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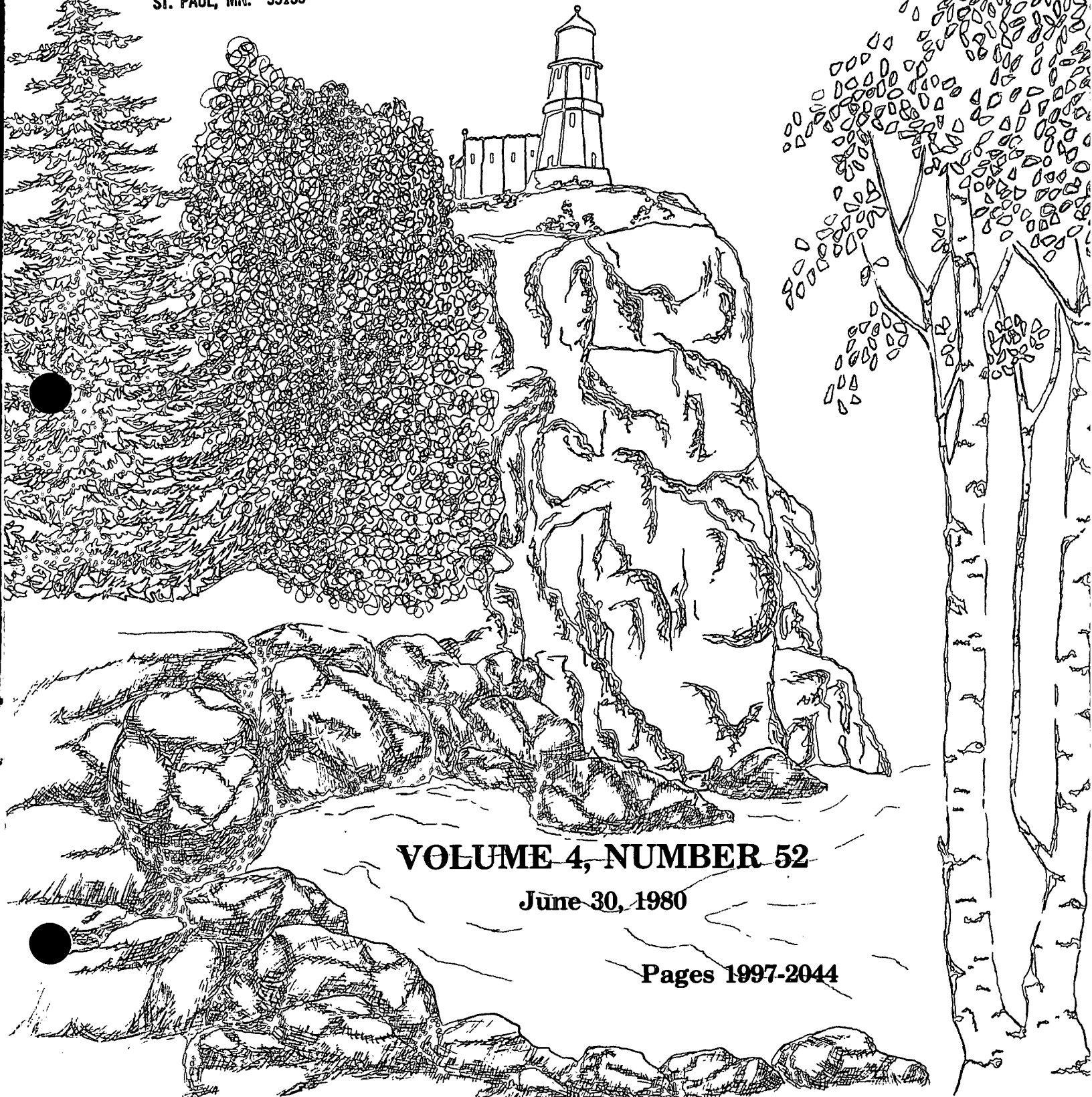
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Printing Schedule for Agencies

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 5			
1	Monday June 23	Monday June 30	Monday July 7
2	Monday June 30	Monday July 7	Monday July 14
3	Monday July 7	Monday July 14	Monday July 21
4	Monday July 14	Monday July 21	Monday July 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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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*.

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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

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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 Economic Security

Proposed Temporary Rule Governing Weatherization Assistance for Low-Income People

Request for Public Comment

Notice is hereby given pursuant to Minn. Stat. § 15.0412, subd. 5 (1978), that the Minnesota Department of Economic Security has proposed the following temporary rule governing the administration grants for the purpose of weatherizing the residences of low-income persons pursuant to Laws of 1980, ch. 579, § 19.

All interested persons and organizations may submit written comment or data on these rules to:

Alan Chapman, Weatherization Project Director
Minnesota Department of Economic Security
690 American Center Building
150 East Kellogg Boulevard
St. Paul, Minnesota 55101

Written statements submitted for consideration must be received by July 21, 1980. Any written material received shall become part of the record in the final adoption of the temporary rule. The proposed temporary rule may be modified if the modifications are supported by the data and views received by the department. The department shall submit to the Attorney General the proposed temporary rule as published, with any proposed modifications for review as to form and legality. The temporary rule shall take effect upon approval of the Attorney General.

The department will publish in the *State Register* the Attorney General's decision and the adopted temporary rule.

Rolf Middleton
Commissioner

Public Hearings on Agency Rules July 7-14, 1980

Date	Agency and Rule Matter	Time & Place
July 10	State Planning Agency Provision of State Grants for Human Services Management and Planning Improvement Hearing Examiner: Richard Luis	8:30 a.m., Conference Rm. 101, Capitol Square Bldg., 550 Cedar St., St. Paul, MN 55101

Temporary Rule as Proposed

8 MCAR § 4.4010 Minnesota weatherization assistance for low-income people.

A. Purpose. The purpose of this rule is to develop and implement a supplementary state weatherization assistance program under authority granted by Laws of 1980, ch. 579, § 19 to supplement the United States Department of Energy "Weatherization Assistance for Low-Income Persons Program" 42-USC §§ 6861 to 6872 at the prescribed levels in the dwellings of low-income persons in order both to aid those persons least able to afford higher utility costs and to conserve needed energy.

B. Administration of costs. Grants awarded under this part shall be administered in accordance with the following:

1. Federal Management Circular 73-2, 34 CFR 251, entitled "Audit on Federal Operations and Programs by Executive Branch Agencies."
2. Federal Management Circular 74-4, 34 CFR 255, entitled "Cost Principles Applicable to Grants and Contracts with State and Local Governments."
3. Federal Management Circular 74-7, 34 CFR 256, entitled "Uniform Administrative Requirements for Grants-in-Aid to State and Local Governments."
4. Office of Management and Budget Circular A-89 entitled "Catalog of Federal Domestic Assistance."
5. Office of Management and Budget Circular A-95, entitled "Evaluation, Review and Coordination of Federal and Federally Assisted Programs and Projects."

KEY: RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike-outs~~ indicate deletions from proposed rule language. **PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike-outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material."

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6. Office of Management and Budget Circular A-97, entitled "Rules and Regulations Permitting Federal Agencies to Provide Specialized or Technical Services to State and Local Units of Government under Title II of the Intergovernmental Coordination Act of 1968."

7. Treasury Circular 1082, entitled "Notification to States of Grant-In-Aid Information."

8. U.S. Treasury Circular 1075.

C. Definitions as used in this rule.

1. "Act" means the Federal Energy Conservation and Production Act. Pub. L. 94-335.90 Stat. 1125 *et seq.* as amended.

2. "Administrator" means the Administrator of the U.S. Department of Energy.

3. "CAA" means a Community Action Agency.

4. "CETA" means the Comprehensive Employment and Training Act of 1973, 42, U.S.C./2731 *et seq.* as amended.

5. "Community Action Agency" means a private corporation or public agency established pursuant to the Economic Opportunity Act of 1964, Pub. L. 88-452 as amended, which is authorized to administer funds received from federal, state, local or private funding entities to assess, design, operate, finance and oversee anti-poverty programs.

6. "Commissioner" means Commissioner of the Department of Economic Security.

7. "Cosmetic items" means items which, when installed will not reduce energy costs in a cost-effective manner, including, but not limited to, finishes, decorative fenestration materials and elevation materials such as aluminum siding, board and batten clapboard, brick, shakes or asphalt siding.

8. "Director" means the Director of Intergovernmental Relations of the Department of Economic Security.

9. "DOE" means the United States Department of Energy.

10. "Dwelling unit" means a house including a stationary mobile home, home, and apartment, a group of rooms, or a single room occupied as separate living quarters.

11. "Elderly person" means a person who is 60 years of age or older.

12. "Family unit" means all persons living together in a dwelling unit.

13. "Grantee" means an entity named in the Notification of Grant Award as the recipient.

14. "Handicapped person" means any individual a) who is a handicapped individual as defined in § 7(6) of the Rehabilitation Act of 1973, (b) who is under a disability as defined in § 1614 (a) or 223 (d) of the Social Security Act or in § 102(7) of the Developmental Disabilities Services and Facilities Construction Act or (c) who is receiving benefits under Chapter 11 or 15 of Title 38, United States Code.

15. "Household" means the same as dwelling units.

16. "Law" means Minnesota Laws of 1980, ch. 579, § 19.

17. "Local applicant" means a CAA or unit of general purpose local government.

18. "Low income" means that total household income in relation to family size which:

19. Is at or below 125 percent of the poverty level determined in accordance with criteria established by the Director of the Federal Office of Management and Budget.

Is the basis on which cash assistance payments have been paid during the preceding 12-month period under Title IV and XVI of the Social Security Act or applicable State or local rules.

20. "Multi-family dwelling unit" means a dwelling unit which is located in a structure containing more than one dwelling unit.

21. "Rental dwelling unit" means a dwelling unit occupied by a person who pays rent for the use of the dwelling unit.

22. "Separate living quarters" are those in which the occupants do not live and eat with any other persons in the structure and which have either (a) direct access from the outside of the building or through a common hall, or (b) complete kitchen facilities for the exclusive use of the occupants. The occupants may be a single family, one person living alone, two or more families living together, or any other group of related or unrelated persons who share living arrangements.

23. "Single family dwelling unit" means a structure containing no more than one dwelling unit.

24. State means the State of Minnesota.

25. "Sub-grantee" means a weatherization project which receives a grant of funds awarded under this rule from a grantee.

26. "Unit of general purpose local government" means any city, county, town, parish, village or other general purpose political subdivision of a state.

27. "Weatherization crew" means a group of weatherization crew laborers with a weatherization supervisor.

28. "Weatherization laborer" means a person that performs weatherization and repair activities necessary to complete work on eligible households. This work may include audits, inspections, and other related activities.

29. "Weatherization project" means a project conducted in a single geographical area which undertakes to weatherize dwelling units that are thermally inefficient.

30. "Weatherization supervisor" means a person who inspects, analyzes, evaluates, and performs complicated weatherization and repair activities and is responsible for crew laborers' conduct, performance and weatherization crew laborer's evaluations.

31. "Regional clearinghouse" means the local Regional Development Commission which has the authority, under Title IV of the Intergovernment Cooperation Act of 1968, to review and comment with respect to federal and state funded projects.

D. Eligible applicants.

1. The commissioner shall insure that funds received under this law shall be provided to local applicants delivering the DOE Weatherization Program.

2. Paragraph one (1) of this section shall not apply if the Commissioner or the Director of Intergovernmental Relations determines, on the basis of a public hearing, that the plan carried out by the local applicant has been ineffective in meeting the purpose of the law. Notice of the public hearing shall be made 10 days prior to the hearing in two (2) local newspapers in the deliverer's service area.

3. In making a determination pursuant to paragraph E. 2. of this rule, the commissioner or the Director of Intergovernmental Relations acting on behalf of the commissioner shall evaluate the performance of the CAA and shall consider:

a. The extent to which the weatherization project achieves the goals of the law in a timely fashion.

b. The adherence to the plan developed by the CAA and accepted by the state.

c. The quality of the work performed.

d. The number, qualifications, and experience of project staff members.

e. The ability to secure volunteers, training participants and public service employment workers, pursuant to CETA.

E. Local applications.

1. To be eligible for financial assistance under this rule, a local applicant shall submit an application or plan, combining federal DOE funds, state funds, and any other funds, used to support the plan to the commissioner not later than 60 days after the announcement of availability of funds for each year. The commissioner shall review each timely application and if the submission otherwise complies with the applicable provisions of this rule, approve a final budget and issue a notice of grant award.

2. Each application shall include:

a. The name and address of the local agency or office responsible for administering the program.

b. A statement by grantee's responsible authority insuring the following:

(1) Financial assistance provided under this rule shall be used to supplement and not supplant federal DOE funds.

(2) No dwelling unit may be weatherized without documentation that the dwelling is an eligible dwelling unit as provided in this rule.

(3) Priority through a documented needs assessment is given to identifying and providing weatherization assistance with first priority given to eligible fuel oil users, elderly and handicapped low-income persons. The documented needs assessment shall include the identifiable potential number of households which should be provided such assistance by county broken down into segmented categories; eligible elderly, handicapped, minorities, single family dwelling units, rental units, and types of fuel used.

c. The total number of dwelling units proposed to be weatherized with grant funds in total and by county served, from all sources during the budget period for which assistance is to be provided. First priority shall be to homes heated with fuel oil. The total number of dwelling units completed shall include no less than 25% elderly, 10% handicapped and 10% rental units.

d. The description of the outreach process used to obtain applications.

e. A production schedule which shall indicate the number of dwelling units which are expected to be weatherized on a monthly basis.

f. A financial schedule which shall indicate the monthly funding requirements based on projected production.

g. An estimate, by number and dollar amount of manpower from all sources, to be used in implementing the weatherization plan. The plan shall include staffing patterns for all weatherization personnel, documentation shall be provided as to why CETA resources are not available, in part or whole, to allow local program deliverers to attain production quotas.

h. The plan shall be submitted for Regional Clearinghouse review.

i. A grantee currently receiving state weatherization funds need not supply items a., b., or d. unless specifically requested by the state.

3. If the grantee determines that it cannot fulfill its obligations under the plan in whole or part, the grantee may request an amendment or revision of the existing approved plan and resubmit a new plan or amendments within 30 days after the written notice of request for consideration. The request from the grantee must be in writing detailing its specific views with supporting data and arguments.

F. Allowable Expenditures.

1. To the maximum extent practical, the grant funds provided under this part shall be used to supplement the DOE Weatherization Program's purchase of weatherization labor,

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PROPOSED RULES

supervision, and administration. Allowable expenditures shall be limited to:

a. The cost established by local deliverers in their plan of:

(1) The cost of employment of supervisory personnel.

(2) The cost of employment of weatherization laborers.

(3) Other weatherization expenses authorized under the act as approved by the commissioner in accordance with the law.

b. Allowable administrative expenses limited to those set forth in the grantee's approved plan not exceeding 7½% of the local deliverer's approved grant.

c. Grant funds awarded under this part shall not be used for any of these purposes:

(1) To weatherize a dwelling unit which has been weatherized previously with grant funds from DOE or state assistance under the program of this rule unless such dwelling unit has been damaged by fire, flood or an act of God and repair of the damage to weatherization materials is not paid for by insurance.

(2) To weatherize a dwelling unit which is vacant or designated for acquisition or clearance by a federal, state or local government program within twelve months from the date weatherization of the dwelling unit would be scheduled to be completed: or

(3) To purchase cosmetic items or a heating or cooling source. No dwelling unit can be exclusively weatherized with only state funds. State funds must be spent in coordination with DOE funds.

2. Grantee's wishing to use funds for other expenses related to delivery of the weatherization program in accordance with the act must make application to the Director of Intergovernmental Relations, acting on behalf of the commissioner; documentation must be included to substantiate any request.

G. Oversight responsibility.

1. The commissioner, or the Director of Intergovernmental Relations on behalf of the commissioner, shall monitor and evaluate the operation of projects carried out by the grantees receiving financial assistance under this part through on-site inspections, or through other means.

