

STATE REGISTER



STATE OF MINNESOTA

RECEIVED

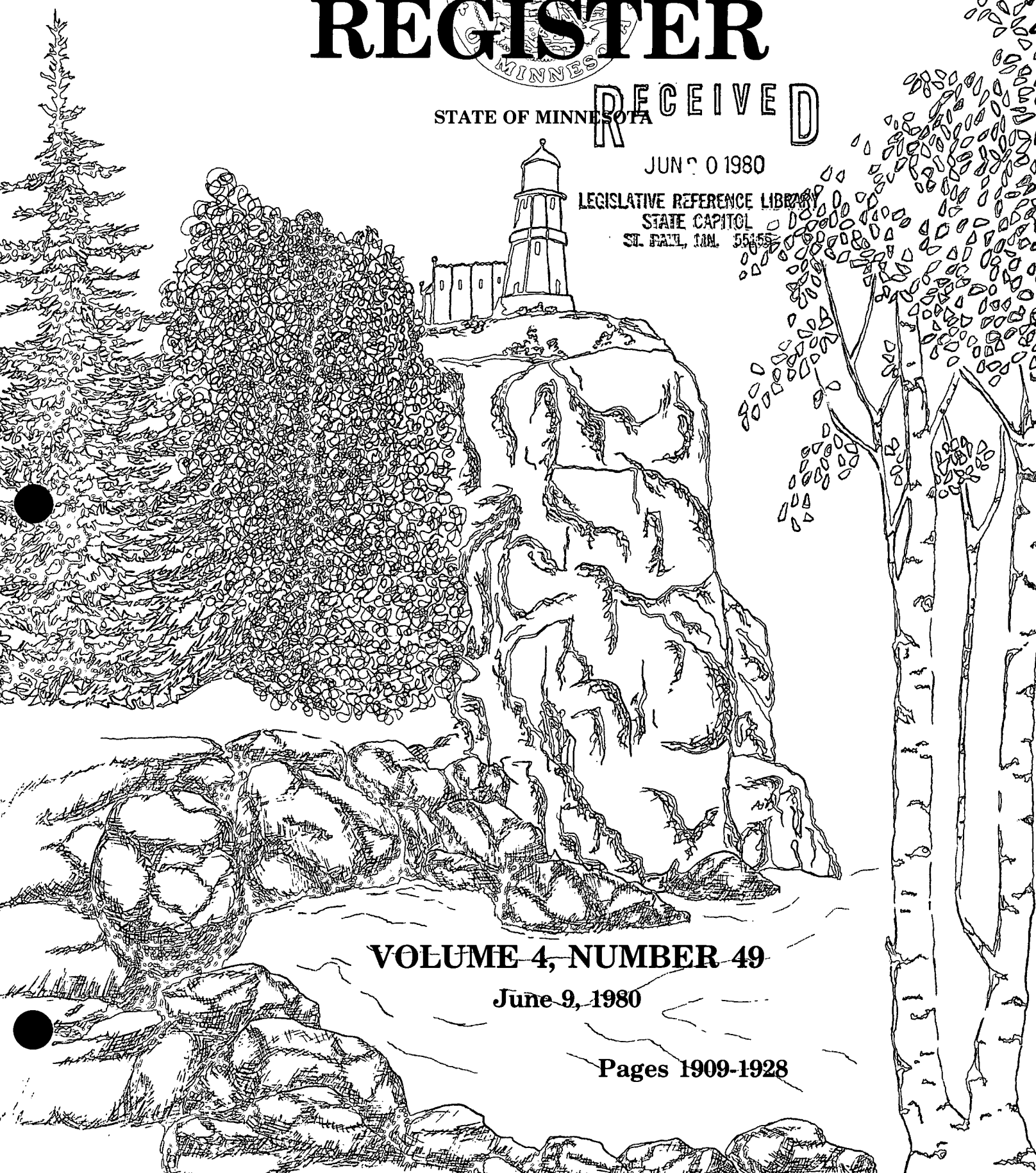
JUN 9 1980

LEGISLATIVE REFERENCE LIBRARY
STATE CAPITOL
ST. PAUL, MINN. 55155

VOLUME 4, NUMBER 49

June 9, 1980

Pages 1909-1928





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			
50	Monday June 2	Monday June 9	Monday June 16
51	Monday June 9	Monday June 16	Monday June 23
52	Monday June 16	Monday June 23	Monday June 30
SCHEDULE FOR VOLUME 5			
1	Monday June 23	Monday June 30	Monday July 7

*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.

The *State Register* is published by the State of Minnesota, Office of the State Register, Suite 415, Hamm Building, 408 St. Peter Street, St. Paul, Minnesota 55102, pursuant to Minn. Stat. § 15.0411. Publication is weekly, on Mondays, with an index issue in August. In accordance with expressed legislative intent that the *State Register* be self-supporting, the subscription rate has been established at \$118 per year, postpaid to points in the United States. Second class postage paid at St. Paul, Minnesota, Publication Number 326630. (ISSN 0146-7751) No refunds will be made in the event of subscription cancellation. Single issues may be obtained at \$2.25 per copy.

Subscribers who do not receive a copy of an issue should notify the *State Register* Circulation Manager immediately at (612) 296-0931. Copies of back issues may not be available more than two weeks after publication.

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

Albert H. Quie
Governor

Carol Anderson Porter
Editor

James J. Hiniker, Jr.
Commissioner
Department of Administration

Paul Hoffman, Robin PanLener, Jean M. Walburg
Editorial Staff

Stephen A. Ordahl
Manager
Office of the State Register

Roy Schmidtke
Circulation Manager

David Zunker
Information Officer

Cindy Riehm
Secretarial Staff

CONTENTS

MCAR AMENDMENTS AND ADDITIONS

Cumulative Listing for Issues 40-491912

ADOPTED RULES

Agriculture Department Shade Tree Program

Sanitation and Reforestation Grants and Wood
Utilization, and Disposal System Grants1913

Public Hearings on Agency Rules

June 16-21, 19801913

Livestock Sanitary Board

Quarantine of Livestock and Poultry Imported into Minnesota
without A Health Certificate or with An Improper Health
Certificate; Importation of Sheep; Scabies, Establishment and
Operation of Public Stockyards; Cleaning and Disinfection of
Vehicles Used As Carriers; Isolation and Quarantining of
Livestock and Poultry for Infectious and Dangerous
Communicable Diseases1914

SUPREME COURT

Decisions Filed Friday, May 30, 19801916

STATE CONTRACTS

Corrections Department Minnesota Corrections Facility—Red Wing

Psychological Evaluation Services1917
Volunteer Services Coordinator1917

Health Department

Chronic Disease Section

Antihypertensive Therapy Compliance Services1918

Education Department

Instruction Division

Development of A K-9 Traffic Safety Education Curriculum
Guide1918

Minnesota Higher Education Coordinating Board

Auditing Services for the State Student Loan Program1918

Public Welfare Department Faribault State Hospital

Radiological Consulting Contract1918

Public Welfare Department Mental Health Bureau

Updating of the Fixed Asset Inventory Records of the State
Hospitals/Nursing Homes for the Fiscal Year Ending June 30,
19801919

Health Department

Community Services Division

Services for Children with Handicaps1919
Contracts for Certain Medical and Related Services1919

