

83 Jan. 17

# STATE REGISTER

STATE OF MINNESOTA

RECEIVED

JAN 17 1982

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



**VOLUME 7, NUMBER 29**

**January 17, 1983**

**Pages 1057-1076**



---

---

### 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
<b>SCHEDULE FOR VOLUME 7</b>			
30	Monday Jan 10	Monday Jan 17	Monday Jan 24
31	Monday Jan 17	Monday Jan 24	Monday Jan 31
32	Monday Jan 24	Monday Jan 31	Monday Feb 7
33	Monday Jan 31	Monday Feb 7	Monday Feb 14

\*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 and notices of intent to adopt rules without a public hearing 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, 506 Rice Street, St. Paul, Minnesota 55103, (612) 296-0930.

---

The *State Register* is published by the State of Minnesota, State Register and Public Documents Division, 117 University Avenue, St. Paul, Minnesota 55155, pursuant to Minn. Stat. § 15.051. Publication is weekly, on Mondays, with an index issue in September. In accordance with expressed legislative intent that the *State Register* be self-supporting, the subscription rate has been established at \$130.00 per year, postpaid to points in the United States. Second class postage paid at St. Paul, Minnesota. Publication Number 326630. (ISSN 0146-7751) No refunds will be made in the event of subscription cancellation. Single issues may be obtained at \$3.25 per copy.

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

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

---

**Rudy Perpich**  
Governor

Carol Anderson Porter  
Editor

**Sandra J. Hale**  
Commissioner  
Department of Administration

Paul Hoffman, Robin PanLener, Roy Schmidtke, Jean Walburg  
Editorial Staff

Stephen A. Ordahl  
Director  
State Register and  
Public Documents Division

Margaret Connelly  
State Register Index Editor

Debbie Kobold  
Circulation Manager

# CONTENTS

## MCAR AMENDMENTS AND ADDITIONS

Inclusive listing for Issues 27-29 .....1060

## ADOPTED RULES

### Energy, Planning, and Development Department Business Development Division

Rules Governing Designation of Enterprise Zones .....1061

## SUPREME COURT

### Decisions Filed Friday, January 7, 1983

82-215 State of Minnesota v. Paul Magnan,  
Appellant. Ramsey County .....1061

81-916 Melanie Davis, *et al.* v. Robert F. Furlong  
and Russell J. Knudsen, *et al.*, Appellants.  
Goodhue County .....1061

82-143 State of Minnesota v. Eugene Threinen,  
Appellant. Ramsey County .....1061

81-1240 State of Minnesota v. Timothy E. Coles,  
Appellant. Hennepin County .....1061

81-1314 State of Minnesota v. Earl Edwin Gardner,  
Appellant. Winona County .....1061

82-355 In Re Objections and Defenses to Real  
Property Taxes for the 1979 and 1980 Assessments.  
Gary Hegenes, Relator, v. State of Minnesota,  
County of Hennepin. Tax Court .....1062

82-486 Donald J. Owens, Appellant, v. Federated  
Mutual Implement and Hardware Insurance Co.  
Blue Earth County .....1062

82-861 Donna R. Wood, Appellant, v. Calvin  
George Martin. Ramsey County .....1062

## STATE CONTRACTS

### Energy, Planning and Development Department Developmental Disabilities Program

Regional Problem-solving Projects Related  
to Services Provided to Developmentally  
Disabled Persons .....1062

### Health Department

Revision and Updating of Teaching Manuals Used  
in Medication Administration Programs for  
Unlicensed Personnel .....1063

### Public Welfare Department Health Care Programs Division

Proposal for Consultant to Study and Evaluate  
a Proposal by a Dental Plan to Underwrite and  
Administer the State's Medical Assistance  
Dental Program .....1064

## OFFICIAL NOTICES

### Administration Department Board of Electricity

Outside Opinion Sought Regarding Proposed  
Rules Governing Minimum Curriculum for Post  
High School Electrical Courses Approved by  
the Board .....1064

### Administration Department

Notice of Sale of State Surplus Property in  
St. Louis County .....1065

Notice of Sale of State Surplus Property in  
Aitkin County .....1066

### Administration Department

#### Real Estate Management Division

Outside Opinion Sought on Proposed Rules  
Governing Leasing Out of State-owned  
Property .....1066

### Commerce Department

Outside Opinion Sought on Amendments to  
Rules Exempting Certain Transactions from  
the Registration Provisions of the Minnesota  
Securities Act (Minn. Stat. Ch. 80A) .....1067

### State Board of Education

#### Department of Education

##### Instruction Division

Outside Opinions Sought on Proposed Changes in  
the Rule Governing Administration of the  
General Educational Development Testing  
Program and Issuance of Equivalency  
Certificates .....1067