2. The DES shall also carry out periodic evaluations of weatherization programs carried out by the grantee.

3. The commissioner, the Director of Intergovernmental Relations or appropriate duly authorized representatives shall have access for the purpose of audit and examination to any books, documents, papers, information and records of any weatherization project receiving financial assistance under the law.

4. The commissioner shall conduct, on an annual basis, an audit of the pertinent records of any grantee receiving financial assistance under this part.

H. Record keeping. Each grantee receiving state financial assistance under this part shall keep such records as the commissioner shall require, including records which fully disclose the amount and disposition by each grantee of funds received under this rule, the total cost of the weatherization project to implement the grantee plan for which such assistance was given or used, including all sources and amounts of funds for such project or program, and such other records as the commissioner deems necessary for an effective audit and performance evaluation. Such record keeping shall be in accordance with Federal Management Circular 74-4 and any further requirements of this rule or such requirements as the commissioner may otherwise establish consistent with this rule.

I. Monthly reports. Each grantee receiving financial assistance under this part shall submit a monthly program, performance report and a monthly financial report (monthly invoice) to the commissioner. The program performance report shall describe by state priority:

1. The number of dwelling units weatherized and a file reference for each.

2. Outreach efforts.

3. Any other information the commissioner feels relevant, including information routinely submitted to the federal government in order to effectively monitor the progress of the grantee.

J. Eligible dwellings. No dwelling unit shall be eligible for weatherization assistance under this part unless it is occupied by a family unit.

1. Whose income is at or below 125 percent of the poverty level determined in accordance with criteria established by the Director of the Federal Office of Management and Budget: or

2. Which contains a member who has received assistance payments under Title IV and XVI of the Social Security Act or applicable state or local rules during the 12 month period preceding the determination of eligibility for weatherization assistance.

K. Granting process. Once the application for grant has been approved, the commissioner shall notify the grantee of such approval and any conditions shall be attached thereto. A grant contract shall be signed by the commissioner or the Director of Intergovernmental Relations, and the authorized local agency representative. The grant contract shall indicate report requirements and other grant requirements shall be met prior to any obligation of funds. Payments on grant contracts shall be made on the basis of grantee activity in the program. Cash on hand in excess of 30 day program requirements shall not be delivered. Payments to grantees shall be reviewed in comparison to expenditures to determine cash needs. Expenditures shall be reported monthly on forms to be supplied by DES. Grantees shall be required to project next month's cash needs on the previous month's expenditure report.

L. Fiscal responsibility. No funds shall be released to a grantee receiving financial assistance under this rule until it has submitted to the Director of Intergovernmental Relations a statement certifying the assisted grantee has: an established accounting system with internal controls adequate to safeguard their assets which has an operating efficiency and reliable accounting data; does promote operating efficiency and encourage compliance with prescribed management policies and has such additional fiscal responsibility and accounting requirements as the Intergovernmental Relations Director may require consistent

with these rules. The statement may be furnished by a Certified Public Accountant, a duly licensed public accountant or, in the case of a public agency the appropriate public financial officer who accepts responsibility for providing required financial services to that agency.

M. Severability. The provisions of this rule shall be severable and if any phrase, clause, sentence or provision is declared illegal or of no effect, the validity of the remainder of this rule and the applicability thereof to any person or circumstances shall not be affected thereby.

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.

Housing Finance Agency Adopted Temporary Rules Governing the Emergency Energy Conservation Grant Program

The temporary rules governing the Emergency Energy Conservation Grant Program proposed and published at *State Register*, Volume 4, Number 42, p. 1688, April 21, 1980 (4 S.R. 1688), were adopted on May 22, 1980 with the following amendments:

12 MCAR § 3.082 A. The recipient(s) must occupy the structure to be improved as the recipient's(s') principal place of residence and individually or in the aggregate have at least:

1. a life estate or
2. a one-third interest in the fee title or in the contract for deed with respect to such structure. The agency ~~may~~ shall waive or modify the ownership ~~and security~~ requirement when necessary to permit Emergency Energy Conservation grants for struc-

tures located on Indian Reservations. For mobile homes taxed as personal property or not permanently affixed to real property recipient(s) must: (1) have resided in the structure at the present location for a period of one year immediately preceding the date of application as the recipient(s') principal place of residence, (2) be current in any loan payments on the structure, and (3) individually or in the aggregate have a 100% interest in the title to the mobile home.

12 MCAR § 3.084 A. The Administering Entity shall have full responsibility for program implementation including public information, reviewing and screening applicants, choosing recipients, and certifying that the energy conservation work is satisfactorily completed. The Administering Entity may adopt a targeting plan whereby the Administering Entity will establish priorities for awarding grant funds based on an assessment of need within its jurisdiction, in the event that the number of applications exceeds the number of grants which can be awarded. The targeting plan, if any, shall be subject to approval by the agency and may not have the effect of excluding any otherwise eligible applicant from making an application and being considered eligible for a grant.

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ADOPTED RULES

State Board for Vocational Education Department of Education Vocational-Technical Division

Adopted Rules Governing Licensure of Vocational Education Personnel and Repeal of Rule 5 MCAR § 1.0074

The rules proposed and published at *State Register*, Volume 4, Number 11, pp. 417-465, September 17, 1979 (4 S.R. 417) are adopted as proposed with the following amendments.

Amendments as Adopted

Chapter Thirty-Nine: Rules for Licensure of Vocational Education Personnel

5 MCAR § 1.0780 Scope and definitions.

G. Bicultural qualifications. The quality of being knowledgeable about and sensitive to the ethnic and cultural aspects of the particular student groups to be worked with. Bicultural qualifications of an applicant for licensure shall be verified by the local school administrator.

H. Bilingual qualifications. The ability to communicate both orally and in writing in two or more languages, the first and principal language being English and the second language being relevant to the ethnicity of the students to be worked with. Bilingual qualifications of an applicant for licensure shall be verified by the local school administrator.

T. Industrial education. A generic term including or referencing those preparatory or supplementary vocational trade, industrial, or technical education programs that have as their primary purpose at the post-secondary level preparation for specific career employment in the world of work and at the secondary level: 1) in-depth exploration of occupations to assist in the career planning process, 2) development of occupational competencies designed to be recognized for advanced placement in post-secondary programs, and 3) development of occupational competencies necessary to enter an occupation. The term "industrial education" shall not include industrial arts or practical arts educational programs which are a part of general education curricula.

~~T.~~ U. - V. reletter as ~~U.~~ V. - W.

X. ~~W.~~ Occupational experience—Except where otherwise stated in these rules, paid work experience (outside of education or teaching) in a job or jobs directly related to the area of licensure being sought, with at least 500 hours within the five year period immediately preceding the date of application for licensure.

Z. Parent. A parent, guardian or an individual acting as a parent of a student in the absence of a parent or guardian.

Y. - AA. reletter as AA. - CC.

5 MCAR § 1.0782 Procedure for licensure of vocational instructional and supportive personnel.

B.3.c.(4) Option four. An entrance license holder who meets occupational experience requirements and who possesses a non-vocational degree in education shall be issued a regular five-year vocational license pursuant to option two. The introduction to vocational teaching course and the nine-week teaching internship ~~may~~ shall be deleted from the vocational teacher education sequence set forth in 5 MCAR § 1.0784.

B.5.a.(1) Authorization. A substitute license in a specific occupational area shall be issued to meet the short-term need for an instructor-substitute as determined by the local vocational administrator. ~~The authorized local vocational administrator and the designated representative of the specific vocational program advisory committee (5 MCAR § 1.0070 RR.) shall recommend to the commissioner of education the applicant(s) professionally and technically qualified in the specific occupational area to be taught, as verified by such administrator and representative.~~

B.5.a.(1)(a) General rule. The authorized local vocational administrator shall recommend to the commissioner of education the applicant(s) professionally and technically qualified in the specific occupational area to be taught. Prior to such recommendation, the authorized local vocational administrator shall obtain the approval and the signature of the designated representative of the specific vocational program advisory committee (5 MCAR § 1.0070 RR.).

B.5.a.(1)(b) Exception. The authorized local vocational administrator may recommend to the commissioner of education the applicant(s) professionally and technically qualified in the specific occupational area to be taught prior to obtaining the approval of the program advisory committee when obtaining preapproval would create a hardship for the local education agency, as determined by the authorized local vocational administrator. A statement attesting to the authorized local vocational administrator's responsibility to report such recommendations to the advisory committee shall be submitted by the administrator to the state licensing agency as part of the licensure credentials.

B.5.a.(2) Signature. Applications for initial and subsequently renewed substitute licenses shall be signed by the authorized local vocational administrator pursuant to either B.5.a.(1)(a) or B.5.a.(1)(b) (above). ~~and the designated representative.~~

B.5.a.(3) Filing. Evidence of the ~~authorized local vocational administrator's and the designated representative's initial and subsequent~~ advisory committee's recommendations shall be on file in the district, center, or AVTI and shall be made available for review.

C. New instructional positions. When emerging occupations, innovative, experimental, or exemplary programs create

instructional positions which are not provided for in existing licensing criteria, the commissioner of education may recommend the formulation of licensing criteria and licensure in compliance therewith. Such licensing criteria shall become a part of these rules pursuant to the procedures set forth in Minn. Stat. § 15.041+2 *et seq.*

5 MCAR § 1.0783 Occupational experience requirements.

A. Occupational experience. Except where otherwise stated in these rules, occupational experience shall mean paid work experience (outside of education or teaching) in a job or jobs directly related to the area of licensure being sought and shall include at least 500 hours within the five years immediately preceding the date of application for licensure.

5 MCAR § 1.0786 Continuing education requirements for relicensure of vocational instructional and supportive personnel.

A.1.b. The applicant has completed 108 clock hours of updating activities chosen from among the activities set forth in C.2.c.(1) - ~~(7)~~ (9) of this rule (below) in two or more types of activities that have been pre-approved by the local vocational relicensure committee. Evidence of completion shall have been provided to that committee.

B.1.a. Eligible voting personnel. Vocational personnel ~~practicing holding on~~ a valid regular five-year vocational license or on a valid vocational license on a sequence preparatory to obtaining a regular five-year vocational license in a school district (district), an approved vocational or cooperative center (center), or nonpublic school shall constitute the eligible voting personnel. Only vocational personnel practicing on a valid regular five-year vocational license or on a valid vocational license on a sequence preparatory to obtaining a regular five-year vocational license in a district, center, or nonpublic school shall be eligible to serve as committee members. Authorized local vocational administrators and supervisors shall not constitute eligible voting personnel.

B.1.c. Selection procedure. The eligible voting personnel shall hold a meeting for the purpose of selecting one of the local vocational relicensure committee options set forth in B.2. and B.3. of this rule (below). This selection procedure shall be supervised by an eligible voting member or the chairperson of the local continuing education committee established pursuant to Minn. Stat. § 125.1875, subd. 4.

B.3.a. Districts, centers, or nonpublic schools employing fewer than five eligible ~~voting~~ practicing vocational personnel members shall utilize option C or option D.

B.3.b. Districts, centers, or nonpublic schools employing more than four but fewer than nine eligible ~~voting~~ practicing vocational personnel members shall utilize option A., option C., or option D.

B.3.c. Districts, centers, or nonpublic schools employing more than eight but fewer than twenty-five eligible ~~voting~~ practicing vocational personnel members shall utilize option A or option C.

B.3.d. Districts, centers, or nonpublic schools which employ more than 24 eligible ~~voting~~ practicing vocational personnel members shall utilize option A., option B., or option C.

B.4. Committee member term of office. Members of the local relicensure committee shall serve a two-year term except for the initial election when two eligible ~~voting~~ personnel members and one resident member shall be elected for one-year terms. All terms shall commence on September 1 of the year in which elected.

B.6.a.(4)(a) Recommendation. Upon verification of completion of 108 clock hours of upgrading activities set forth in C.2.c.(1) - ~~(7)~~ (9) of this rule (below), such two-year relicensure shall be recommended by the commissioner of education.

B.7.d. determine the number of clock hours to be granted for experiences in accordance with the maximum clock hour allocations set forth in C.2.c.(1) - ~~(7)~~ (9) of this rule (below),

B.7.h. ~~provide annual written recommendations to the authorized local vocational administrator concerning inservice needs of the district, center, or nonpublic school, when appropriate, and when acting upon the advice of the vocational teaching staff, make recommendations to district vocational administrators responsible for inservice activities.~~

C.2.c.(5) ~~Updating leaves~~ Leaves updating competencies relevant to the area of licensure taken in agencies, businesses, or industries shall be rated on a clock hour basis. A maximum of 60 clock hours may be credited toward the required 108 clock hours.

C.2.c.(8) Organized technical research leading to the development of new or updated competencies in the area of licensure (e.g., research producing new knowledge preparatory to writing a related technical article, developing related curriculum, teaching a related specialized adult class, or producing a related technical invention) shall be rated on a clock hour basis at the discretion of the local vocational relicensure committee, in accordance with the local guidelines established pursuant to this rule. Notwithstanding local guidelines, a maximum of 20 clock hours may be credited toward the 108 clock hours each five years. Clock hours shall not be granted for the subsequent manual process of writing, teaching, or producing, as these activities simply restate knowledge the applicant has acquired through prior research or experience and do not in themselves create new or updated competencies related to the area of licensure.

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C.2.c.(9) Service on a state evaluation team for vocational programs shall be rated on a clock hour basis. An individual evaluation shall equate to a maximum of 5 clock hours per day of evaluation. A maximum of 10 clock hours may be credited toward the 108 clock hours each five years.

5 MCAR § 1.0787 Vocational teacher education licensing programs.

D.4.b.(1) ~~Audit. A consultation~~ An audit, as set forth in E.2.a. of this rule (below), which need not include an on-site visit, shall be made to verify that the revised approved vocational teacher education licensing program continues to meet these rules.

5 MCAR § 1.0788 Committee review.

B.2.d. ~~a member of the public, if available,~~ a member of a community organization related to the educational licensure area, if the member designated in e. (below) is available,

B.2.e. a member of the public, if the member in d. (above) is available.

The committee shall be comprised of an uneven number of members to insure that a majority decision shall be reached.

5 MCAR § 1.0789 Secondary vocational instructional personnel.

A. Qualification for licensure. An applicant (excluding secondary provisional license applicants) shall meet the requirements in the secondary licensure chart set forth in 5 MCAR § 1.07998 and the general provisions and procedure for licensure of instructional and supportive personnel.

C.1.a.(1) is eligible for secondary provisional licensure pursuant to the secondary licensure chart set forth in 5 MCAR § 1.07998, and

C.1.a.(5) has met all other licensure requirements pursuant to the secondary licensure chart set forth in 5 MCAR § 1.07998.

C.1.b.(1) An applicant may complete the final one-third of the occupational experience required for the requested licensure during the provisional licensure period when such applicant has met all requirements of ~~B-C.1.a.(1)-(5)~~ of this rule (above).

C.1.b.(2) An applicant may complete the final one-third of the specialized courses required for model office licensure, excluding the materials and methods of model office course, when such applicant has met all requirements of ~~B-C.1.a.(1)-(5)~~ of this rule (above).

C.1.c.(1)(a) is eligible for secondary provisional licensure pursuant to the secondary licensure chart set forth in 5 MCAR § 1.07998, and

C.1.c.(1)(e) has met all other requirements pursuant to the secondary licensure chart set forth in 5 MCAR § 1.07998.

C.1.c.(2) An applicant for business and office instructor-coordinator licensure may complete the final one-third of the specialized course requirements, excluding the coordination techniques and materials and methods of business and office

cooperative education courses, when such applicant has met the requirements set forth in ~~B-C.1.c.(1)(a)-(e)~~ of this rule (above).

C.2.b. Nonrenewable. The secondary provisional license is nonrenewable. Full licensure pursuant to the secondary licensure chart set forth in 5 MCAR § 1.07998 shall be accomplished prior to the expiration date set forth in ~~B-C.2.a.~~ of this rule (above).

C.3.c. Consult the corresponding licensure chart and 5 MCAR § 1.0792 ~~B-C.~~ of these rules for provisional licensure in special needs areas.