Employee Relations Department

Group Hospital and Medical Insurance1919

Housing Finance Agency

Administrators for Urban Indian Housing Loan Program1920

Metropolitan Council

Emergency Medical Services Communications System1920

OFFICIAL NOTICES

Agriculture Department

Agronomy Services Division

Special Local Need Registration for Arbotect 20 S1921

Commerce Department

Banking Division

Bulletin No. 2252: Maximum Lawful Rate of Interest for
Mortgages and Contracts for Deed for June 19801921

Commerce Department

Insurance Division

Outside Information Sought on Proposed Rules Governing Self-
Insurance Pools for Political Subdivisions1921

Education Department

Special and Compensatory Education Division

Change in Date of Public Hearing and Extension of Public
Comment Period1922

Ethical Practices Board

Request for Advisory Opinion Re: Political Committee
Registration and Reporting Requirements—Ballot Questions ...1922

Health Department

Community Services Division Maternal and Child Health Section

Dental Health Project Grant1922

Health Department

Emergency Medical Services (EMS); Long-term Medical
Consultant; Long-term Care Review; Pediatrician Consultation;
Pediatric Nurse Associate; Review of Disability Requests1923

State Board of Investment

Meeting Notices1924

Metropolitan Council

Public Hearings on the Proposed Juvenile Justice Policy Plan of
the Law and Justice Chapter of the Metropolitan Development
Guide1924

Metropolitan Waste Control Commission

Outside Opinion Sought Regarding Proposed Rules Governing
Pretreatment Standards1924

Minnesota State Agricultural Society Minnesota State Fair

Meeting Notice1925

Minnesota State Retirement System

Special Meeting, Board of Directors1925

Public Service Department

Public Service Commission

Termination of Proceedings Concerning Establishment of a
Statewide Plan for Incremental Pricing of Natural Gas1925

Office of the Secretary of State

Vacancies in Multi-member State Agencies1925

Water Planning Board

Notice of Meeting1926

NOTICE

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:

Issues 1-13, inclusive

Issues 14-25, inclusive

Issue 26, cumulative for 1-26

Issue 27-38, inclusive

Issue 39, cumulative for 1-39

Issues 40-51, inclusive

Issue 52, cumulative for 1-52

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

MCAR AMENDMENTS AND ADDITIONS

TITLE 2 ADMINISTRATION

Part 1 Administration Department

2 MCAR §§ 1.6201-1.6207, 1.6220-1.6230 (proposed) 1881

Part 2 Employee Relations Department (previously Personnel Department)

2 MCAR § 2.198 (adopted) 1851

Part 3 Retirement System

2 MCAR §§ 3.5001-3.5008, DCP I-VII (proposed) 1665

TITLE 3 AGRICULTURE

Part 1 Agriculture Department

3 MCAR §§ 1.0112-1.0113 (adopted) 1913

Part 2 Livestock Sanitary Board

LSB 7, LSB 18, LSB 20, LSB 52, LSB 61, 3 MCAR §§ 2.007,
2.009, 2.018, 2.044, 2.052, 2.061 (adopted) 1914

3 MCAR § 2.024 (proposed) 1730

TITLE 4 COMMERCE

Part 1 Commerce Department

4 MCAR §§ 1.9285-1.9299 (adopted temporary extended) 1712

TITLE 5 EDUCATION

Part 1 Education Department

5 MCAR §§ 1.0104-1.0105, 1.0107, 1.01041-1.01047 (withdrawn) .. 1756

5 MCAR §§ 1.0100-1.0105, 1.01051, 1.0106-1.0110,
1.01101-1.01102, 1.0111-1.0118 (adopted) 1607

TITLE 6 ENVIRONMENT

Part 2 Energy Agency

6 MCAR § 2.2204 (proposed) 1597

Part 4 Pollution Control Agency

SW 11 (6 MCAR § 4.6011) (adopted) 1693

TITLE 7 HEALTH

Part 1 Health Department

7 MCAR §§ 1.022, 1.032 (adopted) 1690

7 MCAR §§ 1.442-1.444 (adopted) 1608

7 MCAR §§ 1.472, 1.474, 1.505 (proposed) 1804

7 MCAR §§ 1.601-1.611 (adopted) 1851

Part 3 Dental Board

7 MCAR §§ 3.002, 3.004-3.005, 3.011-3.022, 3.025,
3.031-3.034, 3.044-3.046, 3.063 (proposed) 1798

TITLE 8 LABOR

Part 1 Labor and Industry Department

8 MCAR §§ 1.7001, 1.7100-1.7129 (MOSHC 1) (proposed) 1767

8 MCAR § 1.7001 (MOSHC 1) (adopted) 1816

8 MCAR §§ 1.8001-1.8015, 1.8017 (adopted) 1816

Part 4 Economic Security Department

8 MCAR § 4.4012 (adopted temporary) 1848

TITLE 9 LAW

Part 2 Hearing Examiners

9 MCAR §§ 2.102, 2.104-2.199, 2.201, 2.203-2.205,
2.208, 2.213, 2.217-2.219 (proposed) 1807

TITLE 10 PLANNING

Part 1 State Planning Agency

10 MCAR §§ 1.300-1.302, 1.304-1.305 (adopted) 1775

10 MCAR §§ 1.320-1.325 (proposed) 1894

10 MCAR §§ 1.401-1.404 (adopted) 1731

TITLE 11 PUBLIC SAFETY

Part 1 Public Safety Department

11 MCAR §§ 1.4092-1.4098 (proposed) 1633

MCAR AMENDMENTS AND ADDITIONS

TITLE 12 SOCIAL SERVICES

Part 2 Public Welfare Department

12 MCAR § 2.014 (extended temporary)	1609
12 MCAR § 2.047 (withdrawn)	1606
12 MCAR § 2.049 (proposed temporary)	1893
12 MCAR § 2.160 (proposed)	1756
12 MCAR § 2.200 (adopted temporary)	1642
12 MCAR §§ 2.204, 2.207 (adopted)	1855
12 MCAR §§ 2.490-2.491 (adopted)	1855

Part 3 Housing Finance Agency

12 MCAR §§ 3.002, 3.052, 3.063, 3.070-3.074 (adopted)	1692
12 MCAR §§ 3.081-3.085 (proposed temporary)	1688
12 MCAR §§ 3.136-3.139 (proposed temporary)	1847
12 MCAR §§ 3.152-3.153, 3.156 (adopted temporary)	1692

TITLE 13 TAXATION

Part 1 Revenue Department

13 MCAR §§ 1.0021-1.0026 (proposed)	1637
---	------

TITLE 14 TRANSPORTATION

Part 1 Transportation Department

14 MCAR §§ 1.4025-1.4030 (proposed)	1677
14 MCAR § 1.5050 (adopted)	1643

ADOPTED RULES

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

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

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

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

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

Department of Agriculture Shade Tree Program

Adopted Rules Governing Sanitation and Reforestation Grants and Wood Utilization, and Disposal System Grants (3 MCAR §§ 1.0112-1.0113)

The rules proposed and published at *State Register*, Volume 4, Number 22, pp. 889-893, December 3, 1979 (4 S.R. 889) are now adopted, with the following amendments:

Rules as Adopted

3 MCAR § 1.0112 Grants-in-aid to municipalities for sanitation and reforestation program. The commissioner may, in the name of the state and within the limits of appropriations provided, make grants-in-aid to a municipality with an

Public Hearings on Agency Rules June 16-21, 1980

Date	Agency and Rule Matter	Time & Place
June 17	Public Welfare Department Administration of Public Social Services Hearing Examiner: Richard C. Luis	9:00 a.m., Room D, Veterans Service Building, 20 West 12th Street & Columbus Avenue, St. Paul, MN

approved disease control program for the partial funding of municipal sanitation and reforestation programs. One grant shall be made for all eligible sanitation and reforestation costs.