### State Board of Education

#### Department of Education

##### Vocational-technical Division

Notice of Public Hearing .....1068

### Energy, Planning and Development Department Office of Local Government

Meeting Notice .....1068

### Health Department

#### Environmental Health Division

Outside Opinion Sought on Rules Relating to  
Swimming Pools, Water Conditioning Contractors'  
Bonds, Children's Camps, Migrant Labor Camps,  
Recreational Camping Areas and Mobile Home  
Parks, Food Service Establishments and  
Procedures for Issuance of Variances .....1068

### Public Welfare Department

#### Chemical Dependency Program Division

Notice of Legislative Hearing on the Federal  
Alcohol, Drug Abuse and Mental Health Block  
Grant; and the Availability of a Statement  
Describing the Intended Use of Alcohol and  
Drug Abuse Funds from the Alcohol, Drug Abuse  
and Mental Health Block Grant—Federal  
Fiscal 1983 .....1069

### Public Welfare Department

#### Chemical Dependency Program Division

Outside Opinion Sought on Revision of Rules  
Governing Licensure of Residential Chemical  
Dependency Facilities .....1070

### Transportation Department

Amended Order and Notice of Street and Highway  
Routes Designated and Permitted to Carry the  
Gross Weights Allowed under Minn. Stat. § 169.832 1070

### Office of the Secretary of State

Notice of Vacancies in Multi-member State  
Agencies .....1071

## 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:

- Calendar of Public Hearings on Proposed Rules.
- Proposed new rules (including Notice of Hearing and/or Notice of Intent to Adopt Rules without A 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* and filed with the Secretary of State before September 15, 1982, are published in the *Minnesota Code of Agency Rules 1982 Reprint*. ADOPTED RULES and ADOPTED AMENDMENTS TO EXISTING RULES filed after September 15, 1982, will be included in a new publication, *Minnesota Rules*, scheduled for publication in late summer 1983. In the MCAR AMENDMENT AND ADDITIONS listing below, the rules published in the *MCAR 1982 Reprint* are identified with an asterisk. Proposed and adopted TEMPORARY RULES appear in the *State Register* but are not published in the *1982 Reprint* 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	Issue 39, cumulative for 1-39
Issues 14-25, inclusive	Issues 40-51, inclusive
Issue 26, cumulative for 1-26	Issue 52, cumulative for 1-52
Issue 27-38, inclusive	

The listings are arranged in the same order as the table of contents of the *MCAR 1982 Reprint*.

# MCAR AMENDMENTS AND ADDITIONS

## TITLE 2 ADMINISTRATION

### Part 1 Administration Department

2 MCAR §§ 1.8001-1.8023 (adopted)..... 1040

## TITLE 3 AGRICULTURE

### Part 1 Agriculture Department

3 MCAR §§ 1.0260-1.0264 (proposed)..... 1009

## TITLE 4 COMMERCE

### Part 2 Energy, Planning and Development Department (Economic Development)

4 MCAR §§ 2.501-2.508 (adopted)..... 1061

### Part 3 Public Service Department

PSC 240, 242 (proposed repeal)..... 1014

## TITLE 7 HEALTH

### Part 1 Health Department

7 MCAR §§ 1.601-1.630 (adopted)..... 1044

7 MCAR §§ 1.541-1.543 (repealed)..... 1044

## TITLE 12 SOCIAL SERVICES

### Part 2 Public Welfare Department

12 MCAR § 2.010 (adopted)..... 1047

12 MCAR §§ 2.120-2.129 (proposed)..... 1033

## TITLE 13 TAXATION

### Part 1 Revenue Department

13 MCAR § 1.2220 (proposed)..... 1015

13 MCAR §§ Inh Tax 11-14, 19-30, 56-57, 63-79, 86-88,  
94-107, 111-116, 126-130, 136-137, 158-159, 174-181, 186-188,

219 (proposed repeal)..... 1015

# 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.

---

---

## Energy, Planning, and Development Department Business Development Division

### Adopted Rules Governing Designation of Enterprise Zones

The rules proposed and published at *State Register*, Volume 7, Number 16, pages 606-608, October 18, 1982 (7 S.R. 606) are adopted as proposed.

# SUPREME COURT

---

---

## Decisions Filed Friday, January 7, 1983

### Compiled by John McCarthy, Clerk

82-215 *State of Minnesota v. Paul Magnan*, Appellant. Ramsey County.

Record fails to establish presence of aggravating circumstances justifying departure with respect to duration and consecutive service.

Affirmed as modified. Amdahl, C. J.

81-916 *Melanie Davis, et al. v. Robert F. Furlong and Russell J. Knudsen, et al.*, Appellants. Goodhue County.

In determining conflict-of-law questions, choice-influencing considerations adopted in *Milkovich v. Saari*, 295 Minn. 155, 203 N.W.2d 408 (1973), will be applied to substantive conflicts of law, but traditional rules of *lex fori* will govern where the rights conferred by the subject are procedural.

