

# State Register

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STATE OF MINNESOTA

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**VOLUME 1, NUMBER 1**

**JULY 13, 1976**

## To Our Subscribers,

This issue inaugurates the *State Register*, the official publication of the State of Minnesota for official notices, administrative rules and executive orders. It is the fixed intention of the Office of the State Register to provide you with a compendium of legal documentation that is at once accessible and attractive. An attempt has been made to balance the agencies' interest in an efficient and economical system of publication against the public interest in obtaining immediate and comprehensible notice of agency action. All doubts have been resolved, however, in favor of the public interest.

But no amount of planning, careful though it may be, can alter the fact that publication of a state register is still a relatively new idea and, to that extent, subject to improvement. Accordingly, we would be pleased to have your comments, critical or otherwise, on the present or future form and contents of the *State Register*. Your comments should be directed to myself or to Mari Borchard, our Information Officer, at the number provided below.

We look forward to serving you.

George T. Morrow, II  
Director

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Department of Administration

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# Executive Orders

## EXECUTIVE ORDER NO. 127

### Charging the Lieutenant Governor to Direct an Aesthetic Environment Program.

I, Wendell R. Anderson, Governor of the State of Minnesota, by virtue of the authority vested in me by the Constitution and applicable Statutes, hereby issue this Executive Order:

WHEREAS, visual pollution of the landscape of Minnesota is a problem recognized by our citizens and the Legislature; and,

WHEREAS, several programs throughout state government are currently being operated with the goal of fighting this problem; and,

WHEREAS, overall coordination of these efforts would increase the effectiveness of efforts and monies expended in this fight.

NOW, THEREFORE, I order:

1. The Lieutenant Governor to assume overall coordination of the below enumerated efforts in order to assure that each program makes a maximum contribution toward the common goal of eliminating visual pollution of Minnesota's land;
2. In cooperation with the various state agencies which are charged to operate these programs, the Lieutenant Governor shall establish proper communications between the state, regional and local governmental units and private groups who are interested or affected;
3. The Lieutenant Governor shall involve to the greatest possible extent individual private and business concerns to join the efforts of the state;
4. Specifically, the Lieutenant Governor shall coordinate the work of the state agencies who are operating these programs:

Abandoned Automobile Program

Dilapidated Building Program

Abandoned Mineland Clean-up Program

Mineland Reclamation

General Assistance Work Relief Program  
on Environmental Clean-up

Major Industrial Segment Clean-up Program

Junkyard Clean-up Program

Community Clean-up Program

Tree Planting Program.

This Order shall be effective on the date of publication in the State Register and shall be in force until December 31, 1978.

IN TESTIMONY WHEREOF, I hereunto set my hand on this twenty-fifth day of June, 1976.

*Wendell R. Anderson*

# Rules

## MINNESOTA STATE ETHICAL PRACTICES BOARD

### RULES AND REGULATIONS RELATING TO CAMPAIGN FINANCING

Filed with the Secretary of State  
June 28, 1976

EPB 1-39, 100 (1976) supersedes and repeals  
EC 1-39, 100 (1974)

#### Chapter One

**EPB 1 Purpose of the rules.** It is the purpose of this chapter of these rules to give effect to the campaign financing provisions of the State Ethics Act of 1974, Minn. Stat. ch. 10A, and subsequent amendments. These rules are adopted pursuant to the powers of the State Ethical Practices Board conferred by the act. The six-member bi-partisan Minnesota Ethical Practices Board is responsible for monitoring compliance with the act and these rules.

**EPB 2 Applicability of the campaign financing provisions of the act.** The campaign financing provisions of the act apply to political committees, political funds, and individuals which receive contributions or make expenditures in excess of \$100 in any year for the purpose of influencing the nomination for election or election of a candidate for the office of Governor, Lieutenant Governor, Attorney General, State Treasurer, Secretary of State, State Auditor, State Senator, State Representative, Justice of the Supreme Court or Judge of District Court.

#### **EPB 3 Special provisions for 1974.**

**A.** All political committees or political funds in existence on April 13, 1974 or established on or before June 30, 1974 and which have raised or spent an amount in excess of \$100 shall file a Registration and Statement of Organization (EPB Form 1) with the Board on or before July 7, 1974. All political committees or political funds established after June 30, 1974 shall file a Registration and Statement of Organization (EPB Form 1) at the time prescribed in Rule EPB 6.

**B.** No report of Receipts and Expenditures (EPB Form 2) is required to be filed prior to July 7, 1974.

The initial Report of Receipts and Expenditures to be filed on or before July 7, 1974 shall cover the period beginning and including April 13, 1974 through and including June 30, 1974. No report is required to show any contribution received or expenditure made prior to April 13, 1974.