A. Sanitation and reforestation grants.

1. Sanitation. Grants to any municipality for sanitation shall not exceed fifty (50) percent of the municipality's total cost for sanitation approved by the commissioner. The total cost may include any amounts paid for sanitation by special assessments, ad valorem taxes, federal grants, or other funds. A municipality

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

may assess to the abutting property not more than fifty (50) percent of the expense of treating with an approved method or removing diseased shade trees located on street terraces or boulevards to that abutting property.

Grants shall not be made to a municipality if the total cost of tree removal has been incurred solely by the individual property owner and the municipality has not reduced the cost of to the property owner via direct subsidy or reduced special assessment. The only amount that may be included in the municipality's total cost for purposes computing the above described reimbursement is the reduction of the cost to the property owner. Provision is made for municipalities with population of less than 1,000 pursuant to Minn. Stat. § 18.023, subd. 3c, as amended.

2. Reforestation. Grants to any municipality for reforestation shall not exceed fifty (50) percent of the cost to the municipality for reforestation on public property. ~~The Grants for these trees~~ shall not exceed fifty (50) dollars per tree planted.

a. Reforestation grants to any county with an approved disease control program may include ninety (90) percent of the cost of planting the first fifty (50) trees on public lands in a town not defined as a municipality of less than 1,000 population, upon the town's application to the county and county's designation of the town as a disease control area. The grant for these fifty (50) trees shall not exceed sixty (60) dollars per tree planted.

b. Reforestation grants to towns and home rule charter or statutory cities with an approved disease control program which are defined as municipalities in the act and are less than 4,000 in population may include ninety (90) percent of the cost of planting the first fifty (50) trees on public lands. The grant for these fifty (50) trees shall not exceed sixty (60) dollars per tree planted.

c. Any municipality as defined in this act that receives a grant for reforestation shall ~~appoint up to~~ have appointed seven (7) residents of the municipality or designate an existing municipal board or committee to serve as a reforestation advisory committee to advise the municipality in the development and administration of the reforestation program.

3 MCAR § 1.0112 C.1.b.(9). The name or names of the person or persons or committee appointed by the municipality to advise the municipality in the development and administration of the reforestation program.

3 MCAR § 1.0112 C.2. Except for the first fifty (50) trees for towns and cities as set forth in 3. below, grants for sanitation and reforestation shall be fifty (50) percent of the applicant's planned expenditures for sanitation and reforestation, unless fifty (50) percent of the total planned expenditures for all applicants exceeds the funds designated for sanitation and reforestation grants; in which case, grants shall be a pro rata allocation among the eligible applicants. ~~Such Reforestation~~ grants shall not exceed fifty (50) dollars per tree planted.

3 MCAR § 1.0112 C.3. Grants for planting the first fifty (50) trees on public lands in eligible towns and cities may be ninety

(90) percent of the town's or city's planned expenditures for planting those trees, providing the availability of sufficient funding. The grant for these fifty (50) trees shall not exceed sixty (60) dollars per tree planted.

Livestock Sanitary Board

Adopted Rules Governing Quarantine of Livestock and Poultry Imported into Minnesota without A Health Certificate or with An Improper Health Certificate (3 MCAR § 2.007); Importation of Sheep (3 MCAR § 2.009); Scabies (3 MCAR § 2.018); the Establishment and Operation of Public Stockyards (3 MCAR § 2.044); Cleaning and Disinfection of Vehicles Used As Carriers (3 MCAR § 2.052); Isolation and Quarantining of Livestock and Poultry for Infectious and Dangerous Communicable Diseases (3 MCAR § 2.061)

The rules proposed and published at *State Register*, Volume 4, Number 32, pp. 1246-1253 (4 S.R. 1246) are adopted with the following amendments:

Rules as Adopted

3 MCAR § 2.009 Importation of sheep.

B. Sheep ~~for immediate slaughter~~ may be imported without a health certificate if consigned to a slaughtering establishment where the federal government maintains inspection, or to a market or stockyard operating under permit from the board for resale to such a slaughtering establishment or removal when accompanied by a health certificate meeting requirements of the state of destination.

3 MCAR § 2.018 Scabies.

D. Enclosures in which animals affected with scabies have been confined shall not be repopulated for a period of at least 30 days after untreated quarantined animals have been shipped for slaughter or until cleaned and disinfected under supervision of the board.

3 MCAR § 2.044 The establishment and operation of public stockyards.

E. Removal of livestock.

2. Cows and bulls two years of age and over for immediate slaughter shall be identified to the herd of origin by an official backtag, as required in rule ~~3 MCAR § 2.066~~ LSB 66 and shall not be released by the veterinary services contractor or his representative unless all animals are identified by official backtags.

3. Swine sold for slaughter shall be identified to the herd of origin as required in ~~3 MCAR § 2.066~~ LSB 66 and shall not be released by the veterinary services contractor or his representative unless identified.

G. Brucellosis requirements for cattle and swine.

1. The test for and diagnosis of brucellosis responding cattle and swine shall be in accordance with ~~3 MCAR § 2.011~~ LSB 11 and 3 MCAR § 2.021.

2. The requirements for transfer of ownership for cattle, as embodied in ~~3 MCAR § 2.011~~ LSB 11 Eradication of bovine brucellosis in Minnesota., shall apply to all cattle removed from the public stockyards except that:

a. Cattle of all classes may be sold to leave the public stockyards to enter a Minnesota approved drylot feeding premises provided:

- (1) A permit is secured.
- (2) The cattle are branded with the letter "F" on the right jaw.
- (3) Individual identification for each animal is listed on the health certificate.



WILLOW—Pen and ink drawing by Karen Hiebert, 11th grade, Mayo High School, Rochester, MN.

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."

SUPREME COURT

Decisions Filed Friday, May 30, 1980

Compiled by John McCarthy, Clerk

49998/2 United National Corporation, Relator, vs. County of Hennepin. Tax Court.

Petitioner failed to make a prima facie showing under Minn. Stat. § 278.01 (1978) that any disparity between the valuation accorded his property for the purpose of real estate taxation as compared to the valuation of other parcels of the same class in the relevant taxing district was the result of arbitrary or systematic discrimination by the real estate tax assessor.

Despite dicta to the contrary in *Hamm vs. State*, 255 Minn. 64, 95 N.W. 2d 645 (1959), a taxpayer need not prove intentional discrimination in the valuation of property for tax purposes to recover under Minn. Stat. § 278.91 (1978).

Previous decisions of this court do not support the application of a dual standard, one constitutional and the other statutory, in cases of this kind.

Affirmed. Sheran, C. J.

50732/193 Ridgewood Development Company, etc., vs. State of Minnesota, et al., Appellants. Dakota County.