Reversed. Peterson, J. Dissenting. Todd, J., Yetka, J., Scott, J., and Wahl, J.

82-143 *State of Minnesota v. Eugene Threinen*, Appellant. Ramsey County.

The evidence was sufficient to sustain the first-degree murder conviction.

Lineup identification testimony was properly admitted into evidence.

The prosecuting attorney's improper comments in the closing argument did not deny defendant's right to a fair trial.

Affirmed. Peterson, J.

81-1240 *State of Minnesota v. Timothy E. Coles*, Appellant. Hennepin County.

Record on appeal establishes that defendant received a fair trial and that evidence identifying him as participant in the charged robbery was sufficient to support the guilty verdict.

Affirmed. Todd, J.

81-1314 *State of Minnesota v. Earl Edwin Gardner*, Appellant. Winona County.

Evidence that defendant committed criminal sexual conduct in the first degree was sufficient.

Trial court did not prejudicially err in admitting *Spreigl* evidence, allowing use of defendant's prior conviction to impeach his credibility, or in other evidentiary rulings.

## SUPREME COURT

---

---

Aggravating circumstances were not present; therefore trial court improperly departed from the presumptive sentence and defendant's sentence must be reduced to the maximum permitted by the Sentencing Guidelines without departing.

Affirmed as modified. Scott, J. Took no part, Kelley, J.

**82-355 In Re Objections and Defenses to Real Property Taxes for the 1979 and 1980 Assessments. Gary Hegenes, Relator, v. State of Minnesota, County of Hennepin. Tax Court.**

The classification of nonhomestead residential properties into those of three units or less and those properties with four or more units under Minn. Stat. § 273.13, subd. 19 (1979), does not violate either the uniformity clause of the state constitution or the equal protection clause of the federal constitution.

Affirmed. Simonett, J.

**82-486 Donald J. Owens, Appellant, v. Federated Mutual Implement and Hardware Insurance Co. Blue Earth County.**

Under former Minn. Stat. § 72A.149 (1969), only auto liability insurance policies delivered or issued for delivery from and after January 1, 1971, were required to provide, at the option of the insured, uninsured motorist coverage limits equal to the bodily injury liability limits of the policy. The statute applies to renewals as well as to issuance of new policies.

Affirmed. Simonett, J. Took no part, Coyne, J.

**82-861 Donna R. Wood, Appellant, v. Calvin George Martin. Ramsey County.**

Service of process under Minn. Stat. § 170.55 (1980) on a nonresident defendant then deceased is a nullity.

Affirmed. Simonett, J. Dissenting, Todd, J., Yetka, J., and Scott, J.

## STATE CONTRACTS

---

---

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

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

---

### **Department of Energy, Planning and Development Developmental Disabilities Program**

#### **Notice of Request for Proposals for Regional Problem-solving Projects Related to Services Provided to Developmentally Disabled Persons**

The Developmental Disabilities Program announces that it is seeking proposals from eligible public or private nonprofit organizations with the interest and capacity to undertake the following tasks:

To identify and bring to resolution a regional problem associated with the provision of services to developmentally disabled persons. Financial support will be provided by the Developmental Disabilities Program of the Department of Energy, Planning and Development using a grant from the McKnight Foundation.

Funding of up to \$100,000 is available for these projects. Organizations receiving grants will be expected to begin work on the project no later than October 1, 1983. The grant will be for a one-year period.

The guidelines to be used in the preparation of an application are available from the Developmental Disabilities Program Office. Deadline for receipt of applications in the office is 5:00 p.m., Friday, April 15, 1983. To obtain a copy of the guidelines, please write or call:

Ronald E. Kaliszewski  
Developmental Disabilities Program  
201 Capitol Square Building  
550 Cedar Street  
St. Paul, Minnesota 55101  
Phone: (612) 297-3207

## **Department of Health**

### **Notice of Request for Proposals for Revision and Updating of Teaching Manuals Used in Medication Administration Programs for Unlicensed Personnel**

#### **I. Scope of Project**

The purpose of the project is to solicit the revision and updating of the teaching manuals used in the Medication Administration Programs for Unlicensed Personnel which are given in area technical vocational schools, community colleges, and state institutions.

#### **II. Objectives**

A. To obtain a revision of the Medication Administration Program for Unlicensed Personnel manuals for nursing homes and for facilities for the mentally retarded.

1. The revision should result in a single manual useable for instruction for nursing home personnel and personnel in facilities for the mentally retarded and chemically dependent.

2. The basic unit objectives shall be reviewed and revised.

3. The revision must cover all six units of the Medication Administration for Unlicensed Personnel manuals.

#### **III. Project Tasks**

A. To revise and update the teaching manuals for the Medication Administration programs for unlicensed personnel in a single manual format.