5 MCAR § 1.0790 Post-secondary vocational instructional personnel.

A. Qualification for licensure. An applicant shall meet the requirements in the post-secondary licensure chart set forth in 5 MCAR § 1.07998 and the general provisions and procedure for licensure of instructional and supportive personnel.

5 MCAR § 1.0791 Adult vocational instructional personnel.

A. Qualification for licensure. An applicant (excluding adult supplementary license applicants) shall meet the requirements in the full-time adult licensure chart set forth in 5 MCAR § 1.07998 and the general provisions and procedure for licensure of instructional and supportive personnel. A full-time adult instructor not identified in the full-time adult licensure chart shall meet corresponding full-time post-secondary requirements. Post-secondary licensure shall automatically include adult licensure in the same area.

C.2.a.(2) professionally and technically qualified in the specific occupational area to be taught, as verified by the authorized local vocational administrator. ~~A minimum of three years of recent, relevant occupational experience and twenty-four clock hours of vocational teacher education is recommended.~~

5 MCAR § 1.0792 Special needs vocational instructional and supportive personnel.

A. Qualification for licensure. An applicant shall meet the requirements in the special needs licensure chart set forth in 5 MCAR § 1.07998 and the general provisions and procedure for licensure of instructional and supportive personnel.

B.7. Bilingual/bicultural remedial related math instructor. Any person holding a position as a bilingual/bicultural remedial related math instructor shall be licensed pursuant to these rules when responsible for any of the following activities:

a. ascertaining the competency in math skills of limited English speaking students by administering tests designed to indicate the level at which the student is presently functioning.

b. designing individualized math programs for students when such student's competency test results indicate the need.

c. providing individualized remedial instruction in math utilizing the math program developed for each student identified to have a special need for such, and

d. participating on an advisory committee related to the special needs program(s) instructed.

B.78.-10. renumber as 8-9.-11.

C.2.a. eligible for a special needs provisional license pursuant to special needs licensure chart set forth in 5 MCAR § 1.07998, and

C.3.b. Nonrenewable. The special needs provisional license shall be nonrenewable. Full licensure shall be accomplished prior to the expiration date set forth in B-C.3.a. of this rule (above).

5 MCAR § 1.0793 Specialized vocational instructional and supportive personnel.

C.2.b.(1) shall meet the licensure requirements for an adult teacher of vocational agricultural education, as specified in the licensure chart set forth in 5 MCAR § 1.07998, and

C.4.c. Secondary vocational program counselors. In addition to the requirements set forth in C.4.b.(1)-(4) of this rule (above), secondary vocational program counselors shall also meet the current licensure requirements of the board of teaching. hold licensure as a secondary school counselor from the appropriate licensing board.

C.6.e. Optional requirements. In addition to meeting the criteria in C.6.b.(1)(3) of this rule (above), it is recommended that the applicant have completed two years of teaching experience and hold a valid standard or vocational teaching license.

C.6.d. reletter as C.6.c.

C.9. Post-secondary Health health-safety specialist.

C.10. Post-secondary Health health-safety assistant.

5 MCAR § 1.0795 Continuing education requirements for relicensure of vocational administrative and supervisory personnel.

B.1. Regular five-year continuing license. A five-year continuing license may shall be granted if an applicant can provide evidence that 115 clock hours of approved administrative or supervisory continuing education activity and 85 hours of individual professional development activity have been completed during the five-year period immediately preceding the application for a five-year continuing license.

B.2. Two-year nonrenewable continuing license. A two-year nonrenewable continuing license may shall be granted if an applicant can provide evidence that a position has been offered contingent upon holding a valid license, and can demonstrate that there is insufficient time to complete 115 clock hours of approved administrative or supervisory continuing education activity and 85 hours of individual professional development activity as set forth in A.1.a. and b. of this rule (above). Upon expiration of the two-year, nonrenewable continuing license, an

applicant shall qualify for a regular five-year continuing license in accordance with requirements set forth in B.1. of this rule.

5 MCAR § 1.0796 Continuing education programs for relicensure of vocational administrative and supervisory personnel.

A. Approval by ~~Commissioner of Education~~, the State Board for Vocational Education. The initiator of any vocational administrative or supervisory continuing education program for relicensure of directors and supervisors shall obtain approval from the ~~commissioner of education~~ State Board for Vocational Education for the program and the clock hours to be earned in such program.

B.1. Vocational administrative or supervisory continuing education program proposals. The initiator of any vocational administrative or supervisory continuing education program shall forward a proposal of the program to the Commissioner of Education ~~for approval~~, for review by the State Board for Vocational Education.

B.1.b. Program approval. A vocational administrative or supervisory continuing education program shall be approved by the ~~commissioner of education upon the recommendation of the administrative standards and licensure task force established in 5 MCAR § 1.0797~~ State Board for Vocational Education if it meets the requirements set forth in B.1.a.(2)(a)-(g) of this rule (above).

C.1.b. forwarding vocational administrative or supervisory continuing education program proposals to the commissioner of education ~~for approval~~, for review by the State Board for Vocational Education.

5 MCAR § 1.0797 Standards and licensure task force for relicensure of vocational administrative and supervisory personnel.

A. ~~A vocational administrative standards and licensure task force shall be established by the Board of Education.~~

1. ~~Advisory capacity.~~ The task force shall act in an advisory capacity to the Board of Education in matters assigned to it pursuant to A.2. of this rule (below).

2. ~~Duties.~~ The task force shall:

a. ~~review proposed rules pertaining to the licensure of vocational school administrators and supervisors and provide written recommendations concerning such proposals to the State Board of Education.~~

b. ~~work with licensed vocational administrators and supervisors practicing in Minnesota schools to identify needed areas of study for vocational administrative or supervisory continuing education programs;~~

c. ~~study and make recommendations for affirmative action in the preparation and employment of vocational school administrators and supervisors; and~~

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

d. review and recommend approval of vocational continuing education programs for vocational administrators and supervisors to the Commissioner of Education.

3. Subcommittees. The task force may divide into subcommittees to meet the responsibility set forth in A.2.d. of this rule (above).

B. Task force formation.

1. Appointment.

a. Voting members. Task force voting members shall be appointed by the Board of Education.

b. Nonvoting member. The task force nonvoting member shall be appointed by the Commissioner of Education.

2. Members. The task force shall consist of twelve voting members and one nonvoting member as follows:

a. one post-secondary director of vocational technical education in districts operating an AVTI;

b. one secondary level vocational program director;

c. one adult vocational director;

d. one vocational special needs supervisor;

e. one vocational program area or vocational personnel services area supervisor;

f. one practicing vocational classroom instructor;

g. one vocational teacher educator;

h. one superintendent of schools;

i. one member of a Minnesota school board;

j. one representative of business or industry;

k. one vocational student;

l. one member of the public; and

m. one nonvoting member from the state department of education.

3. Selection criteria. Task force members shall be selected on the basis of the following criteria:

a. Each task force member shall be selected on the basis of experience related to, knowledge of, and interest in, the preparation and licensure qualifications of vocational school administrators and supervisors.

b. All task force members who are teachers, directors, supervisors, or superintendents shall also:

(1) be currently practicing in Minnesota in the licensure area that they represent; and

(2) hold a current Minnesota license valid for their present position.

4. Term of appointment.

a. Voting members. Task force voting members shall be appointed for terms of two years.

(1) Exception. The six voting members initially appointed to the task force and identified in B.2.b., d., f., h., j.,

and i., shall serve one-year terms in order to provide continuity in task force membership.

(2) Repeated membership. Task force voting members may not serve for more than two terms. A term shall include the one-year terms provided for in B.4.a.(1) of this rule (above).

(3) Beginning of term. Membership terms begin with the first task force meeting after September 1 of every year.

(4) Successors. Members shall serve until successors are appointed by the board of education pursuant to this rule.

(5) Replacement. Replacement of a member shall be made by the state board of education after three unexcused absences in one year.

(6) Change in employment status. The position of a member who leaves Minnesota or whose employment status changes to a licensure area different from that for which appointment was made shall be deemed vacant.

(7) Vacancies. A vacancy during the term of a member shall be filled by the State Board of Education for the remainder of the unexpired term.

b. Nonvoting member. The task force nonvoting member shall serve on the task force until a successor is appointed by the Commissioner of Education.

5. Task force meetings. The task force shall meet at least three times during each school year.

a. First meeting. The first meeting of each school year shall be called by the Commissioner of Education.

(1) Date. The first meeting shall be held before October 31 of each school year.

(2) Officer election. At the first meeting of each school year the task force shall elect a chairperson, a secretary, and any other officers deemed necessary by task force members.

(a) Voting members. Task force officers shall be elected by the voting members of the task force.

(b) Term of office. Officers shall each serve a one-year term.

b. Subsequent meetings. The task force shall perform those duties set forth in A.2.a.-d. of this rule (above), as needed.

5 MCAR § 1.0798 renumber as 5 MCAR § 1.0797.

5 MCAR § 1.0797 Vocational administrative and supervisory personnel.

D.1. Director of vocational-technical education in districts operating an AVTI. A district designated and approved by the state board of for vocational education to operate an AVTI shall employ a director.

D.1.a.(9) preparing vocational reports (financial, statistical, and descriptive) required by the local board of education, the superintendent, the state director, and the state board of for vocational education,

D.2.a.(1) assisting the director in the performance of those responsibilities set forth in D.1.a.(1)-(1211) of this rule (above),

D.3.a.(1)(a) an established or developing state board of for vocational education approved center;

E.1.b. Licensure criteria. ~~(1)~~ Supervisors of agriculture occupations, business and office occupations, health occupations, home economics and service occupations, marketing and distribution occupations, technical occupations, trade and industrial occupations. An applicant:

E.1.b.(a) renumber as E.1.b.(1).

E.1.b.(i)-(vii) reletter as E.1.b.(a)-(g).

E.1.b.(b)-(e) renumber as E.1.b.(2)-(5).

E.1.b.(2) ~~Supervisor of practical nursing.~~

(a) ~~Option one The applicant.~~

(i) shall be a graduate of an accredited college with a degree (baccalaureate level) in nursing;

(ii) shall be a registered nurse, licensed pursuant to Minn. Stat. § 148.211 to practice in Minnesota;

(iii) shall have completed 6,000 hours of recent nursing experience; and

(iv) shall have completed the post-secondary vocational teacher education sequence set forth in 5 MCAR § 1.0784.

(b) ~~Option two The applicant.~~

(i) shall be a graduate of an accredited college with a degree (baccalaureate level) in nursing education;

(ii) shall be a registered nurse, licensed pursuant to Minn. Stat. § 148.211 to practice in Minnesota;

(iii) shall have completed 6,000 hours of recent nursing experience; and

(iv) shall have completed a course in philosophy of vocational education.

E.2.b.(7) shall hold a current, valid license, registration, and/or certificate, as issued by the appropriate board, professional association, or accrediting agency, to practice in the specialized field.

E.3.b.(3) shall have completed 12 ~~quarter~~ quarter credits chosen from the following:

E.5.a.(1) services which assist students to successfully ~~more~~ move into and out of an AVTI or center, and make progress while so enrolled. Such services may include preenrollment services to students and parents, occupational and educational information, appraisal, orientation, housing, financial aids, student activities, and student accounting,

5 MCAR § 1.0799 renumber as 5 MCAR § 1.0798.

5 MCAR § 1.0799 Effective date.

5 MCAR §§ 1.0780-1.0798 shall become effective as of July 1, 1980 or as of five working days after final publication in the State Register, whichever date is later.

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5 MCAR \$1.07998 Licensure charts.

SECONDARY LICENSURE CHART	OPTIONS	RELEVANT EDUCATION			RECENT RELEVANT OCCUPATIONAL EXP			SPECIAL COURSES OR REQUIREMENTS								PRIOR TO FIRST RENEWAL	PRIOR TO 5 YEAR LICENSE	OPTION FOR PROVISIONAL	
		(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)
AGRICULTURE EDUC. Instructor	A	X			X											X		X	
Emergency Provisional Instructor- Coordinator	A	X	X		X			X								X		X	
BUSINESS & OFFICE ED. Instructor	A		X		X	X										X		X	
Instructor- Coordinator	A		X		X	X										X		X	
Model Office Instructor-Manager	A		X		X	X										X		X	
Instructor Spec. Area Bus & Office Ed.	A					X										X		X	

S: Designates the requirements or schedule of requirements for applicants seeking a provisional license.

VE: Vocational Education.

ROX: Recent, relevant occupational experience. Unless otherwise indicated, ROX means paid experience outside of education or teaching and includes at least 500 hours within the prior five years.

Deg: Degree. Unless otherwise indicated, "Degree" means a four-year baccalaureate degree from an accredited college or university.

Education Baccalaureate or higher degree in a recognized educational field including at least 27 quarter credits in education with six quarter credits of student teaching.

ELABORATION ON SPECIAL COURSES OR REQUIREMENTS

1. The agriculture instructor provisionally licensed with a technical agriculture degree shall complete six quarter credits in agriculture education prior to licensure, and shall meet the requirements for the agriculture education degree within five years, earning a minimum of six quarter credits per year on a prearranged program.
2. 500 hours ROX within the prior five years in the specific area in which the license is requested. Up to 1/2 of the required 3000 hours may be earned through supervised internship programs. A minimum of 500 actual (not supervised internship) hours shall be accumulated in each area of licensure requested.
3. After initial full licensure, work experience in a specific area may be updated to meet the 500 hour recency requirement through state-approved workshops of six quarter credits or 72 clock hours or an equivalent industrial seminar. In accounting and/or data processing, a non-paid supervised internship may be used to accumulate 1/2 of the required 500 hours.
4. Non-Minnesota graduates shall complete these courses in Minnesota prior to licensure: six quarter credits in supervision of occupational experience, including a practicum in agriculture education.
5. Materials and methods in business and office co-op education, and one additional approved vocational teacher education course.
6. One year business and office teaching experience, or one quarter internship in cooperative education.
7. Materials and methods in model office, plus office manager workshop of three quarter credits or 36 clock hours or equivalent industrial seminar, or a variety of office management experience (\$1.0780 V_Y) equal to at least one-half of the required ROX.
8. One year business and office teaching experience or one quarter internship in model office.

1. Included in or added to the degree shall be a minimum of six quarter credits of college approved courses with consumer emphasis in each of the following areas: (1) child development including field experience, (2) clothing and textiles, (3) consumer education, (4) family life education and parenting, (5) foods and nutrition, and (6) housing.
2. Degree inclusive of 27 quarter credits in college approved family life courses including a minimum of three quarter credits in each of the following areas: (1) family structure and function, (2) parent education, (3) relationships within the family and relationships of the family and its members to society, (4) development of human sexuality, and (5) curriculum methods and materials for family life education.
3. Included in or added to the degree shall be: (1) upper division college course in nutrition within the last five years, (2) methods and materials in teaching nutrition, pre-kindergarten through adult, (3) basic nutrition, (4) socio-cultural aspects of nutrition, and (5) physiology.
4. This requirement includes the courses listed in number three above.
5. Recommendation from an approved home economics program designee required when five years pass between the degree and the licensing, or between the expiration of the license and the renewal.
6. Provisional license for Family Life granted with a minimum of 18 quarter credits, with the balance of the 27 credits completed within two years.
7. When no nutrition specialist is available, a provisional will be issued to consumer homemaking instructors wishing licensure. The courses required for this area shall be completed prior to relicensure in two years.
8. Provisional granted to a person with a vocational home economics education degree in Service occupations, including a minimum of 2/3 of the required consumer homemaking credits, with a minimum of three quarter credits in each of the six components prior to initial licensure. The remaining third of the credits shall be completed prior to relicensure in two years.

S: Designates the requirements or schedule of requirements for applicants seeking a provisional license.

L VE: Vocational Education.

ROX: Recent, relevant occupational experience. Unless otherwise indicated, ROX means paid experience outside of education or teaching and includes at least 500 hours within the prior five years.

Deg: Degree. Unless otherwise indicated, "Degree" means a four-year baccalaureate degree from an accredited college or university.

Education Baccalaureate or higher degree in a recognized educational field including at least 27 quarter credits in education with six quarter credits of student teaching.