A development company that acquired real estate and incurred expense in anticipation of financing the construction of family dwellings with municipal industrial development revenue bonds is not entitled to avoid an amendment to the authorizing statute that specifically excludes projects of this kind. The doctrines of "equitable estoppel" and "vested rights" are held not applicable under the facts of this case.

Reversed. Sheran, C. J. Dissenting, Kelly, J., Scott, J., and Yetka, J. Took no part, Todd, J.

48751, 48766/63 (1979) State of Minnesota ex rel. Mary Doe, et al., Appellants, vs. Sister Mary Madonna, General Director, St. Mary's Hospital, et al, Honorable Melvin Peterson, Judge, Hennepin County Probate Court, and State of Minnesota ex rel. Jane Doe, et al., Appellants, vs. Frank Larkin, General Director, Metropolitan Medical Center, et al., Honorable Melvin Peterson, Judge, Hennepin County Probate Court, and State of Minnesota ex rel. Douglas A. Vinge, Appellant, vs. Tom Mattison, Director, Hennepin County Medical Center, et al. Hennepin County.

Where some members of a proposed class would object to additional court action, parties challenging the constitutionality of procedures for commitment to a mental institution did not meet the requirement of representatives as prescribed by Minn. R. Civ. P. 21.01 for the prosecution of a class action.

Where prehearing confinement to a mental institution has run its course but such confinement is capable of repetition, yet would evade review, case is not moot.

A judicial finding of probable dangerousness is necessary before prehearing confinement in a mental institution is permissible, and such a finding can be inferred from the action taken in this case.

The due process clause of the United States Constitution requires that individuals confined pursuant to a hold order under Minn. Stat. § 253A.07 be granted a preliminary probable cause hearing within 72 hours after initial confinement, unless the court extends the time for such a hearing on the basis of evidence demonstrating that a hearing within this period of time would have a serious adverse effect on the well-being of the confined patient, or that other emergency conditions justifying a continuance exist. Since the appellants did not receive so prompt a hearing, and no exceptional circumstances for delay were shown to exist, section 253A.07 was unconstitutionally applied in this case.

A probate court referee does not have the authority to issue prehearing confinement orders.

Reversed. Kelly, J. Took no part, Todd, J.

49856/445 Johnson Brothers Wholesale Liquor Company, Appellant, vs. Joseph Novak, Liquor Control Commissioner of the State of Minnesota, and Minnesota Distillers, Inc., vs. Joseph Novak, Liquor Control Commissioner of the State of Minnesota, and Johnson Brothers Wholesale Liquor Company, intervenor, Appellant, Famous Brands, Inc., intervenor, and Griggs, Cooper and Co., intervenor and third party plaintiff, vs. Major Brands, Delaware, Ltd., third party defendant. Ramsey County.

Commissioner's practice of requiring primary source consent before allowing a licensed out-of-state wholesaler to import a registered brand of intoxicating liquor to a licensed Minnesota wholesaler is invalid for lack of compliance with the Minnesota Administrative Procedure Act's rule-making procedures.

The judgment of the district court is affirmed. Kelly, J.

50290, 50348/197 Minnesota-Iowa Television Company, Respondent-Appellant, vs. Watonwan T.V. Improvement Association, Appellant-Respondent. Watonwan County.

The injunction in this case does not violate federal law, and the court need not defer judgment until the Federal Communications Commission rules on the case pending before it.

The non-duplication provision in question does not violate Minnesota antitrust laws.

The trial court's findings are supported by the evidence.

The plaintiff is not entitled to punitive damages in a contract case under Minn. Stat. § 549.20 (1978). Attorneys' fees are authorized under Minn. Stat. § 549.21 (1978) only for bad faith in litigation, which was not proven here.

Affirmed. Yetka, J. Took no part, Sheran, C. J. and Kelly, J.

49904/209 Orchard Gardens Country Club, Inc., vs. The Commissioner of Revenue, Relator. Tax Court.

Under the Minnesota Open Space Property Tax Law, Minn. Stat. § 273.112 (1978), the Dakota County Assessor may not determine that the open space value per acre for all golf courses in Dakota County is equal.

The tax court's formula for determining the open space value is reasonable in this case.

Affirmed. Yetka, J.

49909/79 In the Matter of the Marriage of: Edwin E. Lappi, petitioner, Appellant, vs. Ione F. Lappi. Hennepin County.

The respondent did not err in bringing her suit for contempt or a money judgment by motion and notice of motion to enforce a dissolution judgment.

The appellant was not prejudiced by the bifurcation of the contempt proceedings and the motion to modify.

Proceedings to modify a judgment of dissolution should be heard by the judge whose order entered the decree, but where a timely affidavit of prejudice has been filed.

A jury trial is not necessary in a civil contempt case to enforce a dissolution decree.

The trial court did not abuse its discretion in awarding attorney fees.

Affirmed but remanded with instructions. Scott, J.

STATE CONTRACTS

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

Department of Administration procedures require that notice of any

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

Department of Corrections Minnesota Correctional Facility-Red Wing

Notice of Availability of Contract for Psychological Evaluation Services

The program at the Minnesota Correctional Facility-Red Wing requires the services of a licensed psychologist. This person will provide the written psychological evaluation—through testing, interviews, etc.—on up to a twice weekly basis for all new admissions to the institution, to retest selected youths based upon specific staff referral, plus limited staff training in the area of his/her expertise. Payment is \$190.00 per 8 hour day. Annual cost is limited to \$17,950.00.

Notice of Availability of Contract for Volunteer Services Coordinator

The program at the Minnesota Correctional Facility-Red Wing requires the services of a volunteer coordinator. Position requires up to 50 hours per week for 10 months (September-

June), and up to 15 hours per week for the two months of July and August. Responsibilities include the providing of professional volunteer services for juvenile clients at the institution through the recruiting and training of volunteers, plus the development of a coordinated scheduling of the volunteers to augment on-going programs. Payment is \$1,245.00 per month from September-June, and \$350.00 per month in July and August. Annual cost is limited to \$13,200.00

For further information on either contract, contact:

Thomas P. Kernan, Assistant Superintendent
Minnesota Correctional Facility-Red Wing
Box 45
Red Wing, Minnesota 55066
Telephone: (612) 388-7154, ext. 227

The final submission date for either contract is June 30, 1980.

Department of Health Chronic Disease Section

Notice of Request for Proposals for Antihypertensive Therapy Compliance Services

The Chronic Disease Section, Department of Health, seeks to establish a Community Health Service Agency Service which can effectively retain patients on long-term hypertensive therapy. This project would reduce morbidity and mortality from hypertension by identifying when patients spontaneously terminate their therapy, and implementing education and counseling services that successfully return dropouts to treatment. These services, which will be provided under contract, are outlined in detail in the Request for Proposals (RFP) Statement of Work. The formal RFP may be requested and inquiries should be directed to:

Jan Papra
Chronic Disease Section
Minnesota Department of Health
717 SE Delaware Street
Minneapolis, Minnesota 55440

It is anticipated that the activities to accomplish this training will not exceed a total cost to the state of \$20,000. Local matching funds are required at 75% of the state monies requested. The deadline for the submission of completed proposals will be the close of the working day June 30, 1980.

Department of Education Instruction Division

Notice of Availability of Contract to Develop a K-9 Traffic Safety Education Curriculum Guide

The Minnesota Department of Education will be accepting bid proposals to develop a K-9 Traffic Safety Education Curriculum Guide for use in all Minnesota school districts. The guide will cover the following three areas: Operator Safety, Passenger Safety, and Pedestrian Safety for each grade level. The consultant chosen for this project must have expertise in elementary curriculum development, and have a Traffic Safety Education background sufficient to complete the proposed task.