#### **IV. Department Contacts**

Prospective responders who have any questions regarding this request for proposal may call or write: Marlene J. Deschler, Chief, Technical Consultation and Training Section, Minnesota Department of Health, 717 Delaware Street, S.E., P.O. Box 9441, Minneapolis, MN 55440.

Please note: Other department personnel are not allowed to discuss the project with responders before the submittal of proposal deadline.

#### **V. Submission of Proposals**

All proposals must be sent to and received by: Marlene J. Deschler, Chief, Technical Consultation and Training Section, Minnesota Department of Health, 717 Delaware Street S.E., P.O. Box 9441, Minneapolis, MN 55440 not later than 4:30 P.M., February 7, 1983.

Late proposals will not be accepted. Please submit 3 copies. Proposals are to be sealed in mailing envelopes or packages with the responder's name and address clearly written on the outside. Each copy of the proposal must be signed by an authorized member of the firm. Prices and terms of the proposal as stated must be valid for the length of the project.

#### **VI. Project Costs**

The Department has established that the cost of this project should not exceed \$7,700 for professional services and expenses.

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

## STATE CONTRACTS

---

---

### Department of Public Welfare Health Care Programs Division

#### Notice of Request for Proposals Regarding a Proposal by a Dental Plan to Underwrite and Administer the State's Medical Assistance Dental Program

The Minnesota Department of Public Welfare is seeking a qualified consultant/consultants to study, evaluate and make recommendations concerning a proposal by a dental plan to underwrite and administer the state's Medical Assistance Dental program.

Areas of study and evaluation include an analysis of the state's ability to administer the program effectively in comparison to the ability of the proposed contractor. Areas of consideration should minimally include: provider access, quality of services, cost effectiveness, short-term and long-term financial impacts, control factors, and ease of administration.

Estimated cost of the study should not exceed \$6,000.00. Final date for submission of proposals is February 15, 1983.

Details of the project may be obtained by contacting:

Thomas L. JoliCoeur, Supervisor  
Professional Services Section  
Minnesota Department of Public Welfare  
444 Lafayette Road  
St. Paul, Minnesota 55164  
Telephone: (612) 296-8822

## 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 Board of Electricity

#### Notice of Intent to Solicit Outside Opinion Regarding Proposed Rules Governing Minimum Curriculum for Post High School Electrical Courses Approved by the Board

Notice is hereby given that the State Board of Electricity is seeking information or opinions from sources outside the agency in preparing to promulgate new rules governing the minimum curriculum for post high school electrical courses for which the board allows one year of experience credit for applicants for an A Journeyman or Maintenance Electrician's license, pursuant to Minn. Stat. § 326.242, subd. 2(1) (1980) and Elec. 28 and 29(c). The promulgation of these rules is authorized by Minnesota Statutes sections 326.241, subd. 2(6) and 326.242, subds. 2(1) and 4 (1980).

The State Board of Electricity requests information and comments concerning the subject matter of these rules. Interested or affected persons or groups may submit statements of information or comment orally or in writing. Written statements should be addressed to:

John D. Quinn  
Executive Secretary  
State Board of Electricity  
Room N191, Griggs Midway Building  
1821 University Avenue  
St. Paul, Minnesota 55104



Oral statements will be received during regular business hours over the telephone at (612) 297-2111 and in person at the above address.

All statements of information and comment shall be accepted until February 17, 1983. Any written material received by the State Board of Electricity shall become part of the record in the event that the rules are promulgated.

## **Department of Administration**

### **Notice of State Surplus Property Sale**

In compliance with Minnesota Statutes § 94.09, et seq, the Commissioner of Administration offers for sale by sealed bid two parcels totaling about 36 acres. Formerly used as a forestry station by the DNR, the parcels are located about a mile east of Alborn and 25 miles northwest of Duluth on St. Louis County Road No. 47.

For purposes of disposition, the property has been divided into two tracts. The legal descriptions and brief physical descriptions of the two parcels are as follows:

**TRACT A**—In St. Louis County, Minnesota, that part of the Northeast Quarter of the Northwest Quarter (NE¼NW¼) of Section 30, Township 52 North, Range 17 West, lying north of St. Louis County Road No. 47, comprising 13.95 acres, more or less, subject to a lease for roadway purposes, which lease expires on October 31, 1983. Tract A is improved with a 1066± sq. ft. one-story, frame residence, a 4-stall frame garage, and a 20 × 60 storage shed. Appraised value and minimum acceptable bid is \$29,200. Bids in a lesser amount will not be accepted.

**TRACT B**—In St. Louis County, Minnesota, that part of the Northeast Quarter of the Northwest Quarter (NE¼NW¼) of Section 30, Township 52 North, Range 17 West, lying south of St. Louis County Road No. 47, comprising 22.35 acres, more or less. The land is wooded and unimproved. Appraised value and minimum acceptable bid is \$6000. Bids in a lesser amount will not be accepted.

