.e. Travel expenses shall be paid.

Pursuant to Minn. Stat. § 4.035 (1978), this order shall be effective fifteen (15) days after filing with the Secretary of State and its publication in the *State Register* and shall remain in effect until it is rescinded by proper authority or expires in accordance with Minn. Stat. §§ 4.035 or 15.0593.

**In testimony whereof**, I hereunto set my hand on this 14th day of March, 1980.



# 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 rule or amendment. 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.

## Department of Commerce Securities Division

### Proposed Uniform Conveyancing Blanks to Replace Uniform Conveyancing Blanks 1-M through 12-M (Warranty Deeds), and 27-M through 32-M (Quit Claim Deeds), Originals of Which Are Filed with Secretary of State, and Copies of Which Are Set Out Following M.S.A. § 507 Creating Four New Affidavit Blanks

#### Notice of Hearing

Notice is hereby given that a public hearing in the above-entitled matter will be held pursuant to Minn. Stat. § 15.0412, subd. 4 (1978), in the Hearing Room of the Department of Commerce, Fifth Floor, Metro Square Building, Seventh and Robert Streets, Saint Paul, Minnesota 55101, commencing at 9:30 a.m. on May 9, 1980, and continuing until all persons have had an opportunity to be heard.

All interested or affected persons will have the opportunity to participate concerning the adoption of the proposed rules captioned above. Statements may be made orally and written material may be submitted. In addition, whether or not an appearance is made at the hearing, written witness statements or material may be submitted by mail to Harry Seymour Crump, Hearing Examiner, Room 300, 1745 University Avenue, Saint Paul, Minnesota 55104, telephone: (612) 296-8111, either before the hearing or within five days after the close of the hearing, or for a longer period not to exceed twenty days if ordered by the hearing examiner.

All such statements will be entered into and become a part of the record. Testimony and other evidence to be submitted for consideration should be pertinent to the matter at hand. For those wishing to submit written statements or exhibits, it is requested that at least 3 copies be furnished. In addition, it is suggested to save time and to avoid duplication, those persons, organizations, or associations having common viewpoints or interests in these proceedings join together where possible and present a single statement in behalf of such interests. Notice:

### Public Hearings on Agency Rules March 31-April 14, 1980

Date	Agency and Rule Matter	Time & Place
Apr 1	Health Department Construction, Equipment, Maintenance, Operation & Licensing of Nursing Homes & Board Care Homes Hearing Examiner: George Beck	9:30 a.m., Rm. 105, MN Dept. of Health Bldg., 717 Delaware St. S.E., Minneapolis, MN
Apr 3	Education Department Standards & Procedures of Special Education Instruction & Services for Handicapped Children & Youth Hearing Examiner: Peter Erickson	Auditoriums A & B, School Administration Bldg., 360 Colborne St., St. Paul, MN
March 31 through Apr 4	Pollution Control Agency Water quality rules	9:30 a.m., MPCA Board Rm., West County Rd. B2, Roseville, MN (Please note: the April 1 hearing will not be held in the Board Rm., but in a place to be announced by the hearing examiner on March 31.)
Apr 7	Same as above	7:00 p.m., Building 1L, Rm. 219, Southwest State College, Marshall, MN
Apr 8	Same as above	9:00 a.m., same as above
Apr 8	Same as above	7:00 p.m., City Administration Bldg., 1025 Roosevelt Ave., Detroit Lakes, MN
Apr 9	Same as above	9:00 a.m., same as above
Apr 9	Same as above	7:00 p.m., County Services Bldg., Laurel St., Brainerd, MN
Apr 10	Same as above	9:00 a.m., same as above
Apr 10	Same as above	7:00 p.m., St. Louis County Courthouse, Duluth, MN
Apr 11	Same as above	9:00 a.m., same as above
Apr 14	Same as above	1:00 p.m. and 7:00 p.m., Friedel Bldg., 1200 So. Broad- way, Rochester, MN

The proposed rules are subject to change as a result of the rule hearing process. The agency therefore strongly urges those who are potentially affected in any manner by the substance of the proposed rules to participate in the rule hearing process.

Pursuant to Laws of Minnesota, 1975, ch. 61, § 26, Minn. Stat. § 507.09 was amended to provide for the appointment of an advisory committee on uniform conveyancing blanks by the Commissioner of Securities. The Commissioner of Securities was given the power to adopt new forms or amended forms by administrative procedures.

In addition to replacing on a one to one basis the forms referred to in the caption, four additional forms would be added:

- Form 115 Affidavit Regarding Purchaser(s) (Individual);
- Form 116 Affidavit Regarding Seller(s) (Individual);
- Form 117 Affidavit Regarding Corporation;
- Form 118 Affidavit Regarding Partnership.

Notice: Any person may request notification of the date on which the hearing examiner's report will be available, after which date the Securities Division 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 Securities Division. If you desire to be so notified, you may so indicate at the hearing. After the hearing, you may request notification by sending a written request to the hearing examiner (in the case of the hearing examiner's report), or to the Securities Division (in the case of the Securities Division's submission or resubmission to the Attorney General).

Notice is hereby given that 25 days prior to the hearing, a Statement of Need and Reasonableness will be available for review at the Securities Division 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 Securities Division at the hearing justifying both the need for and the reasonableness of the proposed rule/rules. Copies of the Statement of Need and Reasonableness may be obtained from the Office of Hearing Examiners at a minimal charge.

Please be advised that Minn. Stat. ch. 10A (1978) requires each lobbyist to register with the Ethical Practices Board within five days after he commences lobbying. Lobbying includes attempting to influence rulemaking by communicating or urging others to communicate with public officials. "Lobbyist" means any individual:

(a) Engaged for pay or other consideration, or authorized by another individual or association to spend money, who spends more than five hours in any month or more than \$250, not including *his own* travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials; or

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

"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 while engaged in selling goods or services to be paid for by public funds;

(d) News media or their employees or agents while engaged in the publishing or broadcasting of news items, editorial comments or paid advertisements which directly or indirectly urge official action;

(e) Paid expert witness whose testimony is requested by the body before which he is appearing, 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 *his own* travel expenses, in any year in communicating with public officials.

(g) Party or his representative appearing to present a claim to the legislature and communicating to legislators only by the filing of a claim form and supporting documents and by appearing at public hearings on the claim.

Questions should be directed to the Ethical Practices Board, 41 State Office Building, Saint Paul, Minnesota 55155, telephone: (612) 296-5615.

March 13, 1980

Mary Alice Brophy  
Commissioner of Securities

[See proposed Conveyancing Blanks which follow.]

**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."

(Individual)

State of Minnesota,

ff

Affidavit Regarding Purchaser(s)

County of \_\_\_\_\_

being first duly sworn, on oath say(s) that:

1. (They are) (he is) (he knows) \_\_\_\_\_

\_\_\_\_\_ the person(s) named as \_\_\_\_\_ in the document dated \_\_\_\_\_, 19\_\_\_\_, and filed for record \_\_\_\_\_, 19\_\_\_\_, as Document No. \_\_\_\_\_, (or in Book \_\_\_\_\_ of \_\_\_\_\_ Page \_\_\_\_\_) in the Office of the (County Recorder) (Registrar of Titles) of \_\_\_\_\_ County, Minnesota.

2. Said person(s) (is) (are) of legal age and under no legal disability with place of business(es) (respectively at) \_\_\_\_\_

\_\_\_\_\_ and for the last ten years (have) (has) resided at: \_\_\_\_\_

3. There are no:

- a. Bankruptcy, divorce or dissolution proceedings involving said person(s) during the time period in which said person(s) have had any interest in the premises described in the above document ("Premises");
  - b. Unsatisfied judgments of record against said person(s) nor, to your Affiant(s) knowledge, any actions pending in any courts which affect the Premises;
  - c. Tax liens filed against said person(s);
- except as herein stated:

4. Any bankruptcy, divorce or dissolution proceedings of record against parties with the same or similar names, during the time period in which the above named person(s) (has) (have) had any interest in the Premises, are not against the above named person(s).

5. Any judgments or tax liens of record against parties with the same or similar names are not against the above named person(s).

6. Said person(s) (has) (have) not ordered or arranged for any labor or materials to be furnished to the Premises for which payment has not been made.

7. There are no persons in possession of any portion of the Premises of which Affiant(s) (has) (have) knowledge, other than pursuant to a recorded document, except as stated herein:

That Affiant(s) know(s) the matters herein stated are true and make(s) this Affidavit for the purpose of inducing the acceptance of title to the Premises.