ELABORATION ON SPECIAL COURSES OR REQUIREMENTS

1. Twenty-four quarter credits in technical areas, with a minimum of two credits or 24 clock hours in each area: selling, management, advertising and sales promotion, visual merchandising, retailing, marketing, principles of economics, and principles of accounting. In specialized programs, relevant technical areas may be substituted. Excess ROX may be substituted for relevant technical areas at the rate of three quarter credits for one year of experience.
2. When no fully licensed instructor is available, 1/3 technical, 1/3 ROX, and 1/3 professional requirements may be completed on a two year contract with the exclusion of coordination techniques for the instructor-coordinator.

For option "B" of the Model Store Instructor, 1/3 technical and 1/3 professional requirements may be completed on a two year contract.

		RELEVANT EDUCATION				RECENT RELEVANT OCCUPATIONAL EXP				SPECIAL COURSES OR REQUIREMENTS				PRIOR TO FIRST RENEWAL		PRIOR TO 5 YEAR LICENSURE		OPTION FOR PROVISIONAL					
		OPTIONS	(1) Approved Vocational Ed Degree	(2) Related Vocational Ed Degree	(3) Relevant Education Degree	(4) Related Non-Education Degree	(5) Related 2 year Post Sec. Program	(6) Licensed as Instructor in Area	(7) Comprehensive Program Options	(8) Single Content Program Options	(9) 3/4 Yr/1500 hours ROX	(10) 1 Yr/2000 hours ROX	(11) 1 1/2 Yrs/3000 hours ROX	(12) 2 Yrs/4000 hours ROX	(13) 3 Yrs/6000 hours ROX	(14) Sec. Teacher Education Sequence	(15) Coordination Techniques	(16) Philosophy of Vocational Education	(17) Add. 3 Quarter credits in Co-op Ed.	(18) Qualifying Workshop in Occupation College Approved 74 Quarter Credit Component	(19) Human Relations	(20) Philosophy of Vocational Education	(21) Secondary Provisional 5 MCAR §1.0789
SECONDARY LICENSURE CHART																							
OTHER VOCATIONAL CLUSTERS																							
Instructor																							
Instructor-Coordinator																							
SERVICE OCCUPATIONS																							
Instructor (Child-careguidance and education, Fashion-apparel-textile, Food, Grooming services, Housing, Tourism)																							
Instructor-Coordinator In Service Occupations																							

S: Designates the requirements or schedule of requirements for applicants seeking a provisional license.

VE: Vocational Education.

ROX: Recent, relevant occupational experience. Unless otherwise indicated, ROX means paid experience outside of education or teaching and includes at least 500 hours within the prior five years.

Deg: Degree. Unless otherwise indicated, "Degree" means a four-year baccalaureate degree from an accredited college or university.

Education: Baccalaureate or higher degree in a recognized educational field including at least 27 quarter credits in education with six quarter credits of student teaching.

ELABORATION ON SPECIAL COURSES OR REQUIREMENTS

1. Approved VE degree in hospitality and recreation or personal service occupations or vocational home economics degree in wage-earning service occupations.
2. Comprehensive program options require licensure as an instructor under the Service Occupations options A, C, D, or E. The 2000 hours ROX requirement must be earned in a minimum of two different areas, with 1500 hours in area of instructor licensure, and the remainder in one or more additional service occupation areas.
3. Single content area program options require licensure as an instructor under options A, C, D, or E of the Service Occupations requirements.
4. State-approved supervised non-paid work experience of up to 250 hours may be applied toward 500 hours required within the last five years.
5. Maximum of four annual renewals allowed to complete technical component. Six quarter credits are required prior to initial licensure. The minimum rate of progression is six quarter credits per year.

POST-SECONDARY LICENSURE CHART	RELEVANT EDUCATION			RECENT RELEVANT OCCUPATIONAL EXP			SPECIAL COURSES OR REQUIREMENTS						PRIOR TO FIRST RENEWAL	PRIOR TO 5 YEAR LICENSE							
	OPTIONS	Related Education Degree	Related Non-Education Degree	Business Education Degree	Post Secondary License-Secretary with Shorthand/Secretary Without	License: PS Business & Office Area	2 years PS Education	2 yrs/4000 hours ROX	2 yrs/4000 hours ROX w/2000 hours in Specialty	3 yrs/6000 hours ROX	Internship Program Limitation (1)	500 Hour Recency Clause not Applicable as Endorsement	PS Teacher Education Sequence	Office Management Workshop (2)	Model Office Materials-Methods One Quarter Model Office Internship Or One Year Business Ed Teaching	Shorthand/Typing License Option (3)	Word Processing Workshops (4) Verification of Typing Competency And Related Methods Course	Philosophy of Vocational Education	Coordination Techniques	Human Relations	Philosophy of Vocational Education
AGRICULTURE EDUCATION	A	X						X					X							X	X
Instructor: Ag Business, Natural Resources, Environmental Protection	B		X					X					X							X	X
BUSINESS AND OFFICE EDUCATION	C					X			X				X							X	X
Instructor: Secretarial/Clerical Occupations	A			X				X		X			X			X				X	X
	B	X						X		X			X			X				X	X
	C								X	X			X			X				X	X
Instructor: Specialized Secretarial/Clerical Occupations	A			X				X		X			X			X				X	X
	B	X						X		X			X			X				X	X
	C								X	X			X			X				X	X
Instructor: Specialized as Identified (including but not limited to Banking, Accounting, Data Proc., Practical Business Management)	A	X						X		X			X							X	X
	B	X						X		X			X							X	X
	C								X	X			X							X	X
Model Office Instructor-Manager	A			X				X		X	X		X	X	X		X	X		X	
Word Processing Specialist	A			X				X		X	X					X		X		X	
Related Instructor Communications & Math	A	X						X		X			X							X	X
Internship Instructor	A				X			X		X	X		X					X	X	X	

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ROX: Recent, relevant occupational experience. Unless otherwise indicated, ROX means paid experience outside of education or teaching and includes at least 500 hours within the prior five years.

Deg: Degree. Unless otherwise indicated, "Degree" means a four-year baccalaureate degree from an accredited college or university.

Education Degree: Baccalaureate or higher degree in a recognized educational field including at least 27 quarter credits in education with six quarter credits of student teaching.

ELABORATION ON SPECIAL COURSES OR REQUIREMENTS

1. Only one-half of the required hours for licensure may be taken through an approved internship program.
2. Office management workshop of three quarter credits or 36 clock hours, or a variety of office management experience (\$1.0780 W+ Y.) equal to at least one-half of the required ROX.
3. Shorthand and/or typing licensure requires verification of competency plus related methods course.
4. Word processing workshops of six quarter credits or 72 clock hours or equivalent industrial experience, covering both an orientation to word processing and the supervisor's role in a word processing center.

POST-SECONDARY LICENSURE CHART	RELEVANT EDUCATION			RECENT RELEVANT OCCUPATIONAL EXP				SPECIAL COURSES OR REQUIREMENTS						PRIOR TO FIRST 5 YEAR RENEWAL LICENSE													
	OPTIONS	Related Degree	Appropriate Education Degree	Appropriate Non-Education Degree	Health-Related PS Program	2 Years PS Education Licensure/Registration by Appropriate Board	Practicing License/Registration (1)	Instructor License in Area (2)	2 Yrs/4000 hours ROX	2 1/4 Yrs/4500 hours ROX	3 Yrs/6000 hours ROX	3 Yrs/6000 hours ROX w/2000 within prior 5 yrs.	2 Yrs Teaching Experience	4 Yrs/8000 hours ROX	Special Recency Requirement (3)	Related Hours Requirement (4)	PS Teacher Education Sequence	Distributive Education Methods	Distributive Education Curriculum	One additional VE Course	Renewals/Minimal Progress (5)	Technical Courses (6)	Coordination Techniques	Curriculum Courses	Human Relations	Philosophy of Vocational Education	
DISTRIBUTIVE EDUCATION Instructor/Instructor Coordinator	A	X							X						X	X		X	X	X	X	X	X			X	X
HEALTH EDUCATION Instructor	B									X					X	X		X	X	X	X	X	X			X	X
Instructor- Coordinator	A	X				X	X	X			X			X	X		X	X					X			X	X
	B			X		X	X	X			X			X	X		X					X			X	X	
SERVICE, HOSPITALITY, AND HOME ECONOMICS EDUCATION	A	X				X		X									X									X	X
Instructor Occupational	B		X			X		X									X									X	X
Instructor-Coordinator Occupational	C					X			X								X									X	X
Instructor Consumer Homemaking	A	X				X	X					X											X			X	X
	B		X														X									X	X
INDUSTRIAL EDUCATION Instructor	A					X			X					X			X									X	X
	B					X				X							X									X	X
TECHNICAL EDUCATION Instructor	A				X						X						X									X	X

VE: Vocational Education.

ROX: Recent, relevant occupational experience. Unless otherwise indicated, ROX means paid experience outside of education or teaching and includes at least 500 hours within the prior five years.

Deg: Degree. Unless otherwise indicated, "Degree" means a four-year baccalaureate degree from an accredited college or university.

Education Degree: Baccalaureate or higher degree in a recognized educational field including at least 27 quarter credits in education with six quarter credits of student teaching.

ELABORATION ON SPECIAL COURSES OR REQUIREMENTS

1. License, registration, or program certificate is required to teach in program areas where such is required to practice in the field. Cosmetology instructors shall have a senior instructor license issued by the State Board of Cosmetology. Barbering instructors shall have a license issued by the State Board of Barbering.
2. Areas such as First Aid Instructor, or Cardio-Pulmonary Resuscitation (CPR) Instructor and vocational license for Instructor Coordinator.
3. In the general program: 1000 hours within the prior five years. In the specialized program: 1000 specialized hours within the prior five years.
4. In the general program: 1000 hours of retail experience. In the specialized program: 3000 hours in the specialized area.
5. The total six courses in this teacher education sequence shall be accomplished within a maximum period of three annual renewals, with a minimum progress of two courses annually.
6. Twenty-one quarter credits in technical areas, with a minimum of 24 clock hours or two quarter credits in each of the following: selling, management, advertising, visual merchandising, retailing, marketing, and economics. In the specialized program, relevant technical areas may be substituted. Excess ROX may be substituted for relevant technical area courses at the rate of one year for three quarter credits.

FULL-TIME ADULT LICENSURE CHART	RELEVANT EDUCATION					RECENT RELEVANT OCCUPATIONAL EXP			SPECIAL COURSES OR REQUIREMENTS			PRIOR TO FIRST RENEWAL	PRIOR TO 5 YEAR LICENSURE		
	OPTIONS	Ag Ed Deg from Land Grant-College BS in Technical Ag (1)	Related Education Degree Related Non-Education Degree (2)	2 years Related PS Education Bus Ed or Dist Ed Degree	Voc Ed Degree in Home Ec Ed (3)	Deg Options & Family Life Core (4)	Ed Degree & Family Life Core (5)	1 yr/2000 hours ROX	2 yrs/4000 hours ROX	3 yrs/6000 hours ROX	3 yrs/6000 hours ROX-Dist Ed (6)	Small Business Management Workshop in First yr of Teaching Vocational Teaching Methods Approved VE Course (7)	Technical Preparation 3 Credits in Adult Methods PS Teacher Education Sequence Schedule for DE Prof. Sequence (8)	Human Relations	Philosophy of Vocational Education
AGRICULTURE EDUCATION															
Instructor	A	X						X						X	X
Ag Ed Emergency Provisional License	A	X						X						X	X
Ag Ed Veteran's Instructor	A	X						X						X	X
Ag Ed Veteran's Provisional	A	X						X						X	X
Ag Ed Specialty Instructor	A		X					X					X	X	X
	B			X				X					X	X	X
	C				X				X				X	X	X
DISTRIBUTIVE EDUCATION	A				X					X		X		X	X
	B			X						X		X	X	X	X
Adult Small Business Management Instructor	C				X					X		X	X	X	X
	D									X		X	X	X	X
HOME ECONOMICS EDUCATION	A					X							X	X	X
	B						X						X	X	X
Instructor Parent Education	C						X						X	X	X

Family Life Core: (1) family structure and function, (2) parent education, (3) relationships within the family and relationships of the family and its members to society, (4) child development, and (5) curriculum, methods, and materials for family life education.

Provisional license for Parent Education Instructor under option C granted with a minimum of 18 quarter credits, with the balance of the 27 credits completed within two years.

VE: Vocational Education.

ROX: Recent, relevant occupational experience. Unless otherwise indicated, ROX means paid experience outside of education or teaching and includes at least 500 hours within the prior five years.

Deg: Degree. Unless otherwise indicated, "Degree" means a four-year baccalaureate degree from an accredited college or university.

Education Baccalaureate or higher degree in a recognized educational field including at least 27 quarter credits in education with six quarter credits of student teaching.

ELABORATION ON SPECIAL COURSES OR REQUIREMENTS

- Maximum of five years to complete requirements for an agriculture education degree, at a minimum of six quarter credits per year on a prearranged program. The applicant shall have completed or be enrolled in courses worth six quarter credits at the time of licensure.
- In distributive education, this would be a degree in an area such as business administration, economics, or accounting.
- Vocational education degree in home economics education, inclusive of three quarter credits in each of the five areas in the family life core. *
- A degree in early childhood education, family life, child development, or general home economics, inclusive of three quarter credits in each of the five areas in the family life core. *
- Education degree plus 27 quarter hours in the family life core, with at least three quarter credits in each of the five areas. *
- In distributive education, 6000 hours ROX must be in retailing, servicing, and/or manufacturing at the management level as owner, owner-manager, or manager, including 2000 hours within the prior five years.
- Technical preparation includes: 48 clock hours in accounting, plus 24 clock hours in each of four areas chosen from: (1) business law, (2) consumerism, (3) credit and collections, (4) government regulations, (5) income tax, (6) inventory control, and (7) marketing. For fulfilling these requirements, excess management ROX may be substituted for relevant technical areas at the rate of one year for 24 clock hours.
- The required schedule: completion of or pre-arrangement for workshop curriculum in small business management prior to initial licensure; human relations and one additional vocational education course during initial two year licensure; and one additional course per annual renewal.

	RELEVANT EDUCATION						RECENT RELEVANT OCCUPATIONAL EXP		SPECIAL COURSES OR REQUIREMENTS										PRIOR TO FIRST RENEWAL	
	OPTIONS	Education Degree	Vocational Education Degree	Special Education Degree	Counseling Degree	Psychology Degree	Vocational Rehabilitation Degree	1 Yr/2000 hours ROX	500 Hour Recency Clause Not Applicable	Support Service Course Sequence (1)	The Exceptional Child Teaching Students With Learning Problems	18 Hour Internship (2)	Techniques of Guidance and Counseling	Occupational Analysis	Vocational Tests and Measurement	Work Evaluation	Vocational Evaluator Course Sequence (3)	Philosophy of Vocational Education	Special Needs Provisional - 5 SCAR #1.0792B+C	Human Relations
SPECIAL NEEDS LICENSURE CHART																				
SUPPORT SERVICE MANAGERS	A	X						X	X	X	X	X					X	S	X	X
	B		X					X	X	X	X	X					X	S	X	X
	C			X				X	X	X	X	X					X	S	X	X
	D			X				X	X	X	X	X					X	S	X	X
	E				X			X	X	X	X	X					X	S	X	X
	F					X		X	X	X	X	X					X	S	X	X
VOCATIONAL EVALUATOR	A	X						X	X			X	X	X	X		X	S	X	X
	B		X					X	X			X	X	X	X		X	S	X	X
	C			X				X	X			X	X	X	X		X	S	X	X
	D			X				X	X			X	X	X	X		X	S	X	X
	E				X			X	X			X	X	X	X		X	S	X	X
	F					X		X	X			X	X	X	X		X	S	X	X
	G	X						X	X							X	X	S	X	X
	H		X					X	X							X	X	S	X	X
	I			X				X	X							X	X	S	X	X
	J				X			X	X							X	X	S	X	X
	K					X		X	X							X	X	S	X	X
	L					X		X	X							X	X	S	X	X

S: Designates the requirements or schedule of requirements for applicants seeking a provisional license.