The property will be made available for inspection by appointment only. Arrangements for showing may be made by contacting:

John Dowd, District Forester  
Cott, Minnesota, telephone (218) 482-3219, or  
Pete Hengel  
Regional Field Services Supervisor  
Grand Rapids, Minnesota, telephone (218) 327-1706

The bids will be opened and read aloud publicly at Room G-22 Administration Building, 50 Sherburne Avenue, St. Paul, Minnesota 55155 on February 9, 1983, at 2:30 p.m.

Bidders shall be required to submit a cashier's check with their bids in an amount not less than 10% of the bid. The checks of unsuccessful bidders will be returned.

The successful bidder will have the choice of making payment of the balance remaining after the down payment by one of the following two methods:

1. Payment in full of the balance no later than June 1, 1983; or
2. Payment of the remaining balance in not less than equal annual installments for not to exceed 5 years, with principal and interest payable annually in advance at the rate of 8% per annum on the unpaid balance, by certified check or cashier's check payable to the State Treasurer on or before June 1 of each year.

For details and bid forms contact:

Real Estate Management Division  
Department of Administration  
Room G-22  
50 Sherburne Avenue  
St. Paul, Minnesota 55155  
Telephone: (612) 296-6674

## OFFICIAL NOTICES

---

---

### Department of Administration

#### Notice of State Surplus Property Sale

In compliance with Minnesota Statutes § 94.09, *et seq.*, the Commissioner of Administration offers for sale by sealed bid an unimproved one acre parcel of wooded land in Nordland Township of Aitkin County. The parcel was originally purchased as a site for a forestry tower, but the tower was never built. The parcel is landlocked, that is, it cannot be reached from a public road without crossing lands owned by others. Nearest public road is  $\frac{1}{8}$  mile.

The parcel is described legally as follows:

Beginning at the Quarter Corner between Section Thirty (30) and Nineteen (19), Township Forty-six (46), Range Twenty-six (26), thence West Two Hundred and Nine (209) feet, thence South Two Hundred and Nine (209) feet, thence East Two Hundred and Nine (209) feet, thence North Two Hundred and Nine (209) feet to the point of beginning, said tract to contain one acre more or less.

Arrangements for viewing the parcel may be made by contacting:

Les Blakesley, District Forester  
318 First Street N.W.  
Aitkin, Minnesota  
Telephone (218) 927-2414

The bids will be opened and read aloud publicly at Room G-22 Administration Building, 50 Sherburne Avenue, St. Paul, Minnesota 55155 at 2:30 p.m. on February 10, 1983.

Bidders shall be required to submit a Cashier's Check, or a Money Order with their bids in an amount not less than 10% of the bid. The remittance of unsuccessful bidders will be returned. The remittance by the successful bidder will be used by the state as a down payment. The balance remaining after the down payment shall be due on or before May 12, 1983. The State of Minnesota shall pay all taxes and assessments due and payable in 1982 and all prior years.

For details and bid forms contact:

Real Estate Management  
50 Sherburne Avenue  
St. Paul, Minnesota 55155  
Telephone (612) 296-6674

### Department of Administration Real Estate Management Division

#### Notice of Intent to Solicit Outside Opinion Regarding Proposed Rules Governing Leasing out of State-owned Property

Notice is hereby given that the State of Minnesota is seeking information or opinion from sources outside the agency in preparing to promulgate new rules governing leasing out of state-owned property. The promulgation of these rules is authorized by Minnesota Statutes, Section 16.05, which empowers the Commissioner of Administration, with approval of the Governor, to make and amend rules and regulations, not inconsistent with law, respecting any matter within the scope of powers and duties conferred by sections 16.01 to 16.23.

The State of Minnesota requests information and comments concerning the subject matter of these rules. Interested or affected persons or groups may submit statements of information or comment orally or in writing. Written statements should be addressed to:

Howard W. Eicher  
Assistant Director  
Real Estate Management Division  
Room G-22 Administration Building  
50 Sherburne Avenue  
St. Paul, Minnesota 55155

Oral statements will be received during regular business hours over the telephone at (612) 296-1897 and in person at the above address.

All statements of information and comment shall be accepted until February 16, 1983. Any written material received by the State of Minnesota shall become part of the record in the event that the rules are promulgated.

Sandra J. Hale  
Commissioner of Administration

## **Department of Commerce**

### **Notice of Intent to Solicit Outside Opinion Concerning Amendments to Rules Exempting Certain Transactions from the Registration Provisions of the Minnesota Securities Act (Minn. Stat. Ch. 80A)**

Notice is hereby given that the Securities and Real Estate Division of the Minnesota Department of Commerce has begun to consider amendments to rules SDiv 2117 and SDiv 2118, which interpret and implement the provisions of Minn. Stat. § 80A.15, subdivisions 2(g) and 2(h) regarding exemptions from registration for offers and sales to certain individuals and entities as well as for sales made pursuant to private placements.