Subscribed and sworn to before me this \_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

THIS INSTRUMENT WAS DRAFTED BY:

SIGNATURE OF NOTARY PUBLIC OR OTHER OFFICIAL

NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR RANK)

Form No 118 Minnesota Uniform Conveyance Blanks (1975) Miller Davis Co., Minneapolis

Individuals

State of Minnesota,

Affidavit Regarding Seller(s)

County of \_\_\_\_\_

being first duly sworn, on oath say(s) that:

- 1. (They are) (he is) (he knows) \_\_\_\_\_  
 \_\_\_\_\_ the person(s) named as \_\_\_\_\_  
 \_\_\_\_\_ in the document dated \_\_\_\_\_  
 19\_\_\_\_ and filed for record \_\_\_\_\_, 19\_\_\_\_, as Document No. \_\_\_\_\_,  
 (or in Book \_\_\_\_\_ of \_\_\_\_\_ Page \_\_\_\_\_) in the Office of the (County  
 Recorder) (Registrar of Titles) of \_\_\_\_\_ County, Minnesota.
- 2. Said person(s) (is) (are) of legal age and under no legal disability with place of businesses  
 (respectively) at \_\_\_\_\_  
 \_\_\_\_\_ and for the last ten years (has) (have) resided at:

- 3. There have been no:
  - a. Bankruptcy, divorce or dissolution proceedings involving said person(s) during the time said person(s) (have) (has) had any interest in the premises described in the above document ("Premises");
  - b. Unsatisfied judgments of record against said person(s) nor any actions pending in any courts, which affect the Premises;
  - c. Tax liens against said person(s);
 except as herein stated:
- 4. Any bankruptcy, divorce or dissolution proceedings of record against parties with the same or similar names, during the time period in which the above named person(s) (has) (have) had any interest in the Premises, are not against the above named person(s).
- 5. Any judgments, or tax liens of record against parties with the same or similar names are not against the above named person(s).
- 6. There has been no labor or materials furnished to the Premises for which payment has not been made.
- 7. There are no unrecorded contracts, leases, easements, or other agreements or interests relating to the Premises except as stated herein:
- 8. There are no persons in possession of any portion of the Premises other than pursuant to a recorded document except as stated herein:
- 9. There are no encroachments or boundary line questions affecting the Premises of which Affiant(s) (has) (have) knowledge.

Affiant(s) know(s) the matters herein stated are true and make(s) this Affidavit for the purpose of inducing the passing of title to the Premises.

Subscribed and sworn to before me  
this \_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

THIS INSTRUMENT WAS DRAFTED BY

SIGNATURE OF NOTARY PUBLIC OR OTHER OFFICIAL

NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR RANK)

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."

State of Minnesota, )  
County of \_\_\_\_\_ ) ss. Affidavit Regarding Corporation

being first duly sworn, on oath say(s) that:

1. (They are) (\_\_\_he is) the \_\_\_\_\_ and the \_\_\_\_\_ respectively, of \_\_\_\_\_, a \_\_\_\_\_ corporation, the corporation named as \_\_\_\_\_ in the document dated \_\_\_\_\_, 19\_\_\_\_, and filed for record \_\_\_\_\_, 19\_\_\_\_ as Document No. \_\_\_\_\_ (or in Book \_\_\_\_\_ of \_\_\_\_\_ Page \_\_\_\_\_) in the Office of the (County Recorder) (Registrar of Titles) \_\_\_\_\_ County, Minnesota.

2. Said corporation's principal place of business is at \_\_\_\_\_ and said corporation's previous principal place(s) of business during the past ten years (has) (have) been at: \_\_\_\_\_

3. There have been no:  
a. Bankruptcy or dissolution proceedings involving said corporation during the time said corporation has had any interest in the premises described in the above document ("Premises");  
b. Unsatisfied judgments of record against said corporation nor any actions pending in any courts, which affect the Premises;  
c. Tax liens filed against said corporation; except as herein stated:

4. Any bankruptcy or dissolution proceedings of record against corporations with the same or similar names, during the time period in which the above named corporation had any interest in the Premises, are not against the above named corporation.

5. Any judgments or tax liens of record against corporations with the same or similar names are not against the above named corporation.

6. There has been no labor or materials furnished to the Premises for which payment has not been made.

7. There are no unrecorded contracts, leases, easements or other agreements or interests relating to the Premises except as stated herein:

8. There are no persons in possession of any portion of the Premises other than pursuant to a recorded document except as stated herein:

9. There are no encroachments or boundary line questions affecting the Premises of which Affiant(s) (has) (have) knowledge.

Affiant(s) know(s) the matters herein stated are true and make(s) this Affidavit for the purpose of inducing the passing of title to the Premises.

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

SIGNATURE OF NOTARY PUBLIC OR OTHER OFFICIAL  
NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR RANK)

THIS INSTRUMENT WAS DRAFTED BY



Form No. 118

Minnesota Uniform Conveyancing Blanks (1973)

Miller-Davis Co., Minneapolis

Partnership:

State of Minnesota,

} ss.

Affidavit Regarding Partnership

County of \_\_\_\_\_

being first duly sworn, on oath say(s) that:

1. (They are) (he is) \_\_\_\_\_ partner(s) of \_\_\_\_\_ partnership, the partnership named as \_\_\_\_\_ in the document dated \_\_\_\_\_, 19\_\_\_\_ and filed for record \_\_\_\_\_, 19\_\_\_\_, as Document No. \_\_\_\_\_ (or in Book \_\_\_\_\_ of \_\_\_\_\_ Page \_\_\_\_\_) in the Office of the (County Recorder (Registrar of Titles) of \_\_\_\_\_ County, Minnesota.

2. Said partnership's principal place of business is at \_\_\_\_\_ and said partnership's previous principal place(s) of business during the past ten years (has) (have) been at:

3. There have been no:
a. Bankruptcy proceedings involving said partnership or partners thereof, or dissolution proceedings involving said partnership, during the time said partnership has had any interest in the premises described in the above document ("Premises");
b. Unsatisfied judgments of record against said partnership nor any actions pending in any courts, which affect the Premises;
c. Tax liens filed against said partnership; except as herein stated:

4. Any bankruptcy or partnership dissolution proceedings of record against partnerships or persons with the same or similar names, during the time period in which the above named partnership had any interest in the Premises, are not against the above named partnership or the partners thereof.

5. Any judgments or tax liens of record against partnerships with the same or similar names are not against the above named partnership.

6. There has been no labor or materials furnished to the Premises for which payment has not been made.

7. There are no unrecorded contracts, leases, easements or other agreements or interests relating to the Premises except as stated herein:

8. There are no persons in possession of any portion of the Premises other than pursuant to a recorded document except as stated herein:

9. There are no encroachments or boundary line questions affecting the Premises of which Affiant(s) (has) (have) knowledge.

Affiant(s) know(s) the matters herein stated are true and make(s) this Affidavit for the purpose of inducing the passing of title to the Premises.

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

THIS INSTRUMENT WAS DRAFTED BY

SIGNATURE OF NOTARY PUBLIC OR OTHER OFFICIAL

NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR RANK)

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."

Form No. 1-M - WARRANTY DEED Minnesota Uniform Conveyancing Blanks (1978) OSWALD PUBLISHING CO., NEW ULM, MINN.

Individual (s) to individual (s)

No delinquent taxes and transfer entered; Certificate of Real Estate Value ( ) filed ( ) not required  
 Certificate of Real Estate Value No. \_\_\_\_\_  
 \_\_\_\_\_, 19 \_\_\_\_

County Auditor

by \_\_\_\_\_ Deputy

STATE DEED TAX DUE HEREON: \$ \_\_\_\_\_

Date: \_\_\_\_\_, 19 \_\_\_\_

(reserved for recording data)

FOR VALUABLE CONSIDERATION, \_\_\_\_\_, Grantor (s),  
(marital status)

hereby convey (s) and warrant (s) to \_\_\_\_\_, Grantee (s),  
 real property in \_\_\_\_\_ County, Minnesota, described as follows:

(if more space is needed, continue on back)

together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions:

STATE OF MINNESOTA }  
 COUNTY OF \_\_\_\_\_ } ss.

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_,  
 by \_\_\_\_\_, Grantor (s).

NOTARIAL STAMP OR SEAL  
 (or other title or rank)

Signature of person taking acknowledgment  
Tax Statements for the real property described in this instrument should be sent to (include name and address of Grantee).

THIS INSTRUMENT WAS DRAFTED BY:

Form No. 2-M—WARRANTY DEED, Except Assessments Minnesota Uniform Conveyancing Blanks (1978)

Individual (s) to Individual (s)

No delinquent taxes and transfer entered; Certificate of Real Estate Value ( ) filed ( ) not required  
 Certificate of Real Estate Value No. \_\_\_\_\_  
 \_\_\_\_\_, 19 \_\_\_\_\_

County Auditor  
 by \_\_\_\_\_ Deputy

STATE DEED TAX DUE HEREON: \$ \_\_\_\_\_  
 Date: \_\_\_\_\_, 19 \_\_\_\_\_

(reserved for recording data)

FOR VALUABLE CONSIDERATION, \_\_\_\_\_, Grantor (s),  
(marital status)

hereby convey (s) and warrant (s) to \_\_\_\_\_, Grantee (s),  
 real property in \_\_\_\_\_ County, Minnesota, described as follows:

(if more space is needed, continue on back)

together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions: the  
 lien of all unpaid special assessments and interest thereon:

STATE OF MINNESOTA }  
 COUNTY OF \_\_\_\_\_ } ss.

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_,  
 by \_\_\_\_\_, Grantor(s).

NOTARIAL STAMP OR SEAL (or other title or rank) Signature of person taking acknowledgment  
 Tax Statements for the real property described in this instrument should be sent to (include name and address of Grantee):

THIS INSTRUMENT WAS DRAFTED BY:

**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."

PROPOSED RULES

Form No. 3-M - WARRANTY DEED      Minnesota Uniform Conveyancing Blanks (1978)      DEWALD PUBLISHING CO., NEW ULM, MINN.