The project is to be implemented in FY 80 at a cost not to exceed \$15,000. Final submission date for proposals is June 15, 1980.

Interested persons may request Project Proposal Development Guidelines from:

Joseph E. Meyerring, Specialist
Traffic Safety Education
State Department of Education
685 Capitol Square Building
550 Cedar Street
St. Paul, MN 55101
Telephone (612) 296-4899

Minnesota Higher Education Coordinating Board

Notice of Request for Proposals for Auditing Services for the State Student Loan Program

Notice is hereby given that the Minnesota Higher Education Coordinating Board intends to engage the services of a certified public accounting firm to examine and report upon the financial statements of the State Student Loan Program for the fiscal year ending June 30, 1980 with the option to renew the contract for the fiscal year ending June 30, 1981. The audit must comply with generally accepted auditing standards which encompass the AICPA's industry's audit guide, "Audits of State and Local Governmental Units."

Those interested in receiving requests for proposals should contact:

Arlon J. Haupt
Administrative Services Manager
400 Capitol Square Building
550 Cedar Street
St. Paul, Minnesota 55101
(612) 296-9685

Proposals will be accepted until 4:00 p.m. June 30, 1980.

Department of Public Welfare Faribault State Hospital

Notice of Request for Proposals for Radiological Consultant

Notice is hereby given that Faribault State Hospital, Mental Health Division, Department of Public Welfare is seeking the following services for the period of July 1, 1980-June 30, 1981, as requested by the Administrator of the Faribault State Hospital.

1. A radiological consultant group to provide services at the Faribault State Hospital upon the request of the Medical Director, at times mutually agreed upon by both parties. The duties shall involve radiological consultations for residents/patients of Faribault State Hospital, which consists of interpretation and diagnosis of X-ray films of chest, skull, skeleton, abdomen, gall

bladder, kidneys, etc., performance of fluoroscopic examination of chest, stomach, intestines, colon, etc., as requested by staff physicians. In addition, supervision of the X-ray department in regard to equipment, methodology, safety, etc., will be included in this consultation service. The estimated amount of this contract will not exceed \$11,000.00.

Response for the above services must be received by June 30, 1980.

Direct inquiries to:

Don Cummings, Accounting Officer
Faribault State Hospital
Faribault, Minnesota 55021
(507) 332-3300

Department of Public Welfare Mental Health Bureau

Notice of Request for Proposals Concerning Updating of the Fixed Asset Inventory Records of the State Hospitals/Nursing Homes for the Fiscal Year Ending June 30, 1980

Notice is hereby given that the Minnesota Department of Public Welfare is requesting proposals for updating of the fixed asset inventory records of the nine state hospitals and the two state nursing homes for the fiscal year ending June 30, 1980, in accordance with requirements contained in the U.S. Department of Health, Education, and Welfare Provider Reimbursement Manual of Depreciation.

The estimated amount of the contract will not exceed \$11,000.00.

All proposals must be received by 3:30 p.m., June 30, 1980.

Responders interested in obtaining additional information regarding the specific scope of the project should contact:

James A. Walker
Administrative Management Director
Residential Facilities Division
Mental Health Bureau
Department of Public Welfare
4th Floor, Centennial Office Building
658 Cedar Street
St. Paul, Minnesota 55155
Telephone: (612) 296-8980

Department of Health Community Services Division

Services for Children with Handicaps

Notice of Availability of Contracts for Certain Medical and Related Services

Services for Children with Handicaps contracts are available for persons to provide services at field clinics.

Openings exist for:

- (1) board certified or approved physicians to provide medical examinations;
- (2) certified audiologists to provide audiological examinations;
- (3) registered public health or pediatric nurses to provide nursing services;
- (4) speech pathologists to provide speech evaluations.

Qualified, interested persons should contact Alpha Adkins, Assistant Director, Services for Children with Handicaps, 2829 University Avenue Southeast, Suite 840, Minneapolis, Minnesota 55414, Telephone (612) 341-7561 by June 25, 1980.

Department of Employee Relations

Notice of Request for Proposals for Group Hospital and Medical Insurance

As provided by Minn. Stat. § 43.45 the Commissioner of Employee Relations requests from a carrier or carriers engaged in writing group coverage in Minnesota a proposal for a group hospital-medical contract for certain state employees who will be covered by such a contract.

Chapter 617, Laws of 1980 directs that where feasible an insurance company licensed under Minn. Stat. § 62A shall be selected as one of the carriers providing the above benefit to state employees. Coverage will be effective October 1, 1980. Proposals will be required in the commissioner's office on or before 3:00 p.m. on Thursday, July 31, 1980, so that the contract can be awarded prior to an open enrollment period beginning August 15, 1980.

A proposal must be submitted in writing and signed by an executive officer of the carrier. Three copies should be directed to:

STATE CONTRACTS

Barbara L. Sundquist, Commissioner
Department of Employee Relations
3rd floor, Space Center Building
444 Lafayette Road
St. Paul, Minnesota 55101

Proposals must be sealed and clearly identified on the cover as a group insurance proposal.

The proposals will be evaluated in terms of factors such as the cost and conversion options relating to the contracts as well as the service capabilities, character, financial position and reputation with respect to such carriers and any other factors which the commissioner may deem appropriate. Specifications may be obtained from Clements Oliver, Manager, Employee Benefits Division, Department of Employee Relations (telephone: (612) 296-2457) at the department address given above.

Housing Finance Agency

Notice of Request for Proposals for Administrators for Urban Indian Housing Loan Program

The Minnesota Housing Finance Agency announces the availability of funding for the Urban Indian Housing Loan Program. Proposals are being solicited from all interested parties who are considered eligible "Administrators" by rule 12 MCAR § 3.151.

The deadline for receipt of hand delivered proposals is 4:30 p.m. August 11, 1980. All other proposals must be sent by certified mail and postmarked no later than August 11, 1980.

The Urban Indian Housing Loan Program provides money for housing loan programs (home mortgage loans and home improvement loans) for low and moderate income American Indians residing in urban areas of the state. Urban areas include the Seven County Twin Cities metropolitan area and the City of Duluth. (Though the City of Rochester is eligible under the statute, the size of the Indian population is so small that no separate set-aside has been established.)

AVAILABLE FUNDS

URBAN AREA	APPROPRIATIONS AVAILABLE
Minneapolis	\$907,500 (+ interest)
St. Paul	\$720,000 (+ interest)
Twin Cities Suburbs	\$270,000 (+ interest)
Duluth	\$222,182.93 (includes interest)

Proposals must include:

1. Evidence of applicant eligibility as an "Administrator." This can be determined by examination of the eligible "Administrator" list contained in the full packet.

2. The proposal program including the communities or areas to be served, population and need data for American Indians

residing in the area and the methods to be used to meet the identified needs.

3. A description of the methods proposed to identify and select loan recipients.

4. A financial description of the program including the dollar amount of funds requested, types and terms of loans, the costs and methods of program administration and the availability of other funds (with evidence that the funds are available or will be available for this program).

5. Evidence of administrative capacity to carry out the proposed program including resumes of personnel, a brief description of past performance which indicates what has been done in the housing field before, and proposed administrative procedures.