The intent of any proposed rules is to achieve substantial uniformity with Securities and Exchange Commission regulation D (17 C.F.R. Sections 230.501 to 230.506) governing private placements.

In order to adequately determine the nature and utility of such rules, the Securities and Real Estate Division hereby requests information and comments from all interested individuals or groups concerning the subject matter of the proposed amendments to the rules.

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

Daniel W. Hardy  
Assistant to the Commissioner  
Securities and Real Estate Division  
500 Metro Square Building  
St. Paul, Minnesota 55101  
phone (612) 296-5689

## **State Board of Education Department of Education Instruction Division**

### **Notice of Intent to Solicit Outside Opinions Regarding Proposed Changes in the Rule Governing Administration of the General Educational Development Testing Program and Issuance of Equivalency Certificates**

Notice is hereby given that the State Department of Education is seeking information and opinions from outside the agency in preparing to promulgate a new rule governing the General Educational Development Testing Program, and issuance of Equivalency Certificates.

The promulgation of this rule is authorized by Minnesota Statutes § 121.11, subd. 12, which requires the State Board of Education to make and enforce such rules and regulations as may be appropriate for administration and enforcement thereof.

The State Department of Education requests information and comments concerning the subject matter of this rule. Interested or affected persons or groups may submit statements of information or comments orally or in writing. Written statements should be addressed to:

Donald A. Peterson, Administrator  
G.E.D. Testing Program  
Minnesota Department of Education  
641 Capitol Square Building  
St. Paul, MN 55101

## **OFFICIAL NOTICES**

---

Oral statements will be received during regular business hours over the telephone by contacting Donald A. Peterson at (612) 296-6130, or in person at the above address until February 7, 1983. Any written material received by the Department of Education shall become part of the record in the event that the rule is promulgated.

January 7, 1983

Dr. Gregory J. Waddick  
Assistant Commissioner

### **State Board of Education Department of Education Vocational-Technical Division**

#### **Notice of Public Hearing**

A public hearing pursuant to Minn. Stat. § 124.561, subd. 3a, will be held for the purpose of post-secondary aid allocations on February 7, 1983, Room 716, Capitol Square Building, St. Paul, Minnesota, at 9:00 a.m.

### **Department of Energy, Planning and Development Office of Local Government Planning Division**

#### **Notice of Meeting**

The Juvenile Justice Advisory Committee will meet on Friday, January 21, 1983 at 9:00 a.m. in Room 116A, First Floor, Administration Building, 50 Sherburne Avenue, St. Paul, Minnesota.

### **Department of Health Environmental Health Division**

#### **Notice of Intent to Solicit Outside Opinion on Rules Relating to Swimming Pools, Water Conditioning Contractors' Bond, Children's Camps, Migrant Labor Camps, Recreational Camping Areas and Mobile Home Parks, Food Service Establishments and Procedures for Issuance of Variances**

Notice is hereby given, pursuant to provisions of Minn. Stat. § 15.0412, subd. 6, (1980) that the Commissioner of Health is considering the proposal of amendments to existing rules and adoption of new rules relating to the subject matters listed below.

All interested or affected persons may submit information on these subjects. All statements of information and comments received will be introduced into the record of any rules' promulgation proceedings relating to these subjects. Written comments regarding any of the subjects listed should be addressed to the appropriate persons named below.

Swimming Pools: Considering amendments to 7 MCAR § 1.141.

Water Conditioning Contractors: Considering amendments to 7 MCAR § 1.135 prescribing the amount of bond to be filed with the State pursuant to Minn. Stat. § 326.601 (1980).

For comments regarding swimming pools and water conditioning contractors, contact:

Mr. Richard D. Clark, P.E., Supervisor  
Engineering Unit  
Division of Environmental Health  
Minnesota Department of Health  
717 S.E. Delaware Street  
P.O. Box 9441  
Minneapolis, Minnesota 55440

Children's Camps: Considering amendments to 7 MCAR § 1.201 regarding the requirement for physical examination of campers prior to attendance.

Migrant Labor Camps: Considering amendments to 7 MCAR § 1.204 regarding inspections and permits.

Mobile Home Parks and Recreational Camping Areas: Considering amendments to 7 MCAR §§ 1.187-1.188 regarding location, water supply, waste disposal, and license fees.