Individual (s) to Corporation or Partnership

No delinquent taxes and transfer entered; Certificate of Real Estate Value ( ) filed ( ) not required  
 Certificate of Real Estate Value No. \_\_\_\_\_  
 \_\_\_\_\_, 19\_\_\_\_

County Auditor  
 by \_\_\_\_\_ Deputy

STATE DEED TAX DUE HEREON: \$ \_\_\_\_\_

Date: \_\_\_\_\_, 19\_\_\_\_ (reserved for recording data)

FOR VALUABLE CONSIDERATION, \_\_\_\_\_, Grantor(s),  
(marital status)

hereby convey (s) and warrant (s) to \_\_\_\_\_, Grantee,  
 a \_\_\_\_\_ under the laws of \_\_\_\_\_ County, Minnesota, described as follows:  
 real property in \_\_\_\_\_

(if more space is needed, continue on back)  
 together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

STATE OF MINNESOTA }  
 COUNTY OF \_\_\_\_\_ } ss.

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_,  
 by \_\_\_\_\_, Grantor(s).

NOTARIAL STAMP OR SEAL  
 (or other title or rank)

Signature of person taking acknowledgment  
Tax Statements for the real property described in this instrument should be sent to (include name and address of Grantee).

THIS INSTRUMENT WAS DRAFTED BY:

Form No. 4-M—WARRANTY DEED, Except Assessments Minnesota Uniform Conveyance Blanks (1978)

Individual(s) to Corporation or Partnership

No delinquent taxes and transfer entered; Certificate of Real Estate Value ( ) filed ( ) not required Certificate of Real Estate Value No. \_\_\_\_\_, 19\_\_\_\_

County Auditor

by \_\_\_\_\_ Deputy

STATE DEED TAX DUE HEREON: \$ \_\_\_\_\_

Date: \_\_\_\_\_, 19\_\_\_\_ (reserved for recording data)

FOR VALUABLE CONSIDERATION, \_\_\_\_\_ Grantor(s),  
(marital status)

hereby convey (s) and warrant (s) to \_\_\_\_\_ Grantee,  
a \_\_\_\_\_ under the laws of \_\_\_\_\_ County, Minnesota, described as follows:  
real property in \_\_\_\_\_

(if more space is needed, continue on back)

together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions: the lien of all unpaid special assessments and interest thereon:

Affix Deed Tax Stamp Here: \_\_\_\_\_

STATE OF MINNESOTA }  
COUNTY OF \_\_\_\_\_ } ss.

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, by \_\_\_\_\_, Grantor(s).

NOTARIAL STAMP OR SEAL (or other title or rank)

Signature of person taking acknowledgment  
Tax Statements for the real property described in this instrument should be sent to (include name and address of Grantee):

THIS INSTRUMENT WAS DRAFTED BY:

**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."

PROPOSED RULES

Form No. 5.M-WARRANTY DEED      Minnesota Uniform Conveyancing Blanks (1978)      OSWALD PUBLISHING CO., NEWULM, MINN.

Individual (s) to Joint Tenants

No delinquent taxes and transfer entered; Certificate of Real Estate Value ( ) filed ( ) not required  
 Certificate of Real Estate Value No. \_\_\_\_\_  
 \_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_ County Auditor  
 by \_\_\_\_\_ Deputy

STATE DEED TAX DUE HEREON: \$ \_\_\_\_\_

Date: \_\_\_\_\_, 19\_\_\_\_ (reserved for recording data)

FOR VALUABLE CONSIDERATION, \_\_\_\_\_ Grantor(s),  
(marital status)

hereby convey (s) and warrant (s) to \_\_\_\_\_ Grantees as joint  
 tenants, real property in \_\_\_\_\_ County, Minnesota, described as follows:

(if more space is needed, continue on back)

together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

STATE OF MINNESOTA }  
 COUNTY OF \_\_\_\_\_ } ss. \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_,  
 by \_\_\_\_\_, Grantor(s).

NOTARIAL STAMP OR SEAL (or other title or rank)      Signature of person taking acknowledgment  
Tax Statements for the real property described in this instrument should be sent to (include name and address of Grantee).

THIS INSTRUMENT WAS DRAFTED BY:



PROPOSED RULES

Form No. 7-M - WARRANTY DEED Minnesota Uniform Conveyancing Blanks (1978) DEWALD PUBLISHING CO., NEW ULM, MINN.

Corporation or Partnership to Individual(s)
No delinquent taxes and transfer entered; Certificate of Real Estate Value ( ) filed ( ) not required Certificate of Real Estate Value No. \_\_\_\_\_, 19\_\_\_\_
County Auditor
by \_\_\_\_\_ Deputy

STATE DEED TAX DUE HEREON: \$ \_\_\_\_\_
Date: \_\_\_\_\_, 19\_\_\_\_ (reserved for recording data)

FOR VALUABLE CONSIDERATION, \_\_\_\_\_, a \_\_\_\_\_ under the laws of \_\_\_\_\_, Grantor, hereby conveys and warrants to \_\_\_\_\_, Grantee(s), real property in \_\_\_\_\_ County, Minnesota, described as follows:

(if more space is needed, continue on back)
together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions:

By \_\_\_\_\_ Its \_\_\_\_\_
By \_\_\_\_\_ Its \_\_\_\_\_

STATE OF MINNESOTA }
COUNTY OF \_\_\_\_\_ } ss.

The foregoing was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, by \_\_\_\_\_ and \_\_\_\_\_, the \_\_\_\_\_ and \_\_\_\_\_ of \_\_\_\_\_, a \_\_\_\_\_ under the laws of \_\_\_\_\_, on behalf of the \_\_\_\_\_

NOTARIAL STAMP OR SEAL (or other title or rank)

Signature of person taking acknowledgment
Tax Statements for the real property described in this instrument should be sent to (include name and address of Grantee):

THIS INSTRUMENT WAS DRAFTED BY:



Form No. 8.M—WARRANTY DEED, Except Assessments Minnesota Uniform Conveyancing Blanks (1978)

Corporation or Partnership to Individual(s)

No delinquent taxes and transfer entered; Certificate of Real Estate Value ( ) filed ( ) not required  
 Certificate of Real Estate Value No. \_\_\_\_\_  
 \_\_\_\_\_, 19\_\_\_\_

County Auditor  
 by \_\_\_\_\_ Deputy

STATE DEED TAX DUE HEREON: \$ \_\_\_\_\_  
 Date: \_\_\_\_\_, 19\_\_\_\_

(reserved for recording data)

FOR VALUABLE CONSIDERATION, \_\_\_\_\_ a \_\_\_\_\_ under the laws of \_\_\_\_\_, Grantor, hereby conveys and warrants to \_\_\_\_\_, Grantee(s), real property in \_\_\_\_\_ County, Minnesota, described as follows:

(if more space is needed, continue on back)

together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions: the lien of all unpaid special assessments and interest thereon;

By \_\_\_\_\_  
 Its \_\_\_\_\_

By \_\_\_\_\_  
 Its \_\_\_\_\_

STATE OF MINNESOTA }  
 COUNTY OF \_\_\_\_\_ } ss.

The foregoing was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, by \_\_\_\_\_ and \_\_\_\_\_, the \_\_\_\_\_ and \_\_\_\_\_ of \_\_\_\_\_, a \_\_\_\_\_ under the laws of \_\_\_\_\_, on behalf of the \_\_\_\_\_.

NOTARIAL STAMP OR SEAL (or other title or rank)

Signature of person taking acknowledgment

Tax Statements for the real property described in this instrument should be sent to (include name and address of Grantee):

THIS INSTRUMENT WAS DRAFTED BY:

**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."

**PROPOSED RULES**

Form No. 9-M--WARRANTY DEED Minnesota Uniform Conveyancing Blanks (1978) OSWALD PUBLISHING CO., NEW ULN, MINN

Corporation or Partnership to  
Corporation or Partnership

No delinquent taxes and transfer entered; Certificate of Real Estate Value ( ) filed ( ) not required  
Certificate of Real Estate Value No. \_\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_  
County Auditor

by \_\_\_\_\_  
Deputy

STATE DEED TAX DUE HEREON: \$ \_\_\_\_\_

Date: \_\_\_\_\_, 19\_\_\_\_

(reserved for recording data)

FOR VALUABLE CONSIDERATION, \_\_\_\_\_, a \_\_\_\_\_ under the laws of \_\_\_\_\_, Grantor, hereby conveys and warrants to \_\_\_\_\_, Grantee, a \_\_\_\_\_ under the laws of \_\_\_\_\_, real property in \_\_\_\_\_ County, Minnesota, described as follows:

(if more space is needed, continue on back)

together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions:

\_\_\_\_\_

By \_\_\_\_\_  
Its \_\_\_\_\_

By \_\_\_\_\_  
Its \_\_\_\_\_

STATE OF MINNESOTA }  
COUNTY OF \_\_\_\_\_ } ss.

The foregoing was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, by \_\_\_\_\_ and \_\_\_\_\_, the \_\_\_\_\_ and \_\_\_\_\_ of \_\_\_\_\_, a \_\_\_\_\_ under the laws of \_\_\_\_\_, on behalf of the \_\_\_\_\_.

NOTARIAL STAMP OR SEAL  
(or other title or rank)

\_\_\_\_\_  
Signature of person taking acknowledgment  
Tax Statements for the real property described in this instrument should be sent to (include name and address of Grantee):

THIS INSTRUMENT WAS DRAFTED BY:

Form No. 11-M—WARRANTY DEED      Minnesota Uniform Conveyancing Blanks (1978)      DORLAND PUBLISHING CO., NEW ULM, MINN.