ROX: Recent, relevant occupational experience. Unless otherwise indicated, ROX means paid experience outside of education or teaching and includes at least 500 hours within the prior five years.

Deg: Degree. Unless otherwise indicated, "Degree" means a four-year baccalaureate degree from an accredited college or university.

Education: Baccalaureate or higher degree in a recognized educational field including at least 27 quarter credits in education with six quarter credits of student teaching.

ELABORATION ON SPECIAL COURSES OR REQUIREMENTS

- In addition to the general requirements, complete 12 quarter credits chosen from the following courses: Community Resources Including Corrections, Techniques of Counseling and Guidance, Chemical Dependency, Interpersonal Relations, Curriculum Development and Modification for Special Needs, Education of the Disadvantaged, and Special Learning Problems in Vocational Education.

To be eligible for the provisional license, applicants shall have completed all general course requirements, plus two-thirds of the credits required by the above sequence.

- Internship consists of:
 - 6 hours classroom observation
 - 6 hours student assessment
 - 6 hours curriculum modification

- Complete a total of 180 clock hours of course content through workshops covering all of the following areas: The Exceptional Child, Techniques of Guidance and Counseling, Work Evaluation, Occupational Analysis, Vocational Tests and Measurement, Curriculum Development and Modification for Special Needs.

To be eligible for the provisional license, applicants shall complete all general course requirements, plus two-thirds of the clock hours required by the above sequence.

- As approved by the local education agency.

SPECIAL NEEDS LICENSURE CHART	RELEVANT EDUCATION		RECENT RELEVANT OCCUPATIONAL EXP		SPECIAL COURSES OR REQUIREMENTS										PRIOR TO FIRST RENEWAL	
	OPTIONS	(1)			(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
INSTRUCTOR-COORDINATOR WORK EXPERIENCE PROGRAMS	A	X														
	B		X													
	C			X												
	D				X											
POST SECONDARY REMEDIAL RELATED MATH INSTRUCTOR	A	X			X		X								X	X
	B	X			X			X							X	X
	C			X	X		X								X	X
	D			X	X		X								X	X
POST SECONDARY REMEDIAL RELATED READING INSTRUCTOR BILINGUAL-BICULTURAL	A	X			X		X								X	X
	B	X			X			X							X	X
	A	X			X		X								X	X
	B	X			X		X								X	X
POST-SECONDARY REMEDIAL RELATED READING INSTRUCTOR BILINGUAL-BICULTURAL	A	X			X		X								X	X
	B	X			X		X								X	X
	A	X			X		X								X	X
	B	X			X		X								X	X
POST-SECONDARY REMEDIAL RELATED MATH INSTRUCTOR	A	X			X		X								X	X
	B	X			X		X								X	X
	A	X			X		X								X	X
	B	X			X		X								X	X
POST-SECONDARY VOCATIONAL ADVISORS	A				X		X								X	X
	B				X		X								X	X
	A				X		X								X	X
	B				X		X								X	X

S: Designates the requirements or schedule of requirements for applicants seeking a provisional license.

ROX: Recent, relevant occupational experience. Unless otherwise indicated, ROX means paid experience outside of education or teaching and includes at least 500 hours within the prior five years.

Deg: Degree. Unless otherwise indicated, "Degree" means a four-year baccalaureate degree from an accredited college or university.

Education: Baccalaureate or higher degree in a recognized educational field including at least 27 quarter credits in education with six quarter credits of student teaching.

ELABORATION ON SPECIAL COURSES OR REQUIREMENTS

1. Required for Work Experience Handicapped. (EDU 122-B-4-d)
2. In addition to the general requirements, complete 18 quarter credits chosen from the following courses: The Exceptional Child, Teaching Students With Learning Problems, Community Resources Including Corrections, Techniques of Guidance and Counseling, Chemical Dependency, Interpersonal Relations, Curriculum Development and Modification for Special Needs, Education of Disadvantaged, and Special Learning Problems in Vocational Education.

To be eligible for the provisional license, applicants shall have completed all general course requirements, plus two-thirds of the credits required by the above sequence.
3. Internship consists of: 6 hours classroom observation
6 hours curriculum modification
6 hours on-job training observation
4. Complete nine quarter credits chosen from the following courses: Counseling the Culturally Disadvantaged, Interpreting Personal Assessment Results, Understanding Human Behavior, and Career Development.
5. As approved by the local education agency.

SPECIAL NEEDS LICENSURE CHART	RELEVANT EDUCATION										RECENT RELEVANT OCCUPATIONAL EXP										SPECIAL COURSES OR REQUIREMENTS										PRIOR TO FIRST RENEWAL									
	(1)										(2)										(3)										(4)									
SUPPLEMENTAL SUPPORT STAFF/TECHNICAL TUTOR	OPTIONS																																							
	Education Degree																																							
	Vocational Education Degree																																							
	Special Education Degree																																							
INTERPRETER FOR THE DEAF	Counseling Degree																																							
	Vocational Rehabilitation Degree																																							
	ESL-Related Degree																																							
	National Registration																																							
OCCUPATIONAL ENGLISH AS A SECOND LANGUAGE INSTRUCTOR	1/2 yr/1000 hours ROX																																							
	1 yr/2000 hours ROX																																							
	500 Hour Recency Clause Not Applicable																																							
	1000 Hours Teaching English to Students With Limited English Speaking Ability																																							
	Philosophy of Vocational Education																																							
	Second Language Teaching Methods Course																																							
	Recommended by Local Director																																							
	National Interpreter Training Certificate																																							
	Human Relations																																							
	Philosophy of Vocational Education																																							
	6 Clock Hours Special Needs																																							
	Inservice																																							

ROX: Recent, relevant occupational experience. Unless otherwise indicated, ROX means paid experience outside of education or teaching and includes at least 500 hours within the prior five years.

Deg: Degree. Unless otherwise indicated, "Degree" means a four-year baccalaureate degree from an accredited college or university.

Education Baccalaureate or higher degree in a recognized educational field including at least 27 quarter credits in education with six quarter credits of student teaching.

ELABORATION ON SPECIAL COURSES OR REQUIREMENTS

1. English as a Second Language related degree in Linguistics, Foreign Language, or English.
2. As approved by the local education agency.

SUPREME COURT

Decisions Filed Friday, June 20, 1980

Compiled by John McCarthy, Clerk

50619-20-21-22-23/510 State of Minnesota ex rel. L.E.A., petitioner, Appellant (50619), State of Minnesota ex rel. S.P., petitioner, Appellant (50620), State of Minnesota ex rel. C.S., petitioner, Appellant (50621), State of Minnesota ex rel. K.H., petitioner, Appellant (50623), vs. Donald Hammergren, Superintendent, Hennepin County Juvenile Detention Facility, Woodview, Donald Omodt, Hennepin County, Sheriff, Defendant (50619). Hennepin County.

Although the juvenile courts have the power to punish juveniles who are charged with being wayward in contempt of court proceedings for failing to comply with court orders, confinement in a "secure facility" should be avoided or restricted whenever possible.

Writ discharged. Sheran, C. J. Concurring specially, Wahl, J.

50105/112 State of Minnesota vs. Dennis Frederick Graffice, Appellant. Hennepin County.

Evidence of defendant's guilt was sufficient.

Warrantless arrest of defendant was legal.

Trial court properly permitted impeachment of defendant by prior convictions.

Trial court properly permitted prosecutor to elicit evidence showing that defendant's alibi was not encompassed by his notice of alibi.

Prosecutor did not commit prejudicial misconduct in his opening statement and closing argument.

Affirmed. Peterson, J.

49538/418 (1979) Lillian C. Pietrzak, Appellant, vs. Bennie Oscar Eggen, defendant and third party plaintiff, vs. Joseph M. Pietrzak, third party defendant. Marshall County.

Where expert testified that over 50% of a group of 100 individuals with knee x-rays identical to those of plaintiff would eventually undergo knee reconstructive surgery and that plaintiff's degenerative knee condition would progress to the point she would probably seek the pain relief afforded by knee reconstructive surgery, plaintiff established the reasonable certainty of future medical expenses by a fair preponderance of the evidence.

Trial court erred in refusing to instruct the jury on future medical expenses.

In this case, future pain and suffering and future diminished earning capacity are so inextricably tied to future surgery and its attendant expenses that a new trial on the issue of special and general damages is required.

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

50269/81 Anthony Tucker, petitioner, Appellant, vs. State of Minnesota, et al. Hennepin County.

The Youth Conservation Act, Minn. Stat. § 242.27 (1976) requires that a defendant sentenced pursuant to its terms be released on an unsupervised discharge on his or her 25th birthday unless he or she presents a danger to the public at that time.

Where defendant's committing offense was second degree murder and his activities in prison resulted in the entry of multiple violations on his record, the district court properly concluded that he would present a danger to the public if discharged without supervision.

Affirmed. Kelly, J. Dissenting, Todd, J., Rogosheske, J., Wahl, J., and Otis, J.

50254/87 Daniel T. Zahler vs. Rodney A. Manning, et al, Appellants. Hennepin County.

Minn. Stat. § 170.55 (1978) does not apply to effect service of process on a Minnesota resident who has not been continuously absent from the state for six months or more after the automobile accident involved in the case.

Reversed. Kelly, J. Concurring specially, Otis, J. and Peterson, J.

50015, 50052/127 Schroeder, Siegfried, Ryan & Vidas, a partnership, vs. Modern Electronic Products, Inc., Amalgamated Energy Corporation, Appellant. Hennepin County.

Procedures before the United States Patent Office in review of an application for a patent constitute a "proceeding" under Minn. Stat. § 481.13, subd. 3 (1974) (currently codified at § 481.13, subd. 1), and thus an attorney rendering services in connection with a client's application for a patent is empowered to obtain a lien for his compensation upon his client's interest in any property involved in or affected by such a proceeding.

Affirmed. Kelly, J.

49470, 49585/159 Margaret Byrns and Francis Byrns, individually and as Husband and Wife, Appellants, vs. St. Louis County, Minnesota, et al. St. Louis County.

In view of the highly contested factual issues in this case, the trial court's failure to instruct on concurring cause and the emergency doctrine, combined with an improper appeal by defendant's counsel during final argument to the self-interest of the jurors as taxpayers, makes a new trial necessary.

Reversed and remanded. Kelly, J. Took no part, Otis, J.

50432/283 State of Minnesota vs. Harvey Thomas Kelley, Appellant. Ramsey County.

Statement by prosecutor in closing argument, while improper, was nonprejudicial because trial court struck the statement and evidence of defendant's guilt was overwhelming.

Defense counsel, by failing to object, forfeited his right to have this court consider certain issues on appeal.

Trial court did not err in denying motion to suppress gun seized in probable-cause search of motor vehicle when defendant was stopped and arrested.

Evidence sustains conviction of defendant for three prostitution-related offenses but offense charging transportation of prostitute from one place of prostitution to another place of prostitution is reversed as superfluous and the issue raised thereby is not decided.

Affirmed in part; reversed in part. Kelly, J.

50291/202 Parkside Mobile Estates, a limited partnership; and Earl M. Richardson, Thomas M. Richardson and Richard K. Mathews, individually and as general partners, Appellants, vs. Guy T. Lee, et al. Fillmore County.

The trial court erroneously allowed defendants to relitigate the issue of plaintiffs' intent to hook up to a municipal water supply on retrial when the original trial court's order and the opinion of this court clearly limited the new trial to the issue of the amount of damages.

Interest and finance charges incurred by plaintiffs are not proper items of damage as a matter of law.

Reversed and remanded. Todd, J. Concurring specially, Rogosheske, J.

48056/377 (1978) June H. Loftis vs. Legionville School Safety Patrol Training Center, Relator, and Department of Economic Security. Department of Economic Security.

The decision of the Commissioner of the Department of Economic Security, allowing unemployment benefits for June Loftis, is affirmed. The matter is remanded for further proceedings consistent with this opinion.

Affirmed in part and remanded in part. Todd, J. Took no part, Otis, J.

50230/217 James Joseph Riley, petitioner, Appellant, vs. State of Minnesota. Hennepin County.

Due process, including the right to confrontation, applies at corrections board hearings on whether a 25-year-old should be released under the Youth Conservation Act. However, the evidence in this case which was not objected to was independently sufficient to support the decision not to release.

Affirmed. Yetka, J.

50309/266 Kenneth L. Ford, et al., vs. The Chicago, Milwaukee, St. Paul and Pacific Railroad Co., defendant and third-party plaintiff, Appellant, vs. Farmers Union Grain Terminal Association, third-party defendant. Mille Lacs County.

Since the railroad acquiesced in the hazard created by the grain terminal, it cannot recover indemnity from the grain terminal. However, it can recover one-half of the joint negligence from the grain terminal under a contract provision allowing equal contribution if jointly negligent.

The trial court did not abuse its discretion in refusing to strike the testimony of plaintiffs' physician where the plaintiffs failed to supplement an interrogatory regarding expert witnesses.

Affirmed in part, reversed in part and remanded. Yetka, J.

48486, 48564/378 (1978) Commissioner of the Minnesota Department of Economic Security and Mark Belich, Rose Pavcovich, and Mary Beth Duff, Respondents (48486), Commissioner of the Minnesota Department of Economic Security and Robert K. Markle, Rodney A. Sutherland, and Dan L. Sutherland, Respondents (48564), vs. City of Duluth, Relator. Department of Economic Security.

Termination of employment by reason of its provisional or temporary nature is not voluntary within the contemplation of Minn. Stat. § 268.09, subd. 1 (1978). The "constructive voluntary quit" doctrine set forth in *Anson v. Fisher Amusement Corp.*, 254 Minn. 93, 93 N. W. 2d 815 (1958), will not be extended to the facts of this case.

Affirmed. Stone, J.

SUPREME COURT

50512, 50519/Sp. In the Matter of the Appeal of William C. Shea, from an order of Probate Court of Ramsey County, Minnesota, denying probate to the purported Last Will and Testament, dated 12-17-75, in the Estate of Margaret G. Cory, deceased. Leonard Cory, et al., Appellants, vs. William C. Shea. Ramsey County.

The three judge district court panel should have ruled upon the specific factual question raised on appeal before remanding the case to the probate court for findings on another issue. The matter is remanded to the district court panel for its consideration and disposition of the appealed question.

Reversed and remanded. Per Curiam.

50168, 50182/77 Andrew Ellis, petitioner, vs. Minneapolis Commission on Civil Rights, Appellant (50168), and Raymond Smith, complainant, Respondent (50168), Appellant (50182). Hennepin County.

Minn. R. Civ. P. 63.03 which requires that a case be reassigned upon the filing of an affidavit of prejudice applies to judicial review of agency decisions.

Reversed and remanded. Per Curiam. Concurring specially, Sheran, C. J., Otis, J., Kelly, J., Peterson, J., and Yetka, J.

Decisions Filed Thursday, June 12, 1980

51117/Sp. Richard J. Parish, Appellant, vs. The Honorable Albert Quie as Governor of the State of Minnesota and Leo Adams. Ramsey County.

An amendment to Minn. Stat. § 216A.03, subd. 1, effective July 1, 1976, did not extend to six years the tenure of a commissioner appointed to fill an unexpired term of office on the Minnesota Public Service Commission expiring on January 2, 1980.

Affirmed. Sheran, C. J.

51015/321 State of Minnesota, Plaintiff, vs. Marcus Sidney Strong. Washington County.

State, in prosecution of defendant for violation of Minn. Stat. § 243.55 (Supp. 1979), introduction of contraband into prison, must prove scienter; accordingly, district court properly denied state's motion to strike, as surplusage, the words "knowingly" and "intentionally" from the complaint.

Affirmed and remanded for trial. Sheran, C. J.

51201/323 State of Minnesota, Appellant, vs. Wayne Howard Olson. Chisago County.

Appeal by state in criminal case from an order dismissing the prosecution is dismissed for failure to file appellant's brief within 15-day time limit established by R. 29.03, subd. 2(5), R. Crim. P.

Dismissed. Sheran, C. J.