6. The extent to which American Indians will be or are involved in the administration of the program and in the ownership, management and labor force of contractors and subcontractors intended to be employed in the program.

All proposals will be evaluated based on three equally weighted criteria. A panel of reviewers will be selected by the agency who will use the three criteria to determine eligible applicants and rate each proposal. Comments from the Urban Indian Advisory Council will be solicited for each proposal. The agency reserves the right to reject any proposals if any item is omitted or receipt of proposal does not conform to the previously stated deadlines.

Complete proposal packets that contain specific information and instructions for proposal submissions may be obtained from the Minnesota Housing Finance Agency, 333 Sibley Street—Suite 200, St. Paul, Minnesota 55101, Attention: Ramona Jones, Indian and Rural Housing Specialist, 612/296-9824 or 612/296-2172.

Metropolitan Council

Notice of Request for Proposals Relating to Emergency Medical Services Communications System

The Metropolitan Council solicits proposals for a consultant to provide technical assistance in the design and implementation of an emergency medical services communications system. The council desires to have the services performed for no more than \$23,000. All proposals must be received at the council no later than 4 p.m., June 20, 1980. To receive a copy of the request for proposal contact the EMS Program, 300 Metro Square Building, St. Paul, Minnesota 55101, 291-6427.

Charles Weaver
Chairman

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 Agriculture Agronomy Services Division

Notice of Special Local Need Registration for Arbotect 20 S

Pursuant to Minn. Stat. § 18A.23 and 3 MCAR § 1.0338 B., the Minnesota Department of Agriculture on May 28, 1980, issued a Special Local Need Registration for Arbotect 20 S manufactured by Merck & Co., Inc., Rahway, NJ 07065.

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 at a higher dosage to combat Dutch Elm disease in American Elms.

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 80-0012) is on file for inspection at:

Minnesota Department of Agriculture
Pesticide Control Section
90 West Plato Blvd.
St. Paul, Minnesota 55107
Telephone: (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 thirty (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.

May 29, 1980

Mark W. Seetin
Commissioner of Agriculture

Department of Commerce Banking Division

Bulletin No. 2252: Maximum Lawful Rate of Interest for Mortgages and Contracts for Deed for June, 1980

Notice is hereby given that pursuant to Minn. Stat. § 47.20, subd. 4a, the maximum lawful rate of interest for conventional home mortgages for the month of June, 1980, is thirteen and one-half (13.50) percentage points.

Further, pursuant to Senate File No. 273, Chapter 373, 1980 Session Laws, as it amended Minn. Stat. § 47.20, the maximum lawful rate of interest for contracts for deed for the month of June, 1980, is thirteen and one-half (13.50) percentage points.

May 28, 1980

Michael J. Pint
Commissioner of Banks

Department of Commerce Insurance Division

Notice of Intent to Solicit Outside Information on Proposed Rules Governing Self-Insurance Pools for Political Subdivisions

Notice is hereby given that the Insurance Division is considering the promulgation of temporary rules governing the establishment of self-insurance pools by political subdivisions pursuant to Laws of 1980, ch. 529 (Minn. Stat. § 471.981). Such rules would also govern the issuance of licenses to entities who service self-insurance pools for political subdivisions. In order to determine the nature and utility of such rules, the Insurance Division hereby requests information and comments from all interested individuals or groups concerning the subject matter of the proposed rules.

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

State of Minnesota
Department of Commerce
Attention: Berton W. Heaton, Analyst
Metro Square Building, 5th Floor
St. Paul, MN 55101

Oral statements of information and comment will be received during regular business hours over the telephone at (612) 296-8592, or in person at the above-referenced address.

Department of Education Special and Compensatory Education Division

Notice of Change in Date of Public Hearing and Extension of Public Comment Period

The public hearings originally scheduled for Friday, June 13, 1980, on the proposed Minnesota State Plan for Fiscal Years 1981 through 1983 for meeting the requirements of Public Law 94-142, the Education of All Handicapped Children Act (45 C.F.R. 121a.) will be conducted on Friday, June 27, 1980. Each hearing will begin at 9:00 A.M. The hearings will be held in the following three locations:

(1) Metro: St. Paul Schools Administration Building, 360 Colborne, Auditorium A, St. Paul, MN.

(2) Mankato: Mankato State University, Centennial Student Union, Room 203, Mankato, MN (parking in yellow lots and Ramp Lot #4).

(3) Bemidji: J. W. Smith Elementary School, J. W. Smith Auditorium, 17th-18th St. and Minnesota Ave., Bemidji, MN.

The State Plan may be modified as a result of the hearing process. Therefore, if you are affected by the activities included in the proposed State Plan, you are urged to participate in the hearing process. An interpreter for the hearing impaired will be present at the Metro hearing and upon request in Bemidji and Mankato.

Following the agency's brief overview of the plan, all interested persons will have an opportunity to ask questions and make comments. Statements may be made orally and written material may be submitted. In addition, whether or not an appearance is made at the hearing, written comments may be submitted to Dr. Jeanne E. Dorle, State Department of Education, Division of Special and Compensatory Education, Special Education Section, 550 Cedar Street, St. Paul, MN 55101, from June 9 through July 31, 1980.

Copies of the plan will be available upon request from the Special Education Section by June 9, 1980. Additional copies will be available at the hearings. If you have any questions on the content of the plan, contact Jeanne Dorle, Ph.D., (612/296-1793).

Ethical Practices Board

Request for Advisory Opinion Re: Political Committee Registration and Reporting Requirements—Ballot Questions

The Minnesota State Ethical Practices Board solicits opinions and comments to the following request for an advisory opinion which will be discussed at its June Board meeting. Written comments concerning the opinion request should be forwarded to arrive at the Board's office prior to June 16, 1980.

May 30, 1980

Mr. Vernon K. Jensen, Chairman
Ethical Practices Board
41 State Office Building
St. Paul, MN 55155

Dear Mr. Jensen:

The League of Women Voters of Minnesota requests an advisory opinion from the Ethical Practices Board regarding political committee registration and reporting requirements.

The LWVMN will be supporting at least two of the constitutional referendum questions on the November ballot. We would like to know if the LWVMN may register and report for the entire organization or if each of our 68 local Leagues must do so individually.

We appreciate your consideration.

Sincerely,

Pamela Berkwitz, President
Joyce Lake, Action Chair

Department of Health Community Services Division Maternal and Child Health Section

Notice of Availability of Funds for A Dental Health Project Grant

The Minnesota Department of Health is pleased to announce the availability of grant funds for a dental health project as part of the Minnesota Programs of Projects required by and funded through Title V SSA (Maternal and Child Health). Any eligible agency interested in applying shall contact the Minnesota Department of Health by June 30, 1980.

Purpose and Eligibility

The purpose of the dental project will be improvement of the dental health status of children in the project area through establishment of comprehensive dental health services, including provision of preventive services, early detection of disease, and arrangements for treatment of dental disease for children who would not otherwise receive care because they are from low-income families or for other reasons beyond their control.

Any public or private non-profit agency in Minnesota may apply for a dental health project grant.