Corporation or Partnership  
to Joint Tenants

No delinquent taxes and transfer entered; Certificate  
of Real Estate Value ( ) filed ( ) not required  
Certificate of Real Estate Value No. \_\_\_\_\_  
\_\_\_\_\_, 19 \_\_\_\_\_

County Auditor  
by \_\_\_\_\_ Deputy

STATE DEED TAX DUE HEREON: \$ \_\_\_\_\_

Date: \_\_\_\_\_, 19 \_\_\_\_\_

(reserved for recording data)

FOR VALUABLE CONSIDERATION, \_\_\_\_\_  
\_\_\_\_\_, a \_\_\_\_\_ under the laws of  
\_\_\_\_\_, Grantor, hereby conveys and warrants to \_\_\_\_\_  
\_\_\_\_\_, Grantees  
as joint tenants, real property in \_\_\_\_\_ County, Minnesota, described as follows:

(if more space is needed, continue on back)

together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions:

By \_\_\_\_\_  
Its \_\_\_\_\_

By \_\_\_\_\_  
Its \_\_\_\_\_

STATE OF MINNESOTA }  
COUNTY OF \_\_\_\_\_ } ss.

The foregoing was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_,  
by \_\_\_\_\_ and \_\_\_\_\_  
the \_\_\_\_\_ and \_\_\_\_\_  
of \_\_\_\_\_, a \_\_\_\_\_  
under the laws of \_\_\_\_\_, on behalf of the \_\_\_\_\_

NOTARIAL STAMP OR SEAL  
(or other title or rank)

Signature of person taking acknowledgment  
Tax Statements for the real property described in this instrument should  
be sent to (include name and address of Grantee):

THIS INSTRUMENT WAS DRAFTED BY:

**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."

PROPOSED RULES

Form No. 10-M - WARRANTY DEED, Except Assessments Minnesota Uniform Conveyancing Blanks (1978)

Corporation or Partnership to  
Corporation or Partnership

No delinquent taxes and transfer entered; Certificate of Real Estate Value ( ) filed ( ) not required  
Certificate of Real Estate Value No. \_\_\_\_\_, 19\_\_\_\_

County Auditor  
by \_\_\_\_\_ Deputy

STATE DEED TAX DUE HEREON: \$ \_\_\_\_\_

Date: \_\_\_\_\_, 19\_\_\_\_

(reserved for recording data)

FOR VALUABLE CONSIDERATION, \_\_\_\_\_, a \_\_\_\_\_ under the laws of \_\_\_\_\_, Grantor, hereby conveys and warrants to \_\_\_\_\_, Grantee, a \_\_\_\_\_ under the laws of \_\_\_\_\_, real property in \_\_\_\_\_ County, Minnesota, described as follows:

(if more space is needed, continue on back)  
together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions: the lien of all unpaid special assessments and interest thereon;

By \_\_\_\_\_  
Its \_\_\_\_\_

By \_\_\_\_\_  
Its \_\_\_\_\_

STATE OF MINNESOTA }  
COUNTY OF \_\_\_\_\_ } ss.

The foregoing was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, by \_\_\_\_\_ and \_\_\_\_\_, the \_\_\_\_\_ and \_\_\_\_\_ of \_\_\_\_\_, a \_\_\_\_\_ under the laws of \_\_\_\_\_, on behalf of the \_\_\_\_\_.

NOTARIAL STAMP OR SEAL  
(or other title or rank)

Signature of person taking acknowledgment  
Tax Statements for the real property described in this instrument should be sent to (include name and address of Grantee).

THIS INSTRUMENT WAS DRAFTED BY: \_\_\_\_\_

Form No. 12-M—WARRANTY DEED, Except Assessments Minnesota Uniform Conveyancing Blanks (1978)

Corporation or Partnership to Joint Tenants

No delinquent taxes and transfer entered; Certificate of Real Estate Value ( ) filed ( ) not required  
 Certificate of Real Estate Value No. \_\_\_\_\_  
 \_\_\_\_\_, 19 \_\_\_\_\_

County Auditor  
 by \_\_\_\_\_ Deputy

STATE DEED TAX DUE HEREON: \$ \_\_\_\_\_  
 Date: \_\_\_\_\_, 19 \_\_\_\_\_

(reserved for recording data)

FOR VALUABLE CONSIDERATION, \_\_\_\_\_, a \_\_\_\_\_ under the laws of \_\_\_\_\_, Grantor, hereby conveys and warrants to \_\_\_\_\_ Grantees as joint tenants, real property in \_\_\_\_\_ County, Minnesota, described as follows:

(if more space is needed, continue on back)

together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions: the lien of all unpaid special assessments and interest thereon:

By \_\_\_\_\_  
 Its \_\_\_\_\_

By \_\_\_\_\_  
 Its \_\_\_\_\_

STATE OF MINNESOTA }  
 COUNTY OF \_\_\_\_\_ } ss.

The foregoing was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_, by \_\_\_\_\_ and \_\_\_\_\_, the \_\_\_\_\_ and \_\_\_\_\_ of \_\_\_\_\_, a \_\_\_\_\_ under the laws of \_\_\_\_\_, on behalf of the \_\_\_\_\_.

NOTARIAL STAMP OR SEAL (or other title or rank)

Signature of person taking acknowledgment

Tax Statements for the real property described in this instrument should be sent to (include name and address of Grantee):

THIS INSTRUMENT WAS DRAFTED BY:

**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."

PROPOSED RULES

Form No. 27-M—QUIT CLAIM DEED Minnesota Uniform Conveyancing Blanks (1978) GERALD PUBLISHING CO., NEW ULM, MINN.

Individual (s) to Individual (s)

No delinquent taxes and transfer entered; Certificate of Real Estate Value ( ) filed ( ) not required Certificate of Real Estate Value No. \_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_ County Auditor

by \_\_\_\_\_ Deputy

STATE DEED TAX DUE HEREON: \$ \_\_\_\_\_

Date: \_\_\_\_\_, 19\_\_\_\_

(reserved for recording data)

FOR VALUABLE CONSIDERATION, \_\_\_\_\_, Grantor (s),  
(marital status)

hereby convey (s) and quitclaim (s) to \_\_\_\_\_, Grantee (s),  
 real property in \_\_\_\_\_ County, Minnesota, described as follows:

(if more space is needed, continue on back)

together with all hereditaments and appurtenances belonging thereto.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

STATE OF MINNESOTA }  
 COUNTY OF \_\_\_\_\_ } ss.

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_,  
 by \_\_\_\_\_, Grantor(s).

NOTARIAL STAMP OR SEAL  
 (or other title or rank)

Signature of person taking acknowledgment  
Tax Statements for the real property described in this instrument should be sent to (include name and address of Grantee):

THIS INSTRUMENT WAS DRAFTED BY:

Form No. 28-M - QUIT CLAIM DEED Minnesota Uniform Conveyancing Blanks (1978) OSWALD PUBLISHING CO., ST. PAUL, MINN.

Individual(s) to Corporation or Partnership

No delinquent taxes and transfer entered; Certificate of Real Estate Value ( ) filed ( ) not required  
 Certificate of Real Estate Value No. \_\_\_\_\_  
 \_\_\_\_\_, 19 \_\_\_\_\_

County Auditor  
 by \_\_\_\_\_ Deputy

STATE DEED TAX DUE HEREON: \$ \_\_\_\_\_  
 Date: \_\_\_\_\_, 19 \_\_\_\_\_ (reserved for recording data)

FOR VALUABLE CONSIDERATION, \_\_\_\_\_ Grantor(s),  
(marital status)  
 hereby convey (s) and quitclaim (s) to \_\_\_\_\_ Grantee,  
 a \_\_\_\_\_ under the laws of \_\_\_\_\_  
 real property in \_\_\_\_\_ County, Minnesota, described as follows:

(If more space is needed, continue on back)  
 together with all hereditaments and appurtenances belonging thereto.

State Deed Tax Stamp Here \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

STATE OF MINNESOTA }  
 COUNTY OF \_\_\_\_\_ } ss. \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_,  
 by \_\_\_\_\_ Grantor(s).

NOTARIAL STAMP OR SEAL (or other title or rank) \_\_\_\_\_  
 Signature of person taking acknowledgment  
Tax Statements for the real property described in this instrument should be sent to (include name and address of Grantee).

THIS INSTRUMENT WAS DRAFTED BY: \_\_\_\_\_

**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."

PROPOSED RULES

Form No. 29-M—QUIT CLAIM DEED Minnesota Uniform Conveyancing Blanks (1978) OSWALD PUBLISHING CO. NEWULF, MINN.

No delinquent taxes and transfer entered; Certificate of Real Estate Value ( ) filed ( ) not required Certificate of Real Estate Value No. \_\_\_\_\_, 19\_\_\_\_  
County Auditor  
by \_\_\_\_\_ Deputy

STATE DEED TAX DUE HEREON: \$ \_\_\_\_\_  
Date: \_\_\_\_\_, 19\_\_\_\_

(reserved for recording data)

FOR VALUABLE CONSIDERATION, \_\_\_\_\_ Grantor(s),  
(marital status)  
hereby convey (s) and quitclaim (s) to \_\_\_\_\_ Grantees  
as joint tenants, real property in \_\_\_\_\_ County, Minnesota, described as follows:

(if more space is needed, continue on back)  
together with all hereditaments and appurtenances belonging thereto.

STATE OF MINNESOTA }  
COUNTY OF \_\_\_\_\_ } ss.

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_,  
by \_\_\_\_\_, Grantor(s).

NOTARIAL STAMP OR SEAL  
(or other title or rank)

Signature of person taking acknowledgment  
Tax Statements for the real property described in this instrument should be sent to (include name and address of Grantee).