Decision Filed Monday, June 16, 1980

50809/117 In the Matter of the Application for the Immediate Suspension of Gerald A. Okerman, an Attorney at Law of the State of Minnesota. Supreme Court.

The court being of the opinion that under the circumstances it would be inappropriate, pending final determination of disciplinary proceedings, to hold out the Respondent as an attorney who poses no risk of injury to the public and who is entitled to the unquestioned trust and confidence of clients, judges, and lawyers;

IT IS ORDERED that Gerald A. Okerman be, and he hereby is, suspended from the practice of law in the State of Minnesota under the provisions of Rule 16 of the Rules on Lawyers Professional Responsibility until further order of the court.

Order for immediate suspension. Sheran, C. J.

Decision Filed Tuesday, June 17, 1980

51248/320 State of Minnesota, Appellant, vs. Colleen T. Lynard. Blue Earth County.

Evidence of other crimes, whether prior to or subsequent to the crime charged, may be admitted to rebut the defense of entrapment by showing predisposition to commit the crime charged if the trial court determines that the evidence that the defendant committed the other crime is clear and convincing, if the evidence is needed, if it is relevant, and if the potential of the evidence for unfair prejudice does not substantially outweigh its probative value.

Remanded for reconsideration. Sheran, C. J.

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 Data Privacy Division

Notice of Intent to Consider an Application for Temporary Classification for Statewide Applicability

The Commissioner of Administration has received an application for temporary classification of water and sewer rate assistance data submitted by the Water Department of the City of South St. Paul, Minnesota. The commissioner has determined that it is advisable to consider this application for statewide applicability under the authority vested in him by Minnesota Statutes § 15.1642 as amended by Chapter 603, Laws of Minnesota, 1980. The commissioner hereby gives notice of his intent to approve or disapprove, for the use of all cities in the State of Minnesota which provide water or sewer rate assistance, a "private" classification for all data on individuals on applications for water or sewer rate assistance. Any city, government agency, association or member of the public who wishes to submit comments on this application must do so within 30 days of the publication of this notice. Comments received after 30 days need not be considered by the commissioner. Comments should be submitted to the Commissioner of Administration, c/o Data Privacy Division, 200 State Administration Building, 50 Sherburne Avenue, St. Paul, MN 55155. A copy of the application may also be obtained from the Data Privacy Division.

Department of Administration Data Privacy Division

Notice of Intent to Consider an Application for Temporary Classification for Statewide Applicability

The Commissioner of Administration has received an application for temporary classification of community corrections data submitted by the Community Corrections Department of Blue Earth County, Minnesota. The commissioner has determined

that it is advisable to consider this application for statewide applicability under the authority vested in him by Minnesota Statutes § 15.1642 as amended by Chapter 603, Laws of Minnesota, 1980. The commissioner hereby gives notice of his intent to approve or disapprove, for the use of all court services departments in the State of Minnesota, a "private" classification of data for all personal, psychological, psychiatric and criminal history data in offender files, with the exception of the following six data elements on current offenders:

- 1—offense
- 2—date of offense
- 3—geographic location of offense
- 4—court dispositions (including dates)
- 5—place of confinement
- 6—correctional dispositions (including dates).

These six elements would continue to be classified as public when maintained by court services departments. Any court services department, other government agency, association or member of the public who wishes to submit comments on this application must do so within 30 days of the publication of this notice. Comments received after 30 days need not be considered by the commissioner. Comments should be submitted to the Commissioner of Administration, c/o Data Privacy Division, 200 State Administration Building, 50 Sherburne Avenue, St. Paul, MN 55155. A copy of the application may also be obtained from the Data Privacy Division.

Department of Employee Relations

Notice of Meeting

The meeting of the Governor's Task Force on Personnel Management originally scheduled for June 26, 1980, has been rescheduled for Thursday, July 17, 1980.

The July 17 meeting will be held from 1:00 p.m. to 4:00 p.m. at the Normandy Inn, 405 South 8th Street, Minneapolis, Minnesota.

Livestock Sanitary Board Notice of Name Change

Revision of Chapter 35 of Minnesota Statutes by the 1980 Minnesota Legislature will change the name of the Livestock Sanitary Board to the Board of Animal Health on August 1, 1980. The address of the board will remain the same; LL70 Metro Square, 7th and Robert Streets, St. Paul, Minnesota 55101. The information number (612) 296-2942.

Department of Natural Resources Soil and Water Conservation Board

Notice of Meeting

The Minnesota Soil and Water Conservation Board has changed the meeting place of their July 8th monthly meeting from the 6th floor, Space Center Building, St. Paul, Minnesota, to the Best Western, Marshall Inn, Marshall, Minnesota. The meeting will convene at 9:00 a.m. The board will resume their regular schedule on August 12, 1980.

A. Public Waters

1. Basins

Number and Name	Section	Township	Range
7-7 : Unnamed	4, 9	105	25
7-8 : Unnamed	9	105	25
7-35 : Schoolhouse Lake	11, 13, 14	108	25
7-36 : Goolsbey or Druger Lake	14, 23	108	25
7-43 : Indian Lake	35, 36	108	25
7-56 : Albert Lake	30, 31	109	25
7-57 : Knights Lake	12, 13; 7, 18	105	26; 25
7-134: Unnamed	24	108	25

2. Watercourses

Name	Section	Township	Range	Section	Township	Range
NONE						

B. Wetlands

Number and Name	Section	Township	Range
7-6 : Unnamed	1, 2	105	25
7-13 : Unnamed	23	105	25
7-16 : Unnamed	28, 33; 4, 3	105; 106	25
7-23 : Olson's Slough	26, 35	106	25
7-62 : Unnamed	24	105	26
7-71 : Unnamed	14, 15	108	26
7-72 : Unnamed	21	108	26
7-73 : Unnamed	22	108	26
7-76 : Hodapp Marsh	2; 35	108; 109	26
7-82 : Unnamed	23	106	27
7-110: Porter Lake	25	106	25
7-137: Evans Slough	27, 34	106	29
7-138: Unnamed	24	105	25

Department of Natural Resources

Petition(s) Concerning the Designation of Certain Public Waters and Wetlands in Blue Earth County

Notice of Hearing

It is hereby ordered and notice is hereby given that a public hearing in the above-entitled matter pursuant to Minn. Stat. § 105.391, subd. 1 (1979) will be held in Court House Building, Room 100, Mankato, Minnesota, on July 22, 1980, commencing at 7:00 p.m. and continuing until all persons have had an opportunity to be heard. The hearing will be conducted by a three-person hearings unit consisting of county representative Lester Anderson, Mapleton, MN 56065, Department of Natural Resources representative Maynard Nelson, and Blue Earth County Soil and Water Conservation District representative Paul Hilgers, Route 1, Madison Lake, MN 56063.

Each of the waters listed in this notice is the subject of a petition for a hearing. The issue to be determined at the hearing is whether the following waters shall be designated public waters or wetlands pursuant to Minn. Stat. § 105.391 (1979) and the criteria contained in Minn. Stat. § 105.37, subds. 14 and 15 (1979):

Within 60 days following completion of the hearing, the hearings unit shall issue its findings of fact, conclusions and an order, which shall be considered the decision of an agency in a contested case for purposes of judicial review pursuant to Minn. Stat. §§ 15.0424 and 15.0425.

Any activity that would change the course, current or cross-section of public waters or wetlands requires a permit from the Commissioner of Natural Resources. (Minn. Stat. § 105.42, subd. 1 (1979)). Designation as public waters or wetlands does not transfer ownership of the bed or shore, does not grant the public any greater right of access to those waters than was available prior to designation and does not prevent a landowner from utilizing the bed of those waters for pasture or cropland during periods of drought. (Minn. Stat. § 105.391, subds. 10 and 12 (1979)).

All petitioners may be represented by counsel or anyone else of their choosing and shall be given an opportunity to be heard orally, to present and cross-examine witnesses and to submit written data, statements or arguments. Petitioners should bring all evidence bearing on these matters including maps, records or other documents.

Failure to attend may result in the challenged waters being designated public waters or wetlands and may prejudice your rights in this and subsequent proceedings.

Questions concerning this Notice and Order may be directed to any member of the hearings unit or to:

David B. Milles
DNR—Division of Waters
Third Floor, Space Center Building
444 Lafayette Road
Saint Paul, MN 55101
Telephone: (612) 297-2835

Dated: June 23, 1980

Joseph N. Alexander
Commissioner

Petition(s) Concerning the Designation of Certain Public Waters and Wetlands in Cottonwood County

Notice of Hearing

It is hereby ordered and notice is hereby given that a public hearing in the above-entitled matter pursuant to Minn. Stat. § 105.391, subd. 1 (1979) will be held in Court House Building, Commissioners Room, Windom, Minnesota, on July 30, 1980, commencing at 9:00 a.m. and continuing until all persons have had an opportunity to be heard. The hearing will be conducted by a three-person hearings unit consisting of county representative F. Jim Miller, 774 Des Moines Drive, Windom, MN 56101, Department of Natural Resources representative Maynard Nelson, and Cottonwood County Soil and Water Conservation District representative Verlyn Nickel, Route 2, Box 207, Mountain Lake, MN 56159.

Each of the waters listed in this notice is the subject of a petition for a hearing. The issue to be determined at the hearing is whether the following waters shall be designated public waters or wetlands pursuant to Minn. Stat. § 105.391 (1979) and the criteria contained in Minn. Stat. § 105.37, subds. 14 and 15 (1979):

A. Public Waters

1. Basins

<u>Number and Name</u>	<u>Section</u>	<u>Township</u>	<u>Range</u>
17-35: Skanby Lake	30	107	37
17-36: Unnamed	33, 34	107	37
17-57: Clear Lake	35	107	38

2. Watercourses

<u>Name</u>	<u>Section</u>	<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Township</u>	<u>Range</u>
S. Fk. Watonwan River	34 (Basin 32-18)	105	35	13	105	34

B. Wetlands

<u>Number and Name</u>	<u>Section</u>	<u>Township</u>	<u>Range</u>
17-14: Unnamed	35	105	35
17-32: Unnamed	12	105	37
17-53: Unnamed	13	107	38
17-67: Unnamed	23	106	38

OFFICIAL NOTICES

Within 60 days following completion of the hearing, the hearings unit shall issue its findings of fact, conclusions and an order, which shall be considered the decision of an agency in a contested case for purposes of judicial review pursuant to Minn. Stat. §§ 15.0424 and 15.0425.

Any activity that would change the course, current or cross-section of public waters or wetlands requires a permit from the Commissioner of Natural Resources. (Minn. Stat. § 105.42, subd. 1 (1979)). Designation as public waters or wetlands does not transfer ownership of the bed or shore, does not grant the public any greater right of access to those waters than was available prior to designation and does not prevent a landowner from utilizing the bed of those waters for pasture or cropland during periods of drought. (Minn. Stat. § 105.391, subs. 10 and 12 (1979)).

All petitioners may be represented by counsel or anyone else of their choosing and shall be given an opportunity to be heard orally, to present and cross-examine witnesses and to submit written data, statements or arguments. Petitioners should bring all evidence bearing on these matters including maps, records or other documents.

Failure to attend may result in the challenged waters being designated public waters or wetlands and may prejudice your rights in this and subsequent proceedings.

Questions concerning this Notice and Order may be directed to any member of the hearings unit or to

David B. Milles
DNR—Division of Waters
Third Floor, Space Center Building
444 Lafayette Road
Saint Paul, MN 55101
Telephone: 612/297-2835

Dated: June 23, 1980

Joseph N. Alexander
Commissioner

A. Public Waters

1. Basins

<u>Number and Name</u>	<u>Section</u>	<u>Township</u>	<u>Range</u>
32-3 : Unnamed	28	103	34
32-47: Unnamed	5, 8	104	36

2. Watercourses

<u>Name</u>	<u>Section</u>	<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Township</u>	<u>Range</u>
Trib. to DMR	31	101	34	28	101	34
Trib. to DMR	26	101	34	34	101	34
Trib. to DMR	11	101	34	14	101	34
Trib. to DMR	16	101	34	14	101	34
Stony Brook Creek (SBC)	24	101	35	7	101	34
Trib. to DMR	32	102	34	6	101	34
Trib. to DMR	24	103	36	7	103	35
Trib. to DMR	11	104	36	18	104	35
Elm Creek	32	104	34	36	104	34

Petition(s) Concerning the Designation of Certain Public Waters and Wetlands in Jackson County

Notice of Hearing

It is hereby ordered and notice is hereby given that a public hearing in the above-entitled matter pursuant to Minn. Stat. § 105.391, subd. 1 (1979) will be held in Jackson Area Vocational-Technical Institute Building, Multi-purpose Room, Jackson, Minnesota, on July 21, 1980, commencing at 10:00 a.m. and continuing until all persons have had an opportunity to be heard. The hearing will be conducted by a three-person hearings unit consisting of county representative Edward Yonker, R.R. 1, Bingham Lake, MN 56118, Department of Natural Resources representative Maynard Nelson, and a representative to be selected from the Jackson County Soil and Water Conservation District.

Each of the waters listed in this notice is the subject of a petition for a hearing. The issue to be determined at the hearing is whether the following waters shall be designated public waters or wetlands pursuant to Minn. Stat. § 105.391 (1979) and the criteria contained in Minn. Stat. § 105.37, subs. 14 and 15 (1979):

<u>Name</u>	<u>Section</u>	<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Township</u>	<u>Range</u>
No. Fk. Elm Creek	8	104	34	26	104	34
So. Fk. Elm Creek	25 (Basin 14)	103	35	1	103	34
Unnamed	27	103	34	1	102	34
Trib. to LSR	14	102	38	16	102	37
Trib. to LSR	17	102	36	18	101	36
Trib. to LSR	10	101	36	19	101	36
W. Fk. Little Sioux River	17 (Basin 69)	101	38	33	101	37
Skunk Creek	7	101	37	33	101	37
Okabena Creek	7	102	38	10 (Basin 57)	101	37
Heron Lake Outlet (HLO)	21 (Basin 57)	104	37	3	104	37
Trib. to HLO	12 (Basin 58)	104	37	22	104	37
Unnamed	4	104	38	6	104	37
Jack Creek	31	104	38	4 (Basin 57)	103	37
Trib. to JC	30	104	38	34	104	38
Trib. to JC	21	104	38	26	104	38

B. Wetlands

<u>Number and Name</u>	<u>Section</u>	<u>Township</u>	<u>Range</u>
32-4: Unnamed	15	104	34

Within 60 days following completion of the hearing, the hearings unit shall issue its findings of fact, conclusions and an order, which shall be considered the decision of an agency in a contested case for purposes of judicial review pursuant to Minn. Stat. §§ 15.0424 and 15.0425.

Any activity that would change the course, current or cross-section of public waters or wetlands requires a permit from the Commissioner of Natural Resources. (Minn. Stat. § 105.42, subd. 1 (1979)). Designation as public waters or wetlands does not transfer ownership of the bed or shore, does not grant the public any greater right of access to those waters than was available prior to designation and does not prevent a landowner from utilizing the bed of those waters for pasture or cropland during periods of drought. (Minn. Stat. § 105.391, subs. 10 and 12 (1979)).

All petitioners may be represented by counsel or anyone else of their choosing and shall be given an opportunity to be heard orally, to present and cross-examine witnesses and to submit written data, statements or arguments. Petitioners should bring all evidence bearing on these matters including maps, records or other documents.

Failure to attend may result in the challenged waters being designated public waters or wetlands and may prejudice your rights in this and subsequent proceedings.

Questions concerning this Notice and Order may be directed to any member of the hearings unit or to:

David B. Milles
DNR—Division of Waters
Third Floor, Space Center Building
444 Lafayette Road
Saint Paul, MN 55101
Telephone: 612/297-2835

Dated: June 23, 1980

Joseph N. Alexander
Commissioner

Petition(s) Concerning the Designation of Certain Public Waters and Wetlands in McLeod County

Notice of Hearing

It is hereby ordered and notice is hereby given that a public hearing in the above-entitled matter pursuant to Minn. Stat. § 105.391, subd. 1 (1979) will be held in the Court House Building, Assembly Room, Glencoe, Minnesota, on July 31, 1980, commencing at 9:00 a.m. and continuing until all persons have had an opportunity to be heard. The hearing will be conducted by a three-person hearings unit consisting of county representative Lawrence Fiecke, RFD, Winsted, MN 55395, Department of Natural Resources representative Maynard Nelson, and McLeod County Soil and Water Conservation District representative Norbert Shimek, Route 2, Hutchinson, MN 55350.