How to Apply for Funds

A potential applicant should submit a Letter of Intent to apply for dental health project funds to the Commissioner of Health. The Letter of Intent must be received by the department no later than 4:30 p.m., Monday, June 30, 1980, and must include the name of the applicant agency, name and phone number of an agency contact person and an estimate of the amount of funds to be requested for a twelve-month fiscal year ending September 30, 1981.

Agencies expressing an intent to apply will be provided with a copy of the Minnesota Programs of Projects Guidelines (containing state program standards, and application forms and instructions) and applicable federal regulations. A consultant will also be identified to provide technical assistance upon request concerning preparation of the grant application. Completed applications must be submitted to the appropriate Regional Development Commission(s) and Health Systems Agency(s) *prior* to submission to the commissioner. If the applicant is other than a local board of health, review and comment by this agency is also needed. Completed applications must be received by the department on or prior to 4:30 p.m., August 1, 1980.

Award of Funds

Applications will be reviewed and a grant awarded, based on conformity of state dental health project standards and federal regulations. Because of the limited amount of grant funds that are available, there is a reduced likelihood that a project needing more than \$40,000 in project funds can be approved.

Duration of Funding

Funds for an approved grant will be available for the period of October 1, 1980, through September 30, 1981. It is anticipated that the project will be renewed in subsequent years, depending upon its performance, state priorities, and available federal funding.

Department of Health**Notice of Availability of Contracts**

The Minnesota Department of Health (MDH) is requesting applications from qualified persons, for consultation to several agency programs. All positions would be held by contract, and interested persons will be required to submit resumes according

to the procedures required by the Minnesota Department of Administration. Information about these procedures is available from the MDH staff members listed in the position notices that follow. Maximum contract amounts and hourly rates are available from MDH for each of the described positions.

Emergency Medical Services (EMS): The EMS section is seeking a Medical Director for duties beginning no later than September 1, 1980, to provide continuous advice for its efforts to develop EMS systems in eight regions of Minnesota; to plan improvements in statewide services; and to provide general advice and assistance in efforts to improve educational opportunities for EMS personnel.

Applicants should be actively practicing emergency medicine or a related specialty, be licensed physician or capable of licensure in Minnesota, have a demonstrated ability for spoken and written communications, and be willing to provide a minimum of the equivalent of one day a week in performing the duties of medical director. Some out-of-state travel and considerable travel in Minnesota will be required. Interested physicians may inquire by telephone or letter to:

James Parker
Assistant Chief
EMS Section
Minnesota Department of Health
717 Delaware Street, S.E.
Minneapolis, Minnesota 55440
(612) 296-5281

A copy of the request for proposal for this contract will be forwarded to potential applicants. The deadline for applications is 4:00 P.M., June 30, 1980.

Long-term Care Medical Consultant: The Quality Assurance and Review Program is seeking a physician to provide continuous medical guidance on assessment of the quality of care provided to Medicaid patients in long-term care facilities. The physician must have experience in the area of long-term care quality assurance. Consulting services are needed an average of 15 hours per week throughout the year in the Minneapolis office of MDH. The deadline for submission of applications is 4:00 P.M., June 20, 1980. To obtain a copy of the Request For Proposal for Professional Services, contact:

Kent E. Peterson, Chief
Planning and Resources Control Section
Minnesota Department of Health
717 Delaware Street, S.E.
Minneapolis, Minnesota 55440

Long-term Care Review: Consulting services by at least five physicians are sought for medical review conducted by the Quality Assurance and Review Program. The program assesses the quality, quantity and appropriate level of care of Medicaid patients in long-term care facilities in Minnesota. Physician's services are needed in long-term care facilities between 2 to 4 days per month and are scheduled throughout the year. Medical review teams operate throughout the state. Travel by each re-

OFFICIAL NOTICES

view physician is generally limited to the multi-county region surrounding MDH district offices. The deadline for submission of applications is 4:00 P.M., June 20, 1980. To obtain a copy of the Request for Professional Services, contact Kent E. Peterson at the address given above.

Pediatrician Consultation: Minnesota Department of Health is contracting with pediatricians to teach seminars for local nurses who will be screening children under the auspices of the Early and Periodic Screening and the Preschool Screening program. Requirements: Pediatricians with teaching experience and some knowledge of public health will be considered. Interested persons may apply by submitting a written resume to:

Sheila Swaiman
Comprehensive Child Health Screening
Minnesota Department of Health
717 Delaware Street, S.E.
Minneapolis, Minnesota 55440

Pediatric Nurse Associate: Minnesota Department of Health is contracting with Pediatric Nurse Associates to provide: (1) technical consultation evaluation to each Early and Periodic Screening and Preschool Screening program, and (2) to teach seminars for local nurses who will be screening children under the auspices of the Early and Periodic Screening and the Preschool Screening program. Requirements: Pediatric Nurse Associates with teaching experience and knowledge of public health nursing will be considered. Interested persons may apply by submitting a written resume to the above address.

Review of Disability Requests: Consultation services by a physician is sought for case review on disability requests for state employees. Consulting services are needed an average of 20 hours per week throughout the year and are provided from the Minneapolis office of MDH. To obtain more information contact:

Duane Johnson
Assistant Commissioner of Administration
Minnesota Department of Health
717 Delaware Street, S.E.
Minneapolis, Minnesota 55440

State Board of Investment

Meeting Notices

State Board of Investment

Notice of Regular Meeting

The next regular meeting of the State Board of Investment will be held Tuesday, June 10, 1980, at 9:30 a.m., Room 130, State Capitol, St. Paul, MN.

Investment Advisory Council

Notice of Special Meeting

The Investment Advisory Council will meet Tuesday, June 10, 1980 at 7:30 a.m. at the Minnesota Club, 317 Washington, St. Paul, MN to discuss the Staff Compensation Plan.

Metropolitan Council

Public Hearing on the Proposed Juvenile Justice Policy Plan of the Law and Justice Chapter of the Metropolitan Development Guide

The Metropolitan Council will hold two public hearings, one on Monday, June 30, 1980 at 7 p.m. in the Metropolitan Council Chambers, 300 Metro Square Building, 7th and Robert Sts., St. Paul, Minnesota (use Jackson St. entrance) and the other on Monday, July 14, 1980, at 7 p.m. in the Hennepin County Government Center, Level A Auditorium, 300 6th St. S., Minneapolis, Minnesota (use entrance on the north side of 6th St.), for the purpose of receiving public comments and a draft policy plan on juvenile justice that will become, on adoption, part of a revised Law and Justice Chapter of the Metropolitan Development Guide. The policy plan focuses on a two-part approach for dealing with delinquency and juvenile crime. Copies of the proposed Policy Plan on Juvenile Justice are available free of charge from the Council's Public Information Office at 291-6464. Persons wishing to speak at the hearings may register to do so in advance by contacting the Council's public hearing coordinator at 291-6482.

Charles Weaver
Chairman

Metropolitan Waste Control Commission

Notice of Intent to Solicit Outside Information Regarding Proposed Rules Governing Pretreatment Standards

Notice is hereby given that the Metropolitan Waste Control Commission is seeking information or opinion from sources outside the commission in preparing to propose the adoption of rules governing the pretreatment of industrial waste discharges into the Metropolitan Disposal System through specific effluent standards and limitations prior to such discharge by the industrial user. It is proposed that the commission will adopt by reference or incorporation the national categorical pretreatment standards and the national prohibitive pretreatment standards. Any interested persons may submit data or comments on the subject in writing to:

Mr. Donald R. Madore
Deputy Director of Quality Control
Metropolitan Waste Control Commission
350 Metro Square Building
Saint Paul, Minnesota 55101
(612) 222-8423

Any written material received by the commission shall become part of the hearing record in the event the rules governing this subject are promulgated.