**C.** The limits on campaign expenditures in 1974 shall apply to expenditures beginning and including April 13, 1974 through and including December 31, 1974. The limits on campaign expenditures in 1974 are:\*

1. For Governor and Lieutenant Governor, running jointly, \$600,000.
2. For Attorney General, \$100,000.
3. For Secretary of State, State Treasurer and State Auditor, \$50,000.
4. For State Senator, \$15,000.
5. For State Representative, \$7,500.

**EPB 4 Definitions:** For the purposes of the act and these rules, and the forms prescribed by the Board, the following definitions are applicable in addition to the definitions stated in the act:

**A.** "Act" means Minn. Stat. ch. 10A. (1974) and subsequent amendments, approved April 12, 1974, and effective April 13, 1974.

**B.** "Address" means street and number, (Post Office box or rural route, if appropriate), room number, (if any), city, state, (if other than Minnesota) and zip code.

**C.** "Board" means the Minnesota State Ethical Practices Board.

\*These limitations may be modified in certain circumstances specified in the act. See Minn. Stat. § 10A.25(1974).

**KEY:** New rules and material proposed to be added to an existing rule are printed in boldface. Material proposed to be deleted from an existing rule is printed in [single brackets]. Underlining indicates additions to proposed rules, while [[double brackets]] indicate matter stricken from proposed rules. Existing material is printed in standard type face.

D. "Calendar year" means: for 1974, the period from and including April 13, 1974 to and including December 31, 1974; for 1975 and subsequent years, the period from January 1 through December 31 inclusive.

E. "Candidate" means an individual who seeks nomination for election or election to the Office of Governor, Lieutenant Governor, Attorney General, Secretary of State, State Treasurer, State Auditor, State Senator, State Representative, Justice of the Supreme Court or Judge of District Court are deemed statewide candidates.

F. "Cash" means money, balances on deposit in banks and other depositories, checks, negotiable instruments and other paper commonly accepted by a bank as a deposit.

G. "Debt" means any amount owed for goods required or for services rendered.

H. "Contribution" means a gift, subscription, loan, advance, the providing of supplies, materials or equipment, or deposit of money or anything else of value made to influence the nomination for election or election of a candidate and includes the transfer of funds between political committees or political funds made for that purpose. Contribution does not include services provided without compensation by individuals volunteering their time.

I. "Earmark" "earmarked" and "earmarking" mean the designation of a contribution (including a transfer of funds) for use by any individual, committee or fund other than the individual, committee or fund to whom the contribution is originally directed.

J. "Expenditure" means a purchase, payment, distribution, loan (does not include loans from a national or state banking institution in the ordinary course of business), advance, deposit or gift of money or anything of value made for the purpose of influencing the nomination for election or election of a candidate.

K. "File", "Filed" and "Filing" mean delivery to the Board by midnight of the prescribed filing date or deposit as certified mail in an established U.S. Post Office, postage prepaid, no later than midnight two days before the filing date.

L. "Occupation and principal place of business" means, if self-employed, type of work or profession and city where self-employed; or, if employed, type of work or title, name of employer or employing organization, and city of employment.

M. "Periodic Report" means the Report of Receipts and Expenditures required to be filed with the Board at the times prescribed in Rule EPB 6.

#### EPB 5 Obligation to register and report.

A. Every political committee or political fund which receives contributions or makes expenditures, in excess of \$100 in any year to influence the nomination for election or election of a candidate to statewide or legislative office must register with the Board and file the required periodic Reports of Receipts and Expenditures with the Board. The treasurer of the committee or fund is responsible for filing the registration statement (EPB Form 1) and periodic reports (EPB Form 2).

B. Every person who makes expenditures in excess of \$100 in any year other than by contribution to a registered political committee or fund must register with the Board and file periodic reports.

#### EPB 6 Time for filing statements and reports.

A. The Registration and Statement of Organization (EPB Form 1) must be filed with the Board no later than 14 days after the date upon which the principal campaign committee, political fund or political committee has received contributions or made expenditures in excess of \$100.

B. Reports of Receipts and Expenditures (EPB Form 2) must be filed with the Board on the following dates until the committee or fund has terminated its activities; on or before January 31 of each year, and in each year in which the name of the candidate being supported is on the ballot, ten days before the primary election or special primary election and ten days before the general or special election.

#### EPB 7 Place of filing.

A. Reports must be filed with the Board at the following address:

Minnesota State Ethical Practices Board  
Room 410  
State Office Building  
St. Paul, Minnesota 55155

B. All reports or statements that must be filed with the Board by the principal campaign committee of legislative candidates shall be duplicated and filed by the Board with the county auditor of each county in which the legislative district lies within 72 hours of the date of the report or statement is required to be filed or, if the report or statement is delinquent, within 72 hours of the time the report or statement is actually filed.