For comments regarding children's camps, migrant labor camps, mobile home parks and recreational camping areas, contact:

Mr. Charles B. Schneider, Chief  
Section of Environmental Field Services  
Division of Environmental Health  
Minnesota Department of Health  
717 S.E. Delaware Street  
P.O. Box 9441  
Minneapolis, Minnesota 55440

Food Service Establishments: Considering amendments to 7 MCAR §§ 1.161-1.163 regarding incorporation of portions of the U.S. FDA model ordinance for food establishments. Comments should be addressed to:

Mr. M. Frederick Mitchell, Chief  
Section of Hotels, Resorts and Restaurants  
Division of Environmental Health  
Minnesota Department of Health  
717 S.E. Delaware Street  
P.O. Box 9441  
Minneapolis, Minnesota 55440

Procedures Regarding Issuance of Variances: Regarding adoption of a rule which prescribes procedures which the Department will follow in considering requests for variances from Departmental standards. Comments should be addressed to:

Ms. Pauline M. Bouchard, J.D.  
Assistant to the Director  
Division of Environmental Health  
Minnesota Department of Health  
717 S.E. Delaware Street  
P.O. Box 9441  
Minneapolis, Minnesota 55440

## **Department of Public Welfare Chemical Dependency Program Division**

### **Notice of Legislative Hearing on the Federal Alcohol, Drug Abuse and Mental Health Block Grant, and the Availability of a Statement Describing the Intended Use of Alcohol and Drug Abuse Funds from the Alcohol, Drug Abuse and Mental Health Block Grant—Federal Fiscal 1983**

Notice is hereby given that the Senate Health and Human Services Committee will conduct a hearing on the use of the Federal Alcohol, Drug Abuse and Mental Health Block Grant on Tuesday, January 25, 1983, at 3:00 p.m. in Room 15, Minnesota State Capitol.

Notice is also given that the Department of Public Welfare has available a Description of Intended Use for the alcohol and drug abuse funds available to the State of Minnesota from the Federal Fiscal Year 1983 Alcohol, Drug Abuse and Mental Health Block Grant. This description is being made available to the public for comment in accord with Part B, Section 1915(d) of Title IX, Omnibus Budget Reconciliation Act of 1981.

All interested or affected persons or groups are invited to comment. Copies of the description are available from:

## OFFICIAL NOTICES

---

Sheila Vadnais  
Chemical Dependency Program Division  
Department of Public Welfare  
Centennial Office Building, 4th Floor  
St. Paul, MN 55155  
(612) 296-3991

Comments on the proposed plan may be directed to the same address and phone number. Oral requests and comments will be received during normal business hours.

### **Department of Public Welfare Chemical Dependency Program Division**

#### **Notice of Intent to Solicit Outside Opinion Concerning Revision of Rules Governing Licensure of Residential Chemical Dependency Facilities**

Notice is hereby given that the Minnesota Department of Public Welfare is considering draft amendments to 12 MCAR § 2.035, Minimum Standards for Residential Care For Five or More Chemically Dependent Persons (DPW Rule 35).

Authority for this rule is found in Minn. Stat. § 245.781.

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

Bob Robertson, Residential Consultant  
Chemical Dependency Program Division  
Department of Public Welfare  
Centennial Office Building, 4th Floor  
658 Cedar Street  
St. Paul, MN 55155

Oral statements of information and comment will be received during regular business hours over the telephone at 612/296-4620.

All statements of information and comment must be received by February 15, 1983. Any written material received by the Department of Public Welfare will become part of the hearing record.

### **Department of Transportation**

#### **Amended Order and Notice of Street and Highway Routes Designated and Permitted to Carry the Gross Weights Allowed under Minn. Stat. § 169.832**

##### **Order No. 67405**

Whereas, the Commissioner of Transportation has made his Order No. 66400 as amended by Orders Nos. 66446, 66550, 66628, 66690, 66768, 66807, 66920, 66962, 67065, 67142, 67224, 67267 designating and permitting certain street and highway routes, or segments of those routes, to carry the gross weights allowed under Minnesota Statutes § 69.832, and

Whereas, the commissioner has determined that the additional following routes, or segment of routes, should be designated to carry the gross weights allowed under Minnesota Statutes § 169.832,

IT IS HEREBY ORDERED that Commissioner of Transportation Order No. 66400 is amended this date by adding the following designated streets and highway routes, or segment of routes, as follows:

##### TRUNK HIGHWAYS

T.H. 86

From C.S.A.H. 20 in Jackson County to I-90.  
(Seasonally Restricted, effective lifting of Spring Road Restrictions.)

COUNTY ROADSWashington County

County Road 66 (Greely Street) From T.H. 36 to Curve Crest Boulevard in Stillwater. (12 Month.)

Freeborn County

(The effective date of the following seasonally restricted routes has been changed to read as shown.)

C.S.A.H. 26 From Milwaukee Road Tracks to Jct. I-90.  
(Seasonally Restricted, effective July 1 each year.)