THIS INSTRUMENT WAS DRAFTED BY:



Form No. 30-M—QUIT CLAIM DEED Minnesota Uniform Conveyancing Blanks (1978) DEWALD PUBLISHING CO., NEW ULM, MINN.

Corporation or Partnership to Individual(s)

No delinquent taxes and transfer entered; Certificate of Real Estate Value ( ) filed ( ) not required  
 Certificate of Real Estate Value No. \_\_\_\_\_  
 \_\_\_\_\_, 19 \_\_\_\_\_

County Auditor  
 by \_\_\_\_\_ Deputy

STATE DEED TAX DUE HEREON: \$ \_\_\_\_\_

Date: \_\_\_\_\_, 19 \_\_\_\_\_

(reserved for recording data)

FOR VALUABLE CONSIDERATION, \_\_\_\_\_, a \_\_\_\_\_ under the laws of \_\_\_\_\_, Grantor, hereby conveys and quitclaims to \_\_\_\_\_, Grantee(s), real property in \_\_\_\_\_ County, Minnesota, described as follows:

(if more space is needed, continue on back)  
 together with all hereditaments and appurtenances belonging thereto.

By \_\_\_\_\_  
 Its \_\_\_\_\_  
 By \_\_\_\_\_  
 Its \_\_\_\_\_

STATE OF MINNESOTA }  
 COUNTY OF \_\_\_\_\_ } ss.

The foregoing was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, by \_\_\_\_\_ and \_\_\_\_\_, the \_\_\_\_\_ and \_\_\_\_\_ of \_\_\_\_\_, a \_\_\_\_\_ under the laws of \_\_\_\_\_, on behalf of the \_\_\_\_\_

NOTARIAL STAMP OR SEAL  
 (or other title or rank)

Signature of person taking acknowledgment  
 Tax Statements for the real property described in this instrument should be sent to (include name and address of Grantee):

THIS INSTRUMENT WAS DRAFTED BY:

**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."

PROPOSED RULES

Form No. 31-M - QUIT CLAIM DEED Minnesota Uniform Conveyancing Blanks (1978) GERALD PUBLISHING CO., ST. PAUL, MINN.

Corporation or Partnership  
to Corporation or Partnership

No delinquent taxes and transfer entered; Certificate of Real Estate Value ( ) filed ( ) not required  
Certificate of Real Estate Value No. \_\_\_\_\_  
\_\_\_\_\_, 19\_\_\_\_

County Auditor  
by \_\_\_\_\_ Deputy

STATE DEED TAX DUE HEREON: \$ \_\_\_\_\_  
Date: \_\_\_\_\_, 19\_\_\_\_ (reserved for recording data)

FOR VALUABLE CONSIDERATION, \_\_\_\_\_, a \_\_\_\_\_ under the laws of \_\_\_\_\_, Grantor, hereby conveys and quitclaims to \_\_\_\_\_, Grantee, a \_\_\_\_\_ under the laws of \_\_\_\_\_, real property in \_\_\_\_\_ County, Minnesota, described as follows:

(if more space is needed, continue on back)  
together with all hereditaments and appurtenances belonging thereto.

By \_\_\_\_\_  
Its \_\_\_\_\_  
By \_\_\_\_\_  
Its \_\_\_\_\_

STATE OF MINNESOTA }  
COUNTY OF \_\_\_\_\_ } ss.

The foregoing was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, by \_\_\_\_\_ and \_\_\_\_\_, the \_\_\_\_\_ and \_\_\_\_\_ of \_\_\_\_\_, a \_\_\_\_\_ under the laws of \_\_\_\_\_, on behalf of the \_\_\_\_\_.

NOTARIAL STAMP OR SEAL  
(or other title or rank)

Signature of person taking acknowledgment  
Tax Statements for the real property described in this instrument should be sent to (include name and address of Grantee):

THIS INSTRUMENT WAS DRAFTED BY:

Form No. 32-M—QUIT CLAIM DEED Minnesota Uniform Conveyancing Blanks (1978) OSWALD PUBLISHING CO., NEW ULM, MINN.

\*Corporation or Partnership to Joint Tenants

No delinquent taxes and transfer entered; Certificate of Real Estate Value ( ) filed ( ) not required Certificate of Real Estate Value No. \_\_\_\_\_, 19\_\_\_\_\_  
\_\_\_\_\_  
County Auditor  
by \_\_\_\_\_ Deputy

STATE DEED TAX DUE HEREON: \$ \_\_\_\_\_  
Date: \_\_\_\_\_, 19\_\_\_\_

(reserved for recording data)

FOR VALUABLE CONSIDERATION, \_\_\_\_\_ a \_\_\_\_\_ under the laws of \_\_\_\_\_, Grantor, hereby conveys and quitclaims to \_\_\_\_\_ Grantees as joint tenants, real property in \_\_\_\_\_ County, Minnesota, described as follows:

(if more space is needed, continue on back)  
together with all hereditaments and appurtenances belonging thereto.

By \_\_\_\_\_  
Its \_\_\_\_\_  
By \_\_\_\_\_  
Its \_\_\_\_\_

STATE OF MINNESOTA }  
COUNTY OF \_\_\_\_\_ } ss.

The foregoing was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, by \_\_\_\_\_ and \_\_\_\_\_ the \_\_\_\_\_ and \_\_\_\_\_ of \_\_\_\_\_, a \_\_\_\_\_ under the laws of \_\_\_\_\_, on behalf of the \_\_\_\_\_

NOTARIAL STAMP OR SEAL (or other title or rank)

Signature of person taking acknowledgment  
Tax Statements for the real property described in this instrument should be sent to (include name and address of Grantee):

THIS INSTRUMENT WAS DRAFTED BY:

**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."

# ADOPTED RULES

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

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

If an adopted rule differs from its proposed form, language which has

been deleted will be printed with strike outs and new language will be underlined, and the rule's previous *State Register* publication will be cited.

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

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## Department of Personnel

### Repealed Temporary Rules Governing Band Width Certification Program

The temporary rules proposed (2 MCAR §§ 2.300-2.305), published at *State Register*, Volume 4, Number 32, pp. 1253-1254, February 11, 1980 (4 S.R. 1253) were repealed on February 29, 1980, as proposed, approved by the Office of the Attorney General on March 10, 1980, and filed with the Office of the Secretary of State on March 14, 1980.

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# TAX COURT

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Pursuant to Minn. Stat. § 271.06, subd. 1, an appeal to the tax court may be taken from any official order of the Commissioner of Revenue regarding any tax, fee or assessment, or any matter concerning the tax laws listed in § 271.01, subd. 5, by an interested or affected person, by any political subdivision of the state, by the Attorney General in behalf of the state, or by any resident taxpayer of the state in behalf of the state in case the Attorney General, upon request, shall refuse to appeal. Decisions of the tax court are printed in the *State Register*, except in the case of appeals dealing with property valuation, assessment, or taxation for property tax purposes.

Morris A. and Barbara L. Grover,  
-vs-  
The Commissioner of Revenue,  
Docket No. 2805

Appellants,

Appellee.

Order dated March 14, 1980.

This is an appeal from an order of the Commissioner of Revenue, dated August 13, 1978, assessing additional income taxes against the appellants for the taxable year 1976.

The issue is whether or not the appellants are entitled to deduct on their Minnesota return losses incurred by the failure of a coal gasification venture, part of which was passed to the appellants as joint venturers and part of which was paid to a foreign corporation.

The matter was heard before the undersigned on June 19, 1979, at the Douglas County Courthouse at Alexandria, Minnesota.

Morris A. Grover, Appellant, appeared pro se,  
Paul R. Kempainen, Special Assistant Attorney General, appeared for Appellee.

#### Decision

The order of the Commissioner of Revenue is hereby amended as follows:

The \$10,000 paid by the appellants to N-R Trust is disallowed as a deduction from income for the year 1976 and the commissioner's order is affirmed with respect to that deduction, however, the \$2500 payment to Mineral Fuels, Inc. is hereby allowed as a deduction from income for the year 1976, and the commissioner's order is reversed with regard to that deduction.