May 28, 1980

Richard J. Dougherty
Chief Administrator

Minnesota State Agricultural Society

Minnesota State Fair

Meeting Notice

The board of managers of the Minnesota State Agricultural Society, governing body of the Minnesota State Fair, will conduct a business meeting at 10 a.m. Friday, June 13, at the Administration Building on the fairgrounds, Falcon Heights. Preceding the general meeting will be a meeting of the board's space rental committee at 9 a.m.

Minnesota State Retirement System

Special Meeting, Board of Directors

Special meeting of the Board of Directors, Minnesota State Retirement System, will be held on Friday, June 20, 1980 at 9:00 A.M. in the office of the System, 529 Jackson Street, St. Paul, Minnesota.

The purpose of the meeting is to hear proposals from Actuarial Consultant Contracts for Fiscal Year ending June 30, 1981 and to revise board rules.

Department of Public Service Public Service Commission

Notice of Termination of Proceedings Concerning Establishment of a Statewide Plan for Incremental Pricing of Natural Gas

Notice is hereby given that the Minnesota Public Service Commission has terminated proceedings to establish a Statewide Plan for Incremental Pricing of Natural Gas.

In deciding to proceed no further, the commission recognizes action by the United States House of Representatives to dis-

prove the "Rule Required Under Section 202 of the Natural Gas Policy Act; Incremental Pricing," promulgated on May 6, 1980, by the Federal Energy Regulatory Commission (FERC). The Congressional action means there will be no expansion of incremental pricing to customers using gas for purposes other than firing steam boilers. The commission believes tariffs already in effect for boiler fuel users protect Minnesota exempt consumers from paying subsidies to consumers in other states.

The commission anticipates a decision by the FERC in Docket No. RM79-47, Statewide Exemptions from Incremental Pricing, sometime during this summer. The commission will evaluate the effect of the FERC decision on Minnesota ratepayers when the decision is announced. If necessary, further action will be taken at that time.

The commission appreciates the thoughtful comments submitted in response to its March 3, 1980 Notice, and wishes to thank those whose time and effort proved so helpful.

June 2, 1980

Mary L. Harty
Commission Executive Secretary

Office of the Secretary of State

Notice of Vacancies in Multi-member State Agencies

Notice is hereby given to the public that vacancies have occurred in multi-member state agencies, 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, July 1, 1980.**

Small Business Finance Agency has 6 positions open immediately. The agency will sell tax exempt bonds to provide loans for small business and for pollution control projects; members will be appointed by the Governor and confirmed by the Senate, and will receive \$35 per diem. Members may not hold elected or appointed positions in state or local government. For specific information, contact Patricia Jensen, Governor's Special Assistant for Appointments to Boards and Committees, 130 State Capitol, St. Paul, MN 55155; (612) 296-6614.

Humane Society has one position open immediately for a public member. The society enforces laws preventing cruelty to animals and makes rules governing the humane care, treatment and transportation of animals; members are appointed by the governor and receive \$35 per diem plus expenses. For specific information, call or write Humane Society, 500 Rice St., St. Paul, MN 55155; (612) 296-3613.

Intergovernmental Information Systems Advisory Council has 3 positions open immediately: for one resident of a city of the first class, one resident of a city of the second or third

OFFICIAL NOTICES

class within the metropolitan area, and one member of an outstate regional body. The council assists local governments in developing automated information systems; members are appointed by the governor. For specific information, call or write Intergovernmental Information Systems Advisory Council, 305 Hanover Building, 480 Cedar St., St. Paul, MN 55101; (612) 297-2172.

Water Well Contractors and Exploratory Borers Advisory Council has 4 positions open immediately: 2 for public members, and 2 for persons engaged in the business of exploratory boring for minerals. The council licenses water well drillers and regulates exploratory boring to insure that underground water resources are protected; members are appointed by the Commissioner of Health. For specific information, call or write Water Well Contractors and Exploratory Borers Advisory Council, 717 Delaware St. S.E., Minneapolis, MN 55440; (612) 296-5338.

Advisory Seed Potato Certification Committee has 2 vacancies open immediately for seed potato growers. The committee advises the Commissioner of Agriculture on inspecting and certifying seed potatoes; members are appointed by the commissioner. For specific information, call or write Bob Flaskerd, Director, Plant Industry Division, Department of Agriculture, 90 W. Plato Blvd., St. Paul, MN 55107; (612) 296-8448.

Water Planning Board

Notice of Meeting

Notice is hereby given that the Water Planning Board will hold a meeting on Wednesday, June 11 in Room 51 State Capitol from 9:30 a.m. to 12:30 p.m. An agenda for the meeting may be obtained one week prior to the meeting by contacting the undersigned at 600 American Center Building, 150 E. Kellogg Boulevard, St. Paul, Minnesota 55101.

Thomas Kalitowski
Chairman

STATE OF MINNESOTA
OFFICE OF THE STATE REGISTER

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

ORDER FORM

State Register. Minnesota's official weekly publication for agency rules and notices, executive orders of the Governor, state contracts, Supreme Court and Tax Court decisions.

_____ Annual subscription \$118.00
_____ Single copies \$2.25 each

The 1979-80 Audio Visual Catalog. A 275-page catalog of state agency films, slides and tapes available to the public.

_____ Single copy \$4.50 + \$.18 (sales tax) = \$4.68* each

State Register Binder. Durable 3½ inch, forest green binders imprinted with the *State Register* logo.

_____ *State Register Binder* \$6.00 + \$.24 (sales tax) = \$6.24* each

Minnesota Guidebook to State Agency Services. Detailed listing of grants, information, materials and services available from each state agency, with over 2,000 individual offices listed.

_____ Single copy \$6.25 + \$.25 (sales tax) = \$6.50* each

Finding Aids Annual. Contains cumulative findings aids to Volume 3 of the *State Register*, including MCAR Amendments and Additions, Executive Orders List, Executive Orders Index, Agency Index, Subject Matter Index.

_____ Single copy \$3.00

*To avoid Minnesota sales tax, please include your Certificate of Exempt Status issued by the Minnesota Department of Revenue.

Please enclose full amount for items ordered. Make check or money order payable to "Office of the State Register."

Name _____

Attention of: _____

Street _____

City _____ State _____ Zip _____

Telephone _____

FOR LEGISLATIVE NEWS

Publications containing news and information from the Minnesota Senate and House of Representatives are available free to concerned citizens and the news media. To be placed on the mailing list, write or call the offices listed below:

Briefly/Preview—Senate news and committee calendar; published weekly during legislative sessions. Contact Senate Public Information Office, Room B29 State Capitol, St. Paul MN 55155, (612) 296-0504.

Perspectives—Publication about the Senate. Contact Senate Information Office.

Weekly Wrap-Up—House committees, committee assignments of individual representatives, news on committee meetings and action, House action and bill introductions. Contact House Information Office, Room 8 State Capitol, St. Paul, MN, (612) 296-2146.

This Week—weekly interim bulletin of the House. Contact House Information Office.

Legislative Reference Library
Room 111 Capitol

Interoffice