OFFICIAL NOTICES

Each of the waters listed in this notice is subject of a petition for hearing. The issue to be determined at the hearing is whether

the following waters shall be designated public waters or wetlands pursuant to Minn. Stat. § 105.391 (1979) and the criteria contained in Minn. Stat. § 105.37, subds. 14 and 15 (1979):

A. Public Waters

1. Basins

Number and Name	Section	Township	Range
43-1 : Reich Lake	6; 31; 1; 25, 26	116; 117	26; 27
43-42 : Rice Lake	7; 12	115	28; 29
43-48 : Bakers Lake	7, 8, 17, 18, 20	114	29
43-57 : Unnamed	11	115	29
43-58 : Ryan Lake	11-13	115	29
43-60 : Clear Lake	13, 24	115	29
43-90 : Unnamed	13	114	30
43-109: French Lake	14, 15	117	30

2. Watercourses

Name	Section	Township	Range	Section	Township	Range
Unnamed tributary	3	114	20	7 (Basin 48)	114	29
Unnamed tributary	34	116	29	11	115	29
Unnamed tributary	10	115	29	31	116	28
Unnamed tributary	6	115	29	28	115	29

B. Wetlands

Number and Name	Section	Township	Range
43-9 : Bear Lake	33	115	27
43-51 : Unnamed	11	114	29
43-52 : Unnamed	26, 27	114	29
43-63 : Unnamed (Lewis Lake)	27, 34	115	29
43-82 : Walker Lake	20, 21, 28, 29	117	29
43-119: Unnamed	34, 35	115	27
43-120: Unnamed	27, 34	115	27
43-131: Unnamed	5, 8	115	30
43-133: Unnamed	19	116	27
43-134: Unnamed	12	116	27
43-135: Unnamed	25	116	28
43-136: Unnamed	6	116	28
43-137: Unnamed	25	114	29
43-138: Unnamed	21	114	29
43-139: Unnamed	19	114	29
43-140: Unnamed	8, 17	115	29
43-141: Unnamed	23	115	29
43-142: Unnamed	11	116	29
43-143: Unnamed	9, 10, 15, 16	117	29
43-144: Unnamed	22, 27	114	30
43-145: Unnamed	32	116	30
43-146: Unnamed	21	116	30
43-147: Unnamed	15	116	30
43-148: Unnamed	9	116	30
43-149: Unnamed	18	117	30
43-150: Unnamed	14	117	30
43-151: Unnamed	13	117	30
43-152: Unnamed	12	117	30
43-153: Unnamed	10	117	30
43-154: Unnamed	9, 10	117	30
43-155: Unnamed	4	117	30
43-156: Unnamed	3, 4	117	30
43-157: Unnamed	2	117	30
43-158: Unnamed	2	117	30
43-159: Unnamed	5, 8	115	30

Within 60 days following completion of the hearing, the hearings unit shall issue its findings of fact, conclusions and an order, which shall be considered the decision of an agency in a contested case for purposes of judicial review pursuant to Minn. Stat. §§ 15.0424 and 15.0425.

Any activity that would change the course, current or cross-section of public waters or wetlands requires a permit from the Commissioner of Natural Resources. (Minn. Stat. § 105.42, subd. 1 (1979)). Designation as public waters or wetlands does not transfer ownership of the bed or shore, does not grant the public any greater right of access to those waters than was available prior to designation and does not prevent a landowner from utilizing the bed of those waters for pasture or cropland during periods of drought. (Minn. Stat. § 105.391, subds. 10 and 12 (1979)).

All petitioners may be represented by counsel or anyone else of their choosing and shall be given an opportunity to be heard orally, to present and cross-examine witnesses and to submit written data, statements or arguments. Petitioners should bring all evidence bearing on these matters including maps, records or other documents.

Failure to attend may result in the challenged waters being designated public waters or wetlands and may prejudice your rights in this and subsequent proceedings.

Questions concerning this Notice and Order may be directed to any member of the hearings unit or to:

David B. Milles
DNR—Division of Waters
Third Floor, Space Center Building
444 Lafayette Road
Saint Paul, MN 55101
Telephone: 612/297-2835

Dated: June 23, 1980

Joseph N. Alexander
Commissioner

A. Public Waters

1. Basins

<u>Number and Name</u>	<u>Section</u>	<u>Township</u>	<u>Range</u>
51-11 : Buffalo Marsh	SE 18	107	39
51-18 : Buffalo Lake	7, 18; 13	107	39; 40
51-23 : Unnamed	27, 28	106	40
51-29 : Unnamed	9, 16	107	40
51-42 : Robbins Marsh	21, 22, 23	108	40
51-49 : South Badger Lake	1, 2, 11, 12	105	41
51-56 : Unnamed	32, 33	105	41
51-64 : Unnamed	22, 23	108	41
51-79 : Iran Lake	14, 15	108	42
51-106: Unnamed	33	108	40
51-107: Unnamed	32	108	40
51-117: Chandler Marsh	6; 30, 31	105; 106	42
51-139: Unnamed	7, 8	106	42
51-151: Unnamed	19, 20	106	39

Petition(s) Concerning the Designation of Certain Public Waters and Wetlands in Murray County

Notice of Hearing

It is hereby ordered and notice is hereby given that a public hearing in the above-entitled matter pursuant to Minn. Stat. § 105.391, subd. 1 (1979) will be held in the Courts Building, Meeting Room, Slayton, Minnesota, on July 24, 1980, commencing at 9:00 a.m. and continuing until all persons have had an opportunity to be heard. The hearing will be conducted by a three-person hearings unit consisting of county representative Walter L. Silvernale, Currie, MN 56123, Department of Natural Resources representative Maynard Nelson, and Murray County Soil and Water Conservation District representative James Vickerman, Route 2, Box 135, Tracy, MN 56175.

Each of the waters listed in this notice is the subject of a petition for hearing. The issue to be determined at the hearing is whether the following waters shall be designated public waters or wetlands pursuant to Minn. Stat. § 105.391 (1979) and the criteria contained in Minn. Stat. § 105.37, subds. 14 and 15 (1979):

OFFICIAL NOTICES

2. Watercourses

Name	Section	Township	Range	Section	Township	Range
Willow Creek	25	108	40	30	108	39

B. Wetlands

Number and Name	Section	Township	Range
51-25 : Unnamed	29, 30, 31, 32	106	40
51-51 : Unnamed	10	105	41
51-66 : Unnamed	13, 14	105	42
51-85 : Unnamed	4	108	43
51-94 : Unnamed	15	108	43
51-97 : Unnamed	26	108	43
51-101: Unnamed	6	108	42
51-102: Unnamed	7	107	43
51-103: Unnamed	3	108	43
51-110: Unnamed	7, 18	107	39
51-116: Deutchman Slough	23	106	39
51-118: Unnamed	SW 28	105	41
51-119: Unnamed	NW 16	105	41
51-122: Renken Marsh	20	106	39
51-123: Unnamed	21	106	39
51-125: Alwood Lake	3	107	41
51-137: Unnamed	33	108	41
51-147: Unnamed	1	105	41
51-148: Unnamed	4, 33	107; 108	43
51-150: Unnamed	25; 30	107	39; 38
51-154: Unnamed	15, 22	105	42
51-157: Unnamed	9	106	40
51-159: Unnamed	NW 7	107	42
51-160: Unnamed	18	107	42
51-162: Unnamed	33	107	40
51-165: Unnamed	16	108	42
51-166: Unnamed	29	105	40
51-173: Unnamed	5	108	41
51-174: Unnamed	15	106	40
51-176: Unnamed	10, 15	107	41
51-178: Unnamed	23, 24	108	40
51-179: Unnamed	10	108	42
51-180: Unnamed	18	108	42
51-181: Unnamed	NC 10, SC 3	108	42
51-182: Unnamed	13	106	40
51-184: Unnamed	34	108	40
51-188: Unnamed	13	108	42

Within 60 days following completion of the hearing, the hearings unit shall issue its findings of fact, conclusions and an order, which shall be considered the decision of an agency in a contested case for purposes of judicial review pursuant to Minn. Stat. §§ 15.0424 and 15.0425.

Any activity that would change the course, current or cross-section of public waters or wetlands requires a permit from the Commissioner of Natural Resources. (Minn. Stat. § 105.42, subd. 1 (1979)). Designation as public waters or wetlands does not transfer ownership of the bed or shore, does not grant the public any greater right of access to those waters than was available prior to designation and does not prevent a landowner

from utilizing the bed of those waters for pasture or cropland during periods of drought. (Minn. Stat. § 105.391, subds. 10 and 12 (1979)).

All petitioners may be represented by counsel or anyone else of their choosing and shall be given an opportunity to be heard orally, to present and cross-examine witnesses and to submit written data, statements or arguments. Petitioners should bring all evidence bearing on these matters including maps, records or other documents.

Failure to attend may result in the challenged waters being designated public waters or wetlands and may prejudice your rights in this and subsequent proceedings.

Questions concerning this Notice and Order may be directed to any member of the hearings unit or to:

David B. Milles
DNR—Division of Waters
Third Floor, Space Center Building
444 Lafayette Road
Saint Paul, MN 55101
Telephone: 612/297-2835

Dated: June 23, 1980

Joseph N. Alexander
Commissioner

Petition(s) Concerning the Designation of Certain Public Waters and Wetlands in Redwood County

Notice of Hearing

It is hereby ordered and notice is hereby given that a public hearing in the above-entitled matter pursuant to Minn. Stat. § 105.391, subd. 1 (1979) will be held in the Community Hall Building, Wabasso, Minnesota, on July 23, 1980, commencing at 9:30 a.m. and continuing until all persons have had an opportunity to be heard. The hearing will be conducted by a three-person hearings unit consisting of county representative Floyd Hansvick, R.R., Belview, MN 56214, Department of Natural Resources representative Maynard Nelson, and Redwood County Soil and Water Conservation District representative Raymond Jensen, Springfield, MN 56087.

Each of the waters listed in this notice is the subject of a petition for hearing. The issue to be determined at the hearing is whether the following waters shall be designated public waters or wetlands pursuant to Minn. Stat. § 105.391 (1979) and the criteria contained in Minn. Stat. § 105.37, subsd. 14 and 15 (1979):

A. Public Waters

1. Basins

<u>Number and Name</u>	<u>Section</u>	<u>Township</u>	<u>Range</u>
64-40 : Tiger Lake	34, 35	113	35
64-44 : Willow Lake	20	110	36
64-46 : Unnamed	4	111	36
64-47 : Unnamed	4, 9	111	36
64-58 : Redwood Lake	1, 2	112	36
64-64 : Unnamed	17	110	37
64-65 : Timm's Marsh	18	110	37
64-70 : Doubs Lake	10, 11	111	37
64-88 : Unnamed	18	110	37
64-102: North Slough	26, 35	112	38
64-105: Rohlik Slough	35, 36	112	38
64-106: Pauls Slough	36	112	38
64-108: Soupir Marsh	13; 18	111	39; 38
64-110: Unnamed	NE 1	110	39
64-111: Unnamed	SW 1	110	39
64-117: Unnamed	NW 1; 36	110; 111	39
64-139: Sandy Slough	6	111	39
87-17 : Timm Lake	4	112	39

2. Watercourses

<u>Name</u>	<u>Section</u>	<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Township</u>	<u>Range</u>
Meadow Creek	7	110	39	7	110	39
Dry Creek	35	109	36	35	109	36
Dutch Charley Creek (DCC)	32	109	37	19	109	36
Highwater Creek	35	109	37	25	109	37
Unnamed to DCC	34	109	37	26	109	37
Pell Creek (PC)	32	109	38	8	109	37

OFFICIAL NOTICES

Name	Section	Township	Range	Section	Township	Range
Unnamed trib. to PC	36	109	38	30	109	37
Unnamed trib. to PC	33	109	38	27	109	38
Unnamed to above	34	109	38	27	109	38
Plum Creek	36	109	39	2	109	38
Unnamed trib. to PC	28	109	39	18	109	38
Unnamed trib. to PC	34	109	39	25	109	39
Unnamed trib. to PC	32	109	39	22	109	39
Unnamed trib. to Cottonwood River	5	109	38	28	110	38
Lone Tree Creek (LTC)	30	109	39	19	110	38
Unnamed trib. to LTC	7	109	39	2	109	39
Unnamed trib. to above	19	109	39	8	109	39
Unnamed tributary	22	110	39	19	110	38
Unnamed trib. to JD#9	7	109	39	5	109	39
Unnamed to above	6	109	39	6	109	39
Unnamed to CR	20	110	39	16	110	39
Unnamed to CR	11	110	39	19	110	38
Coal Mine Creek	7	109	36	12	109	36
Unnamed trib. to Sleepy Eye Creek (SEC)	17 (Basin 64)	110	37	16	110	37
Unnamed trib. to SEC	33	112	37	14	111	37
Unnamed tributary	30	111	36	29	111	36
Unnamed trib. to SEC	29	110	34	35	110	34
Wabasha Creek (WC)	19	112	34	13	112	34
Unnamed tributary	26	112	34	23	112	34
Unnamed trib. to WC	28	112	34	22	112	34
Unnamed tributary	28	112	34	22	112	34
Unnamed tributary	18	112	34	16	112	34
Crow Creek (CC)	4	112	35	35	113	35
Unnamed trib. to CC	11	112	35	2	112	35
Clear Creek	32	112	37	29	112	37
Ramsey Creek	34	113	36	36	113	36
Trib. to Ramsey Creek	12	112	38	5	112	36
Unnamed trib. to RC	21	112	37	15	112	37
Trib. to RC	30	113	37	36	113	37
Unnamed trib. to MN R.	9	113	36	11	113	36
Rice Creek	7	113	36	4	113	36
Echo Creek	6	113	37	23	114	37
Boiling Spring Creek	30	114	37	21	114	37
Unnamed tributary	31	114	37	21	114	37
Unnamed tributary	18	114	37	21	114	37

B. Wetlands

Number and Name	Section	Township	Range
64-22 : Unnamed	17	112	34
64-23 : Unnamed	22	112	34
64-24 : Unnamed	24	112	34
64-39 : Mann's Lake	19	113	35
64-84 : Iverson Lake	7, 18	114	37
64-85 : Unnamed	17	114	37
64-96 : Unnamed	1, 2; 35	110; 111	38
64-137: Long Lake	8, 9	114	37
64-138: Nordines Slough	17	114	37

Within 60 days following completion of the hearing, the hearings unit shall issue its findings of fact, conclusions and an order, which shall be considered the decision of an agency in a

contested case for purposes of judicial review pursuant to Minn. Stat. §§ 15.0424 and 15.0425.

Any activity that would change the course, current or cross-section of public waters or wetlands requires a permit from the Commissioner of Natural Resources. (Minn. Stat. § 105.42, subd. 1 (1979)). Designation as public waters or wetlands does not transfer ownership of the bed or shore, does not grant the public any greater right of access to those waters than was available prior to designation and does not prevent a landowner from utilizing the bed of those waters for pasture or cropland during periods of drought. (Minn. Stat. § 105.391, subds. 10 and 12 (1979)).

All petitioners may be represented by counsel or anyone else of their choosing and shall be given an opportunity to be heard orally, to present and cross-examine witnesses and to submit written data, statements or arguments. Petitioners should bring all evidence bearing on these matters including maps, records or other documents.

Failure to attend may result in the challenged waters being designated public waters or wetlands and may prejudice your rights in this and subsequent proceedings.