**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."

**Findings of Fact****John Knapp**

1. The Appellants, Morris A. and Barbara L. Grover, were cash-basis, calendar-year taxpayers and residents of Minnesota during the taxable year at issue herein: 1976. The Appellant Morris A. Grover is an attorney engaged in the private practice of law in Alexandria, Minnesota.
2. During 1975 Morris Grover invested a total of \$12,500 in a coal gasification joint venture. The details of this transaction are set forth in the following paragraphs.
3. In late 1974, or early 1975, Morris Grover began discussions with three other men (Dale Hammet, Dr. Richard Lawler, and Dr. James Steffen) about a possible investment in a coal gasification process developed by one Dr. Robert Waldron of Phoenix, Arizona. The primary organizer and manager of the investment was Dale Hammet, who had initially met Dr. Waldron on an airplane, set up the arrangements with him, and who traveled regularly to Phoenix, Arizona.
4. Morris Grover testified that in these discussions it was decided that only Minnesota investors would be sought because: “. . . we wanted to avoid any difficulty with the securities law and also wanted this to be controlled by the Minnesota group since it was going to be our money.” However, it turned out that one investor, out of eighteen total, was not a resident of Minnesota.
5. A joint venture was eventually organized some time in early 1975, and a bank account opened in Alexandria Bank and Trust Company for the purpose of receiving the investor's funds. Mr. Ralph Tillitt, who was an investor, was responsible for handling all payments out of this bank account for the purpose of the joint venture.
6. Although the name attached to the bank account was “N-R Trust,” it was in no sense a legal trust, nor was Ralph Tillitt a trustee. The name “N-R Trust” was used simply to identify the bank account into which the investment money was initially paid. The total arrangement was not characterized by Morris Grover as a trust, but rather a joint venture.
7. On March 12, 1975, Morris Grover made his first investment by depositing \$5,000 into the N-R Trust bank account. On March 31, 1975, Morris Grover made another deposit of \$5,000 into the N-R Trust Bank account.
8. Some time in the spring of 1975, the joint venture sent Ralph Tillitt and Dale Hammet to Phoenix, Arizona, where they purchased some laboratory equipment. The joint venture also established a rented business office in Irvine, California, which was staffed by Hammet, Dr. Waldron and Harold Carlson (another investor), all of whom moved to California to work on the business, Dr. Waldron moving from Phoenix, Arizona. During 1975, the office of the joint venture was unsuccessfully engaged in trying to find a corporate shell to purchase, trying to raise money from the Federal Energy Agency, and trying to patent Dr. Waldron's process.
9. Failing to find a corporate shell, the joint venture eventually organized a California corporation under the name of Mineral Fuels, Inc., under which the business of the joint venture was to be carried on.
10. On September 30, 1975, in response to requests from Hammet and Carlson in the California office of Mineral Fuels, Inc., Morris Grover invested another \$2500 in Mineral Fuels, Inc., a California corporation.
11. Neither the joint venture nor Mineral Fuels, Inc., owned or operated any assets in Minnesota, nor was any business, experimentation, or management conducted in this state. The only connections the joint venture had with Minnesota was that the investors meetings were held in this state and the investment funds were raised here and initially deposited in a bank account here.
12. During the year 1976, the joint venture incurred losses equivalent to the amounts invested and essentially failed as a business enterprise.
13. On his 1976 Federal and Minnesota Income Tax Returns Morris Grover claimed a loss of \$12,500 which had been passed through to him from the coal gasification joint venture.
14. Upon audit by the Commissioner of Revenue this \$12,500 loss was disallowed as not being assignable to the State of Minnesota. By his order dated August 13, 1978, the commissioner assessed additional 1976 income taxes against Appellants in the amount of \$1,792.78, plus interest to the date of the Order of \$170.14.
15. The business of the coal gasification joint venture and its corporation, Mineral Fuels, Inc., was conducted wholly without the State of Minnesota.

**Conclusions of Law**

1. For Minnesota income tax purposes a joint venture is deemed to be a partnership under Minn. Stat. § 290.01, Subd. 3 and joint venturers are therefore subject to the same rules of income taxation as partners.
2. Prior to the formation of the corporation known as Mineral Fuels, Inc., the coal gasification joint venture herein was a business carried on wholly without the State of Minnesota, and therefore, its losses were not assignable to Minnesota under Minnesota Stat. § 290.17(3).
3. The losses of the joint venture retained their non-Minnesota character when passed through to the appellant herein and should, therefore, be added back into the appellants' federal adjusted gross income under Minn. Stat. § 290.01, subd. 20(a) (6).
4. The \$2500 paid to Mineral Fuels, Inc. was either a loan to a foreign corporation or an investment in stock in a foreign corporation and in either case is assignable to Minnesota, and the appellant is therefore not required to add the loss to the federal adjusted gross income.

**Memorandum**

The issue in this case is whether appellant is entitled to use on his Minnesota return the loss incurred by the failure of a coal gasification venture part of which was passed through to him as a joint venturer therein and part of which was either a loan to a foreign corporation or an investment in stock in a foreign corporation.

The appellant contends that all of his investment was an investment in an intangible asset and therefore assignable to Minnesota.

In support of his position, the appellant cites the case of *In Re Abbott's Estate*, 213 Minn. 289, 6 N.W. 2d 466. A careful reading of that case reveals that the case supports the commissioner's position with reference to the investments in the joint venture rather than the position of the appellant.

There is no contention in the instant case that the coal gasification business in which the appellant invested \$10,000 was anything else but a joint venture.

The same principles used in assigning partnership income and losses, as set forth in the recent case of *Friedell et al. vs. Commissioner of Revenue*, 270 N.W. 2d 763 (1978) are also applicable to joint ventures and joint venturers. Since the facts show that \$10,000 of the loss herein was originally assignable outside of Minnesota when incurred by the joint venture, it follows that this non-Minnesota character was retained by the loss as it was passed through to the appellant. In that case, the court held that losses, which were claimed by Minnesota resident taxpayer-partners after being incurred by their partnership in connection with a South Dakota cattlefeeding investment, were not assignable to Minnesota for purposes of their individual income tax liabilities.

The Supreme Court stated the basic principles in 270 N.W. 2d at 766, as follows:

The basis for our holding is the principle of taxation that partnerships are not taxed as such but instead are treated as conduits through which the taxpaying obligation is passed to the individual partners in accordance with their distributive shares. I.R.C. § 701. *et seq.*, Minn. Stat. § 290.31, subs. 1 and 2. See, *United States v. Basye*, 410 U.S. 410, 93 S. Ct. 1080, 35 L. Ed. 2d 412 (1973). This principle is further reflected in the Minnesota statutory scheme by Minn. Stat. § 290.311, subd. 1(b). Under that statute each item of partnership income, gain, loss, or deduction, if not characterized for Federal income tax purposes, "shall have the same character for a partner as if realized directly from the source from which realized by the partnership, or incurred in the same manner as incurred by the partnership." "Character" of an item, for state tax purposes, includes the attribute of assignability.

By saying that the "character" of a loss must be the same for a joint venturer (partner) as for the joint venture (partnership), the law intends that a distributed loss should be treated as if each joint venture were in the shoes of the joint venture and had directly incurred the loss.

Under this rule it is clear that the assignable character of the loss distributed to appellant herein depends upon ascertaining the assignable character of the loss when it was incurred by the coal gasification joint venture.

Under Minn. Stat. § 290.01, subd. 20, the calculation of an individual's Minnesota income tax liability begins with the federal adjusted gross income. However, Minn. Stat. § 290.01, subd. 20(a) (6) imposes certain additions to federal adjusted gross income which are applicable herein. That statute reads in relevant part as follows:

(a) Modifications *increasing* federal adjusted gross income. There shall be *added* to federal adjusted gross income:

\* \* \*

(6) *Losses which do not arise from events or transactions which are assignable to Minnesota under the provisions of sections 290.17 to 290.20, including any capital loss or net operating loss carryforwards or carrybacks resulting from such losses, and including any such nonassignable losses which occur prior to the time the individual becomes a resident of the state of Minnesota;*

(Emphasis added)

Under this language, the precise question for determination in this case is whether the joint venture loss arose "from events or transactions which are assignable to Minnesota under the provisions of §§ 290.17 to 290.20" of the Income Tax Act.

The Minnesota Income Tax Act specifically defines a joint venture as the equivalent of a partnership for income tax purposes. Minn. Stat. § 290.01, subd. 3 reads as follows:

§ 290.01 DEFINITIONS. Subdivision 1. Words, terms, and phrases. Unless the language or context clearly indicates that a different meaning is intended, the following words, terms and phrases, for the purposes of this chapter, shall be given the meanings subjoined to them.

\* \* \*

Subd. 3. Partnership. *The term "partnership" includes a syndicate, group, pool, joint venture, or other unincorporated organization, through or by means of which any business, financial operation, or venture is carried on, and which is not, within the meaning of this act, a trust or estate or a corporation; and the term "partner" includes a member in such a syndicate, group, pool, joint venture or organization.* (Emphasis added)

The assignable character of both income and loss items is determined under Minn. Stat. § 290.17 (1976). That statute contains several subsections, each one dealing with different fact situations. The one applicable herein is Minn. Stat. § 290.17 (3) (1976), which reads as follows:

GROSS INCOME, ALLOCATION TO STATE. Items of gross income shall be assignable to this state or other states or countries in accordance with the following principles:

\* \* \*

(3) *Income derived from carrying on a trade or business*, including in the case of a business owned by natural persons the income imputable to the owner for his services and the use of his property therein, *shall be assigned* to this state if the trade or business is conducted wholly within this state, and *to other states if conducted wholly without this state*. This provision shall not apply to business income subject to the provisions of clause (1); (Emphasis added)

In the instant case, the facts clearly show that the coal gasification joint venture was a "business . . . conducted wholly without this state." The basic process for the coal gasification itself was an idea which had been developed wholly without this state by a person living in Phoenix, Arizona: Dr. Waldron. Apparently, the sole physical assets of the joint venture consisted of laboratory equipment which had been purchased in Arizona and used in California. The sole business office of the enterprise was located in Irvine, California, and all the managing officers and/or staff lived in California and operated out of the California office. When a corporation was eventually formed to carry on the business of the joint venture, it was a California corporation with no Minnesota contacts whatsoever.

The sole fact, of any substance, connecting this joint venture with Minnesota is that all but one of the original investors were Minnesota residents, and consequently almost all the investment money was raised in this state. However, this fact alone does not assign the losses of a joint venture to Minnesota. It must be remembered that in *Friedell, et al., supra* all the partners were also Minnesota residents, and all the money also came from Minnesota, but the subsequent losses were still found to be assigned outside of this state.

Under Minn. Stat. § 290.17 (3), the key fact in determining assignability is *where the trade or business of the joint venture was conducted*, and not where the investors or investment funds came from. In the instant case, it is clear that the business of the coal gasification joint venture was for all practical purposes conducted wholly in California, not Minnesota. Accordingly, the losses incurred by the joint venture were non-Minnesota losses.