C.S.A.H. 31 From near the Chicago and North Western Transportation Company railroad right of way and trackage to Jct. I-35. (Seasonally Restricted, effective July 1 each year.)

Dated this 3rd of January, 1983.

Richard P. Braun  
Commissioner of Transportation

## 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 55155-1299; (612) 296-2805. Application deadline is February 1, 1983.

**BOARD OF ARCHITECTURE, ENGINEERING, LAND SURVEYING AND LANDSCAPE ARCHITECTURE** has 1 vacancy open for a public member. The board licenses and regulates architects, engineers, land surveyors and landscape architects. Members appointed by the Governor; must file with EPB. Meetings four times a year; members receive \$35 per diem plus authorized expenses. For specific information contact the Board of Architecture, Engineering, Land Surveying and Landscape Architecture, 500 Metro Square Bldg., St. Paul 55101; (612) 296-2388.

**WATER WELL CONTRACTORS AND EXPLORATORY BORERS ADVISORY COUNCIL** has 1 vacancy open for a water well contractor from southwestern Minnesota. Must be a state resident for at least 3 years with 5 years experience in water well drilling business. The council advises the Department of Health on licensing water well contractors and exploratory borers and on administering the Water Well Construction Code. Members are appointed by the Commissioner of Health. Quarterly meetings, 717 Delaware St., S.E., Mpls. Members receive \$35 per diem plus expenses. For specific information contact the Water Well Contractors and Exploratory Borers Advisory Council, 717 Delaware St., S.E., Mpls. 55440; (612) 296-5338.

**UNIFORM CONVEYANCING BLANKS ADVISORY COMMITTEE** is seeking an additional member. Applicants should be attorneys with a real estate background. The committee reviews all uniform conveyancing blanks; recommends new or amended forms to Commissioner of Securities. Members are appointed by the Commissioner of Securities. Monthly meetings at Metro Square Bldg., St. Paul; members receive no compensation. For specific information contact the Uniform Conveyancing Blanks Advisory Committee, 500 Metro Square Bldg., St. Paul 55101; (612) 296-5689.

**INVESTMENT ADVISORY COUNCIL** has 1 vacancy open immediately for a member with experience in general investment matters. The council advises the Board of Investment on policy relating to investments of state funds. Members are appointed by the Board of Investment. Members must file with EPB, and receive no compensation. For specific information contact the Investment Advisory Council, MEA Bldg., Rm. 105, 55 Sherburne Ave., St. Paul 55155; (612) 296-3328.

STATE OF MINNESOTA

State Register and Public Documents Division  
117 University Avenue  
St. Paul, Minnesota 55155

**ORDER FORM**

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

- \_\_\_\_\_ Annual subscription \$130.00
- \_\_\_\_\_ Single copies \$3.25 each

**Minnesota Guidebook to State Agency Services 1982-83** A 750-page reference guide to services provided by Minnesota agencies.

- \_\_\_\_\_ Single copy \$9.00 + \$.54 sales tax = \$9.54 each

**Session Laws of Minnesota—1982.** One volume. Laws enacted during the 1982 legislative session. Inquire about back volumes. \$35 + \$2.10 (sales tax) = \$37.10.

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

- \_\_\_\_\_ *State Register Binder* \$6.00 + \$.36 (sales tax) = \$6.36\* each

**State Register Index.** Contains cumulative findings aids to Volume 6 of the *State Register*, including MCAR Amendments and Additions, Executive Orders List, Executive Orders Index, Agency Index, Subject Matter Index. \_\_\_\_\_ Single copy \$5.00

**Worker's Compensation Decisions.** Volume 35. Selected landmark decisions of the Worker's Compensation Court of Appeals. Available by annual subscription, with quarterly update service. \_\_\_\_\_ Annual subscription \$65.00

**Documents Center Catalog—Fall 1982.** Complete listing of all items available through the Documents Center. Agency rules, brochures, studies, catalogs, maps, prints, commemorative items and much more.

\_\_\_\_\_ FREE COPY

**Minnesota Outdoors Catalog—Fall/Winter 1982-1983.** Complete listing of material on the Minnesota outdoor activities. Bikeways, canoeing, county, lake and other maps. Books, charts, rules, laws, posters and more.

\_\_\_\_\_ FREE COPY

\*To avoid Minnesota sales tax, please include your Certificate of Exempt Status issued by the Minnesota Department of Revenue. Please enclose full amount for items ordered. Make check or money order payable to "State of Minnesota."

**EACH ORDER MUST INCLUDE ADDITIONAL \$1.00 FOR POSTAGE AND HANDLING.**

Name \_\_\_\_\_

Attention of: \_\_\_\_\_

Street \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Telephone \_\_\_\_\_

**FOR LEGISLATIVE NEWS**

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

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

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

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

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



Legislative Reference Library  
Room 111 Capitol  
Interoffice  
Interoffice