Questions concerning this Notice and Order may be directed to any member of the hearings unit or to:

David B. Milles
DNR—Division of Waters
Third Floor, Space Center Building
444 Lafayette Road
Saint Paul, MN 55101
Telephone: 612/297-2835

Dated: June 23, 1980

Joseph N. Alexander
Commissioner

A. Public Waters

1. Basins

<u>Number and Name</u>	<u>Section</u>	<u>Township</u>	<u>Range</u>
65-145: Lac Mac Lake	34	112	33
65-149: Anderson Lake	18, 19	112	33

2. Watercourses

<u>Name</u>	<u>Section</u>	<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Township</u>	<u>Range</u>
Unnamed	32	115	37	1	114	38
Unnamed	28	115	37	7	114	37
Unnamed	2	114	37	23	114	37
Sacred Heart Creek (SHC)	1	114	37	24	114	37
Trib. to SHC	7	114	36	13	114	37
Tims Creek	21	114	36	33	114	36
Middle Creek (MC)	26	114	36	3	113	36
Trib. to MC	27	114	36	35	114	36
Trib. to MN River	36	114	36	11	113	36
Smith Creek	8	113	35	13	113	36
W. Fk. Beaver Creek (WFBC)	18	115	35	27	113	35
Trib. to WFBC	7	115	35	20	115	35
E. Fk. Beaver Creek (EFBC)	7	114	34	24	114	35
Trib. to Beaver Creek	9	113	35	21	113	35
Unnamed	25	113	35	35	113	35
Birch Coulee Creek (BCC)	6	113	34	5	112	34

Petition(s) Concerning the Designation of Certain Public Waters and Wetlands in Renville County

Notice of hearing

It is hereby ordered and notice is hereby given that a public hearing in the above-entitled matter pursuant to Minn. Stat. § 105.391, subd. 1 (1979) will be held in Court House Building, Court Room, Olivia, Minnesota, on July 29, 1980, commencing at 1:30 p.m. and continuing until all persons have had an opportunity to be heard. The hearing will be conducted by a three-person hearings unit consisting of county representative Wayne Cornwell, Box 207, Morton, MN 56270, Department of Natural Resources representative Maynard Nelson, and a representative to be selected from the Renville County Soil and Water Conservation District.

Each of the waters listed in this notice is the subject of a petition for a hearing. The issue to be determined at the hearing is whether the following waters shall be designated public waters or wetlands pursuant to Minn. Stat. § 105.391 (1979) and the criteria contained in Minn. Stat. § 105.37, subds. 14 and 15 (1979):

OFFICIAL NOTICES

Name	Section	Township	Range	Section	Township	Range
Trib. to BCC	22	113	34	28	113	34
Purgatory Creek	35	113	34	11	112	34
Three Mile Creek	8	112	33	28	112	33
Forth Ridgely Creek	13	112	33	31	112	32
Unnamed	6	115	38	19	115	38
Hawk Creek (HC)	7	116	38	28	115	38
Spring Creek	14	116	38	15	115	38
Trib. to HC	31	116	38	32	116	38
Limbo Creek	22	115	38	34	115	38
Meadow Creek	24	115	38	2	114	38
Chetamba Creek	9	116	38	6	116	38
Judicial Ditch #1	Not designated as public watercourse					
Judicial Ditch #7	Not designated as public watercourse					
County Ditch #36 and tributaries	Not designated as public watercourses					

B. Wetlands

Number and Name	Section	Township	Range
65-4 : Unnamed	22, 27	115	31
65-11 : Unnamed	20, 29	116	31
65-81 : Davis Lake	17, 18, 20	113	35
65-82 : Unnamed	18	113	35
65-108: Beckendorf Lake	29	114	36
65-117: Unnamed	1	116	36
65-129: Unnamed	22	115	37
65-139: Rosaasen Slough	19	116	37
65-144: Unnamed	6	115	38
65-146: Nesberg Lake	34, 35	112	33
65-147: Thompson Lake	18, 19	112	33
65-148: Buscho Lake	35, 36	113	35
65-151: Unnamed	25	116	31
47-104: Unnamed	4; 33	116; 117	31

Within 60 days following completion of the hearing, the hearings unit shall issue its findings of fact, conclusions and an order, which shall be considered the decision of an agency in a contested case for purposes of judicial review pursuant to Minn. Stat. §§ 15.0424 and 15.0425

Any activity that would change the course, current or cross-section of public waters or wetlands requires a permit from the Commissioner of Natural Resources. (Minn. Stat. § 105.42, subd. 1 (1979)). Designation as public waters or wetlands does not transfer ownership of the bed or shore, does not grant the public any greater right of access to those waters than was available prior to designation and does not prevent a landowner from utilizing the bed of those waters for pasture or cropland during periods of drought. (Minn. Stat. § 105.391, subds. 10 and 12 (1979)).

All petitioners may be represented by counsel or anyone else of their choosing and shall be given an opportunity to be heard orally, to present cross-examine witnesses and to submit written data, statements or arguments. Petitioners should bring all evidence bearing on these matters including maps, records or other documents.

Failure to attend may result in the challenged waters being designated public waters or wetlands and may prejudice your rights in this and subsequent proceedings.

Questions concerning this Notice and Order may be directed to any member of the hearings unit or to:

David B. Milles
DNR—Division of Waters
Third Floor, Space Center Building
Saint Paul, MN 55101
Telephone: 612/297-2835

Dated: June 23, 1980

Joseph N. Alexander
Commissioner

Petition(s) Concerning the Designation of Certain Public Waters and Wetlands in Rock County

Notice of Hearing

It is hereby ordered and notice is hereby given that a public hearing in the above-entitled matter pursuant to Minn. Stat. § 105.391, subd. 1 (1979) will be held in County Highway Build-

ing, Commissioner's Room, Luverne, Minnesota, on July 28, 1980, commencing at 1:30 p.m. and continuing until all persons have had an opportunity to be heard. The hearing will be conducted by a three-person hearings unit consisting of county representative Raymond W. Suhr, 420 Luverne, Luverne, MN 56156, Department of Natural Resources representative Maynard Nelson, and Rock County Soil and Water Conservation District representative Eugene Cragoe, Hardwick, MN 56134.

Each of the waters listed in this notice is the subject of a petition for hearing. The issue to be determined at the hearing is whether the following waters shall be designated public waters or wetlands pursuant to Minn. Stat. § 105.391 (1979) and the criteria contained in Minn. Stat. § 105.37, subds. 14 and 15 (1979):

A. Public Waters

1. Basins

None

2. Watercourses

<u>Name</u>	<u>Section</u>	<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Township</u>	<u>Range</u>
Unnamed to RR	NWSW 2	104	45	8	103	44
Unnamed tributary	7	104	44	24	104	45
Mound Creek	15	104	45	30	103	44
Unnamed to RR	25	103	45	6	102	44
Unnamed to RR	27	103	45	11	102	45
Unnamed to RR	NE 3	102	45	11	102	45
Unnamed tributary	17	102	45	14	102	45
Unnamed tributary	29	102	45	35	102	45
Unnamed tributary	21	102	45	27	102	45
Unnamed to RR	29	102	45	2	101	45
Ash Creek	32	102	45	24	101	45
Unnamed tributary	4	101	45	15	101	45
Unnamed tributary	29	101	45	21	101	45
Unnamed to RR	NWNW 33	101	45	36	101	45
Mud Creek	31	102	45	34	101	46
Unnamed tributary	31	101	45	SW 31	101	45
Unnamed tributary	25	101	46	34	101	46
Unnamed tributary	7	101	45	22	101	46
Unnamed tributary	36	102	46	11	101	46
Unnamed tributary	NW 20	101	46	33	101	46
Unnamed tributary	NE 20	101	46	33	101	46
Blood Run	30	101	46	35	101	47
Unnamed tributary	23	101	47	26	101	47
Fourmile Creek	7	101	46	14	101	47
Beaver Creek	NE 20	104	45	35	102	47
Unnamed tributary	22	102	46	21	102	46
Little Beaver Creek	33	104	45	12	102	46
Unnamed tributary	4	102	45	7	102	45
Unnamed tributary	21	103	45	30	103	45
Unnamed trib. to BC	26	104	46	18	103	45
Unnamed trib. to BC	NW 14	103	46	24	103	46
Unnamed trib. to BC	23	103	46	25	103	46
Unnamed trib. to BC	35	103	46	1	102	46
Unnamed trib. to BC	NENE 34	102	46	2	102	46
Unnamed trib. to BC	4	102	46	21	102	46
Springwater Creek	29	103	46	35	102	47
Unnamed tributary	1	102	47	11	102	47
Unnamed tributary	17	103	46	23	103	47
Unnamed tributary	NE 9	103	46	2	103	47
Unnamed tributary	23	104	46	25	104	47
Unnamed tributary	4	103	46	19	104	46
Unnamed tributary	NENE 33	104	46	29	104	46

OFFICIAL NOTICES

Name	Section	Township	Range	Section	Township	Range
Unnamed tributary	17	104	46	13	104	47
Unnamed to above	SE 2	104	46	2	104	46
Unnamed tributary	10	104	46	5	104	46
Unnamed trib. to SRC	11	104	47	23	104	47
Poplar Creek	SW 5	104	45	5	104	45
Unnamed tributary	12	101	44	12	101	44
Unnamed tributary	11	101	44	25	101	44
Unnamed tributary	22	101	44	36	101	45
Unnamed tributary	NE 3	102	44	13	101	45
Unnamed tributary	SE 17	101	44	18	101	44
Unnamed tributary	31	102	44	12	101	45
Unnamed tributary	23	102	44	22	102	44
Unnamed tributary	34	103	44	10	102	44
Unnamed tributary	NE 17	102	44	29	102	44
Unnamed tributary to RR	8	102	44	1	102	45
Unnamed trib. to RR	28	103	44	31	103	44
Unnamed tributary	13	103	44	23	103	44
Unnamed tributary	12	103	44	23	103	44
Unnamed to RR	12	104	44	28	104	44

B. Wetlands

None

Within 60 days following completion of the hearing, the hearings unit shall issue its findings of fact, conclusions and order, which shall be considered the decision of an agency in a contested case for purposes of judicial review pursuant to Minn. Stat. §§ 15.0424 and 15.0425.

Any activity that would change the course, current or cross-section of public waters or wetlands requires a permit from the Commissioner of Natural Resources. (Minn. Stat. § 105.42, subd. 1 (1979)). Designation as public waters or wetlands does not transfer ownership of the bed or shore, does not grant the public any greater right of access to those waters than was available prior to designation and does not prevent a landowner from utilizing the bed of those waters for pasture or cropland during periods of drought. (Minn. Stat. § 105.391, subds. 10 and 12 (1979)).

All petitioners may be represented by counsel or anyone else of their choosing and shall be given an opportunity to be heard orally, to present and cross-examine witnesses and to submit written data, statements or arguments. Petitioners should bring all evidence bearing on these matters including maps, records or other documents.

Failure to attend may result in the challenged waters being designated public waters or wetlands and may prejudice your rights in this and subsequent proceedings.

Questions concerning this Notice and Order may be directed to any member of the hearings unit or to:

David B. Milles
DNR—Division of Waters
Third Floor, Space Center Building
444 Lafayette Road
Saint Paul, MN 55101
Telephone: (612) 297-2835

Dated: June 23, 1980

Joseph N. Alexander
Commissioner

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 22, 1980.

Humane Society has one vacancy open immediately for a veterinarian. 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.

Governor's Task Force on Educational Policy has two vacancies open immediately for public members, for terms expiring June 30, 1981. School board members, school administrators, or teachers are not eligible. The task force conducts a review of major educational policy issues, examines alternative strategies for public policy action, and makes recommendations based on the findings. Members, appointed by the governor, should be representative of public constituent groups in education, and should have a demonstrated interest in elementary and secondary education. Meetings will be held at least monthly; members are compensated for travel expenses. For specific information, call or write Donna Knight, 101 Capitol Square Building, St. Paul 55101; (612) 296-1755.

Medical Policy Directional Committee on Mental Health has 3 vacancies open immediately for a psychiatrist, a physi-

cian, and a psychologist. The committee advises the Commissioner of Welfare on mental health and medical policy; members are appointed by the commissioner and receive \$50 per diem plus expenses. For specific information, call or write Medical

Policy Directional Committee on Mental Health, Department of Public Welfare, Centennial Building, St. Paul, MN 55155; (612) 296-3058.

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 Administration Bureau of Real Estate and Transportation

Notice of Request for Proposal for a Food Service Management Contract

The Department of Administration is requesting proposals for a five-year food service contract for five state-owned cafeterias located in the capitol complex in Saint Paul. The contract shall have a five-year term and be in effect from September 1, 1980, to August 31, 1984.

Responders are to project the total costs of their food services, and to detail the quality and quantity of items in their menu cycles.

The full text of the request for proposal is available on request. Inquiries and responses should be directed to:

Steven J. Mackenthun
Department of Administration
G-22 Administration Building
50 Sherburne Avenue
St. Paul, Minnesota 55155
Telephone: (612) 296-2278

Proposal responses must be submitted no later than 4:30 p.m., July 24, 1980.

Minnesota Energy Agency Alternative Energy Development Division

Notice of Availability of Contract to Write a Plan for the Establishment of a Minnesota Biomass Center

The Minnesota Energy Agency plans to issue a contract to assist it in the implementation of Laws of 1980, ch. 579, § 20 which requires it to plan for the creation of a Minnesota Biomass Center. The consultant selected will be required to:

1. Prepare a list of facilities, companies and individuals in Minnesota who have capability for and interest in biomass research.
2. Outline a 5 year research program based on the development scenarios contained in the agency's biennial report.
3. Develop alternative organization models which would make maximum use of existing capabilities.
4. Work with a project advisory committee to select a preferred organizational model.
5. Write the final plan for presentation to the Legislature.
6. Testify in favor of the plan if legislation is prepared.

The project will be started in July, 1980 and the final report is due on December 31, 1980. Consultant costs will not exceed \$30,000.

Interested persons should prepare a three page summary containing their approach to this project, the types of individuals or the specific persons who would be assigned to the project and a description of their internal project management system. The

summary should be supported by any brochures, resumes, other printed material which the individual believes would help the agency in its selection. The initial submittals will be used to select the four consultants who will be asked to prepare detailed proposals. The due date for initial submissions will be July 10, 1980. Inquiries should be directed to:

Ronald Visness, Assistant Director
Alternative Energy Development
Minnesota Energy Agency
980 American Center Building
150 E. Kellogg Blvd.
Saint Paul, Minnesota 55101
Telephone: (612) 296-6891

Housing Finance Agency

Notice of Request for Proposals for Inspections

The Minnesota Housing Finance Agency intends to engage the services of a single family housing inspector to make home improvement inspections throughout the state. The inspector must have his own automobile and be able to travel throughout all regions of the state. Travel expenses must be broken down and listed separately from the cost of the inspections in the proposal.

The number of inspections to be made is 253. All inspections must be completed by January 5, 1981.

Proposals must be in writing and received by the Agency no later than NOON on Wednesday, July 23, 1980.

Proposals should be addressed to Harold A. Prust, Manager, Technical Services, Minnesota Housing Finance Agency, 333 Sibley Street, St. Paul, Minnesota 55101. If there are questions, please call (612) 296-9818.

Metropolitan Transit Commission

Request for Proposal for Consultant Services for Transit Planning Program

The Metropolitan Transit Commission is inviting proposals for consultant services to assist the MTC in the development of detailed study designs and execution of three projects as a part of the MTC's transit planning program. These projects are concerned with: 1) Updating of bus studies, 2) Non-petroleum powered transit, and 3) Development programs. Respondents should have expertise in the fields of urban transportation planning and transit planning and engineering.

The required tasks to be undertaken by the consultant are identified in the Request for Proposal (RFP) which is available from:

Hugh C. Faville
Metropolitan Transit Commission
801 American Center Building
150 E. Kellogg Boulevard
St. Paul, MN 55101
Telephone: (612) 221-0939, extension 152

It is anticipated that the total consultant cost for this project will not exceed \$70,000. Completed proposals should be submitted by 5:00 p.m. on Tuesday, July 29, 1980.

STATE OF MINNESOTA
OFFICE OF THE STATE REGISTER

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

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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.

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