Since the coal gasification joint venture incurred a non-Minnesota loss in 1976, that non-assignable character followed the loss as it was "passed through" the joint venture structure to the appellant herein. Minn. Stat. § 290.311, subd. 1(b). Of course, this non-Minnesota character was irrelevant for federal tax purposes, and the appellant was able to receive the full benefit of the deduction on his federal return.

However, on appellant's Minnesota return he was required by Minn. Stat. § 290.01, subd. 20 (a) (6), to add all such non-Minnesota losses back into his federal adjusted gross income so as to increase it for purposes of arriving at his correct Minnesota gross income.

With respect to the investment of \$2500 in the corporation known as Mineral Fuels, Inc., this court finds that this was an investment in an intangible asset and was therefor assignable to the State of Minnesota.

The investment of \$2500 in Mineral Fuels, Inc., was either a loan to a foreign corporation or an investment in stock of a foreign corporation. In either case the income or loss is assignable to Minnesota. Either interest earnings or dividends from a foreign corporation would be taxable to a Minnesota resident, so conversely the losses from such an investment should also not be added to the federal adjusted gross income for Minnesota income tax purposes.

The appellant's argument to the effect that the investment in the joint venture was an investment in an intangible asset and was, therefore, assignable to Minnesota, simply begs the question. The investment in the joint venture was not an investment in an intangible asset and was therefore not assignable to the State of Minnesota, however, the investment in Mineral Fuels, Inc., was an investment in an intangible asset and was therefore assignable to Minnesota.

John Knapp,  
Chief Judge

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## SUPREME COURT

### Decisions Filed Friday, March 21, 1980

#### Compiled by John McCarthy, Clerk

**49297/408 John L. Currell vs. State of Minnesota, Department of Transportation, by Warren Spannaus, Its Attorney General, and by James Harrington, Its Commissioner of Transportation, Appellant. Ramsey County.**

In a mandamus proceeding by a landowner to compel the state to initiate condemnation proceedings for a taking of a highway access, a new trial is ordered for the purpose of determining whether the case of *Johnson Bros. Grocery v. State, Dept. of Highways*, 304 Minn. 75, 229 N.W.2d 504 (1975), controls.

Reversed and remanded for a new trial. Rogosheske, J. Dissenting, Yetka and Kelly, JJ. Took no part, Todd, J.

**49789/435 In the Matter of the Welfare of J. W. M. Hennepin County.**

The trial court's findings of fact do not justify termination of parental rights under Minn. Stat. § 260.221 (b) (5) (1978) where the mother's noncompliance with requirements imposed upon her following an adjudication of neglect consisted of failure to maintain her own residence outside her parents' home and failure to pay her own living expenses from her earnings.

The order granting the adoption petition is vacated; the order terminating parental rights is reversed. Rogosheske, J.

**49972/312 State of Minnesota, Appellant, vs. John Carriere. Hennepin County.**

In order to successfully oppose a defendant's motion pursuant to R. Crim. P. 15.07 to plead guilty to a lesser included offense or an offense of lesser degree, the prosecutor must demonstrate to the trial court that there is a reasonable likelihood the state can withstand a motion to dismiss the charge at the close of the state's case in chief.

Remanded for further proceedings consistent with this opinion. Peterson, J.

**49670/406 City of Zumbrota, Appellant, vs. Strafford Western Emigration Company, etc., et al. Goodhue County.**

The trial court correctly enjoined plaintiff from selling real property dedicated as a public square for public use or terminating or otherwise interfering with the use of the property as a public square. *Headley v. City of Northfield*, 227 Minn. 458, 35 N.W.2d 606 (1945).

A statute designed to authorize the sale, 1978 Minn. Laws, ch. 557, is unconstitutional because it authorizes a taking of private property without just compensation in violation of Minn. Const., art. 1, § 13.

Affirmed. Peterson.

**50259/104 Dennis Wayne Mercer, petitioner, Appellant, vs. State of Minnesota. Hennepin County.**

Petitioner, who at the time he entered pleas of guilty was represented by the same attorney who represented his codefendants, should have been warned by the trial court of the risks of joint representation, but the record in this postconviction proceeding supports the conclusion that joint representation was not detrimental to petitioner and that petitioner would not have received a more lenient plea bargain from the prosecutor if he had been represented by independent counsel and, further, petitioner was warned by counsel that there were potential risks involved in joint representation and yet he elected to proceed with the joint representation.

On this record, convictions of petitioner for unlawful possession of methamphetamine and unlawful possession of a handgun were divisible within the meaning of Minn. Stat. § 609.035 (1976) and therefore the trial court properly sentenced defendant for both offenses.

Affirmed. Peterson, J.

**49663/413 Minnesota Education Association, et al., Appellants, vs. Independent School District No. 495, Grand Meadow, Minnesota, et al. Mower County.**

Teachers' grievance seeking additional pay for teaching more than five classes per day is outside the scope of the collective bargaining agreement's arbitration clause where that agreement, signed several months after the grievance was brought, the school board rules and regulations and the state school board rules and regulations are silent on such extra pay.

The arbitrability of teachers' preparation time grievance is reasonably in doubt, and arbitration was therefore properly ordered, where the collective bargaining agreement makes master contract provisions arbitrable, those provisions guarantee rights under the Minnesota education regulations, and those regulations provide for one period of preparation time per day.

The school district's refusal to arbitrate grievances which are clearly outside the scope of the arbitration clause or whose arbitrability is reasonably in doubt does not constitute an unfair labor practice under Minn. Stat. § 179.68, subd. 2 (6) (1978).

Affirmed. Wahl, J.

**49650/58 State of Minnesota vs. Gary Lee Van Meveren, Appellant. Redwood County.**

Evidence held sufficient to sustain defendant's convictions for burglary and assault; contrary to defendant's contention, interests of justice do not require reversal of the burglary conviction.

Affirmed. Per Curiam.



# STATE CONTRACTS

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Pursuant to the provisions of Minn. Stat. § 16.098, subd. 3, an agency must make reasonable effort to publicize the availability of any consultant services contract or professional and technical services contract which has an estimated cost of over \$2,000.

Department of Administration procedures require that notice of any

consultant services contract or professional and technical services contract which has an estimated cost of over \$10,000 be printed in the *State Register*. These procedures also require that the following information be included in the notice: name of contact person, agency name and address, description of project and tasks, cost estimate, and final submission date of completed contract proposal.

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## Department of Administration Telecommunications Division

### Notice of Availability of Contract for Legal and Technical Services to Assist in Intrastate Private Line Rate Proceedings

The Department of Administration is seeking qualified consultants to investigate and assist in the department's intervention in hearings before the Public Service Commission regarding Northwestern Bell Telephone Company's petition to restructure and reprice its private line tariff and services.

The tasks involve developing and delivering direct testimony, rebuttal, and cross examination as well as overall coordination of the Department of Administration's position in the rate hearing proceedings.

Details of the project are contained in a Request for Proposal and are available from:

Department of Administration  
Telecommunications Division  
State Administration Building G-4  
St. Paul, Minnesota 55155

For further information, contact Richard Ekstrand, (612) 296-7582, or Roger Nelson, (612) 296-6544.

Estimated cost of the project should not exceed \$100,000.00.

Final date for submission of proposals is 4:30 p.m., April 21, 1980.

## Department of Economic Development Tourism Bureau

### Notice of Request for Proposals for Boundary Waters Canoe Area Advertising Program

Proposals are being accepted from advertising agencies to design and execute a Boundary Waters Canoe Area (BWCA) Advertising Program for the Tourism Bureau of the Department of Economic Development.

The contractor selected to complete this project will be responsible for long range planning for promotion of the BWCA, development of an area wide brochure and generation of creative materials.

The contract amount shall not exceed \$31,500 and all work shall be completed by October 1, 1980.

Proposals must be submitted no later than 4 p.m. April 14th, 1980. A complete request for proposal may be obtained by writing:

Mr. Hank Todd  
Bureau of Tourism  
480 Cedar Street  
St. Paul, Minnesota 55101  
1-612-296-8391

# OFFICIAL NOTICES

Pursuant to the provisions of Minn. Stat. § 15.0412, subd. 6, an agency, in preparing proposed rules, may seek information or opinion from sources outside the agency. Notices of intent to solicit outside opinion must be published in the *State Register* and all interested persons afforded the opportunity to submit data or views on the subject,

either orally or in writing.

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

## Department of Administration Cable Communications Board

### Invitation to Comment on Proposed Cable Service Territory for the North Central Suburban Municipalities of Anoka, Champlin and Ramsey before May 9, 1980

On January 21, 1980, Harmon & Company, Inc., a Colorado corporation planning to seek cable franchises in this area, proposed a cable service territory (CST) consisting of the corporate limits of three municipalities in the north central area of the Twin Cities: Anoka, Ramsey and Champlin.

The communities have already responded to the board's offer of counsel and advice during the period of the board's consideration of the CST proposal.

On May 9, 1980, the board must make its decision to approve, reject or delay consideration of the proposed CST. Prior to that date, the Cable board continues to seek written comments from parties interested in the proposed CST—not only from municipalities included in the original proposal and those who may wish to be, but also from other interested municipalities, organizations, agencies, school districts, units of government and individuals.

The Cable board will set aside a portion of its April 11, 1980 meeting in order to hear public comments on the proposed cable service territory.

Comments may be addressed to the Minnesota Cable Communications Board at 500 Rice Street, Saint Paul, Minnesota 55103.

## Department of Agriculture Agronomy Services Division Notice of Special Local Need Registration for Paraquat CL

Pursuant to Minn. Stat. § 18.A.23 and 3 MCAR § 1.0338 B., the Minnesota Department of Agriculture on March 20, 1980 issued a Special Local Need Registration for Paraquat CL,

manufactured by Chevron Chemical Company, Richmond, California, 94804.

The Commissioner of Agriculture, based upon information in the application, has deemed it in the public interest to issue such a registration, and has deemed that the information in the application indicates that the pesticide does not have the potential for unreasonable adverse environmental effects.

In addition to the uses prescribed on the product label, this Special Local Need Registration permits the use of this pesticide as a post harvest desiccation aid of Kentucky Bluegrass fields to facilitate burning.

The application and other data required under Minn. Stat. §§ 18A.22, subd. 2 (a-d), 18A.23, and 40 CFR 162.150-162.158, subpart B relative to this registration (identified as SLN #MN 80-0007) is on file for inspection at:

Minnesota Department of Agriculture  
Pesticide Control Section  
90 West Plato Blvd.  
Saint Paul, Mn. 55107  
612-296-8379

A federal or state agency, a local unit of government, or any person or group of persons filing with the commissioner a petition that contains the signatures and addresses of 500 or more individuals of legal voting age has 30 days to file written objections with the Commissioner of Agriculture regarding the issuance of This Special Local Need Registration. Upon receipt of such objections and when it is deemed in the best interest of the environment or the health, welfare, and safety of the public, the Commissioner of Agriculture shall order a hearing pursuant to Minn. Stat. ch. 15, for the purpose of revoking, amending, or upholding this registration.

March 21, 1980

Mark W. Seetin  
Commissioner of Agriculture

## Notice of Special Local Need Registration for Banvel Herbicide

Pursuant to Minn. Stat. § 18.A.23 and 3 MCAR § 1.0338 B., the Minnesota Department of Agriculture on March 20, 1980 issued a Special Local Need Registration for Banvel Herbicide, manufactured by Velsicol Chemical Corp., Chicago, Illinois, 60611.

The Commissioner of Agriculture, based upon information in the application, has deemed it in the public interest to issue such a registration, and has deemed that the information in the application indicates that the pesticide does not have the potential for unreasonable adverse environmental effects.

In addition to the uses prescribed on the product label, this Special Local Need Registration permits the use of this pesticide to be applied by air at reduced rates when mixed with 2,4 D and MCPA, to be tank mixed with bromoxynil to control broadleaf weeds in wheat and oats.

The application and other data required under Minn. Stat. §§ 18A.22, subd. 2 (a-d), 18A.23, and 40 CFR 162.150 162.158, subpart B relative to this registration (identified as SLN #MN 80-0008) is on file for inspection at:

Minnesota Department of Agriculture  
Pesticide Control Section  
90 West Plato Blvd.  
Saint Paul, Minnesota 55107  
612-296-8379

A federal or state agency, a local unit of government, or any person or group of persons filing with the Commissioner a petition that contains the signatures and addresses of 500 or more individuals of legal voting age has 30 days to file written objections with the Commissioner of Agriculture regarding the issuance of this Special Local Need Registration. Upon receipt of such objections and when it is deemed in the best interest of the environment or the health, welfare, and safety of the public, the Commissioner of Agriculture shall order a hearing pursuant to Minn. Stat. ch. 15 for the purpose of revoking, amending, or upholding this registration.

March 21, 1980

Mark W. Seetin  
Commissioner of Agriculture

## Department of Commerce Banking Division

### Bulletin No. 2210: Maximum Lawful Rate of Interest for Mortgages for the Month of April 1980

Notice is hereby given that the Banking Division, Department of Commerce, State of Minnesota, pursuant to House File No. 564, Chapter 279, 1979 Session Laws, as it amended Minn. Stat. § 47.20, subd. 4, effective May 31, 1979, hereby determines that the maximum lawful rate of interest for home mortgages for the month of April 1980 is seventeen and one-quarter (17.25) percentage points.

March 18, 1980

Michael J. Pint  
Commissioner of Banks

## Department of Commerce Insurance Division

### Notices of Meetings

#### Minnesota Comprehensive Health Association

Actuarial Committee  
Friday, April 11, 1980  
1:30 p.m. and

#### Finance Committee

Tuesday, April 15, 1980  
1:30 p.m.

#### Northwestern National Life Insurance Company

20 Washington Avenue South  
Minneapolis, Minnesota

Changes in any scheduled meetings and notices of any additional meetings will be posted or otherwise be available upon inquiry at the offices of the Insurance Division, and may also be obtained by telephone from the Life and Health Section (296-2202).

## Ethical Practices Board

### Request for Advisory Opinion

#### Americans for Democratic Action

The Minnesota State Ethical Practices Board solicits opinions and comments to the following request for an advisory opinion which will be discussed at its next Board meeting. Written comments concerning the opinion request should be forwarded to arrive at the Board's office prior to April 7, 1980.

March 14, 1980

Ethical Practices Board  
41 State Office Building  
Saint Paul, Minnesota 55155

Ladies and Gentlemen:

Pursuant to the informal agreement reached at the February meeting of the board, ADA's elections committee on February 29, and its State Board on March 11, re-ratified and made explicit its rules for endorsements and sample ballots, and requests an advisory opinion on whether this conforms to state law and the rules of the board:

(1) ADA does not accept requests for endorsements; rather, we select races we consider important for our purposes and make a selection accordingly.

(2) We ordinarily screen for such offices; when we do, we ask all candidates for the office, of all parties, to participate. We may endorse without screening, but that would require a suspension of our usual procedures.

(3) We endorse whom we choose and work for him or her as

## OFFICIAL NOTICES

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we think best. We are not part of and do not work with any candidate's campaign committee.

(4) All our decisions are individually arrived at; literature and sample ballots are distributed as we find it best for the most of our candidates. Consent is neither requested nor needed from a candidate, either for our statements or our literature, just as it is not necessary for our endorsement itself.

Sincerely,

Denis Wadley  
Vice President (for the State Board)

### Department of Health Environmental Health Division

#### Notice of Intent to Solicit Outside Opinion on Proposed Amendments to Rules and Proposed Adoption of New Rules

Notice is hereby given, pursuant to Minn. Stats. § 15.0412, subd. 6 (1978), that the Commissioner of Health will propose the adoption of new rules, and amendments to existing rules. All interested parties desiring to submit data or views relating to the proposed amendments or adoption of new rules noted below, should address their comments (either written or oral) to the Minnesota Department of Health, 717 Delaware Ave. S.E., Minneapolis, Minn. 55440, by writing or calling the persons designated. 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.

1. Proposed revision of rules relating to sanitary requirements of food and beverage service establishments.

Contact: Fred Mitchell  
Phone : 612/296-5341

2. Proposed amendments to rules relating to public water supplies.

Contact: Pauline Bouchard  
Phone : 612/296-5331

3. Proposed amendments to rules relating to operation of children's camps.

Contact: Charles Schneider  
Phone : 612/296-5335

4. Proposed amendments to the water well construction code to authorize the use of plastic well casing throughout the state.

Contact: Edwin Ross  
Phone : 612/296-5338

5. Proposed amendments to rules relating to mobile home parks and recreational camping areas.

Contact: Charles Schneider  
Phone : 612/296-5335

6. Proposed amendments to rules relating to swimming pools.

Contact: Richard Clark  
Phone : 612/296-5327

### Department of Health Health Systems Division

#### Notice of Intent to Solicit Outside Opinions Concerning a Request for A Waiver of HMO Statutes and Rules by SHARE

Notice is hereby given that the Department of Health is seeking opinions and comments pertaining to a request by SHARE for waiver of HMO statutes and rules for its Senior Care Program. Such waivers are authorized for demonstration projects by Minn. Stat. § 62 D.30.

The request submitted by SHARE is available for inspection during normal business hours at the following location:

HMO Unit  
Room 216  
Minnesota Department of Health  
Minneapolis, Minnesota 55440

Comments on the application must be received at the HMO Unit by April 30, 1980.

### Department of Personnel Notice of Meeting

The Governor's Task Force on Personnel Management created by Executive Order No. 79-37 will hold a meeting on April 10, 1980 from 1:00 p.m. to 4:00 p.m. at the Normandy Inn, 405 South 8th Street, Minneapolis, Minnesota. The dates and locations of all future meetings of the Task Force and of its sub-committees, which will not be determined until the April 10 meeting, may be secured by calling the Department of Personnel. Phones: 296-2616, 296-2914, 296-2917.

The Task Force sub-committees are titled according to their assigned areas of review as follows: Policy and Practice, Examining and Referral, Classification, Total Compensation and Labor Relations.

## **Secretary of State**

### **Notice of Vacancy in Multi-member State Agency**

Notice is hereby given to the public that a vacancy has occurred in a multi-member state agency, pursuant to Minn. Stat. § 15.0597, subd. 4. Application forms may be obtained at the Office of the Secretary of State, 180 State Office Building, St. Paul 55155; (612) 296-2805. Application deadline is Tuesday, April 15, 1980.

**Higher Education Facilities Authority** has one vacancy open immediately for a term expiring in January, 1981. The authority issues tax exempt revenue bonds for capital improvements at non-profit private post-secondary educational institutions. Meetings are held monthly. Members are appointed by the governor, and receive \$35 per diem. For specific information, contact the Higher Education Facilities Authority, 278 Metro Square Building, St. Paul 55101; (612) 296-4690.