EPB 8 Place to obtain forms. All statements and reports to be filed with the Board shall be filed on forms prescribed by the Board. Such forms may be obtained without cost upon request from:

Minnesota State Ethical Practices Board  
Room 410  
State Office Building  
St. Paul, Minnesota 55155

**EPB 9 Organization of political committees and political funds.**

A. Any group of two or more persons which raises or spends money to influence the nomination for election or election of a candidate for statewide or legislative office must establish a political committee or political fund. If the group has as its major purpose the influencing of elections, it shall establish a political committee. If the group is an association which has a major purpose other than the influencing of elections, such as a special interest group, it shall establish a political fund. When a person or a group merely solicits contributions which are made directly to a reporting committee or fund, such person or group is not required to establish an additional committee or fund.

B. Every candidate shall designate a principal campaign committee. Such committee shall report on the Registration and Statement of Organization that it is the principal campaign committee of that candidate.

C. Every committee and fund shall have a chairman and treasurer, who may be the same person. A candidate may be his own chairman and/or treasurer.

D. No contribution shall be accepted and no expenditure shall be made by or on behalf of a committee or fund at a time when there is a vacancy in the office of treasurer.

E. All monetary assets of a committee or fund shall be kept in a designated depository in an account designated by the name of the committee or fund.

F. The funds of a political committee or the contents of a political fund shall not be comingled with any other funds or with the personal funds of any officer or member of the committee or fund.

**EPB 10 Agreement to make loans.** An agreement to make a loan to a committee or fund shall be made in writing, signed by the lender (and endorsers, if any) and the recipient and reported on the appropriate schedule.

**EPB 11 Allocation of joint expenditures.** The treasurer of a committee or fund making an expenditure for or on behalf of more than one candidate shall allocate the expenditure among such candidates on a reasonable proportionate basis and report the allocation on the Report of Receipts and Expenditures (EPB Form 2). He shall also send a written notification of the allocation to the treasurer of the principal campaign committee of the candidate(s) on whose behalf the ex-

penditure was made. Such expenditures must be reported by the treasurer of the candidate's principal campaign committee as Contributions in Kind and as campaign expenditures which are counted against the spending limits of the candidate.

**EPB 12 Amendments.** Amendments correcting any report or statement must be filed with the Board within 10 days following the date of the event prompting the change in reported information or the date upon which the person filing became aware of the inaccuracy. The change or correction shall identify the form and paragraph containing the information to be changed or corrected.

**EPB 13 Anonymous contributions.** Any single contribution in excess of \$20 for which no donor can be identified by the committee or fund shall be forwarded to the Board within 14 days after its receipt. When forwarding such anonymous contribution the treasurer of the committee or fund shall report to the Board the amount of the contribution and the date on which it was received.

**EPB 14 Authorized expenditures.** All expenditures in excess of \$20 made with the expressed or implied consent of a candidate or his agent must be authorized by the treasurer of that candidate's principal campaign committee. For the purpose of making an authorized expenditure, a check signed by the treasurer or deputy treasurer of a candidate's principal campaign committee is sufficient for authorization. In the case of expenditures by an individual committee or fund other than the principal campaign committee, authorization by the treasurer of the principal campaign committee of the candidate on whose behalf the expenditure is made should be in the following form:

Date	Amount of Expenditure
Name of individual/committee/fund making the expenditure	
Purpose of the expenditure	
Candidate on whose behalf expenditure is made	
I certify that the expenditure hereby authorized will not exceed the spending limit of the candidate on whose behalf the expenditure is made.	
Signature of treasurer or deputy treasurer of principal campaign committee.	

**KEY:** New rules and material proposed to be added to an existing rule are printed in **boldface**. Material proposed to be deleted from an existing rule is printed in [single brackets]. Underlining indicates additions to proposed rules, while [[double brackets]] indicate matter stricken from proposed rules. Existing material is printed in standard type face.

**EPB 15 Cancelled debts and loans.** If the reporting committee or fund cancels any debt or loan owed to it, the amount of the debt or loan unpaid at the time of cancellation shall be deemed a non-campaign expenditure for that period and reported on the appropriate schedule.

**EPB 16 Certification.** For purposes of certification on forms prescribed by the Board, the signature of the treasurer shall be sufficient, and notarization is not required.

**EPB 17 Committees and funds not active.** A committee or fund which receives no contributions and makes no expenditures during a reporting period shall so certify in the space provided on the report form and shall hereby satisfy its reporting requirements for that reporting period.

**EPB 18 Contracts for goods and services.** A contract for goods and/or services is an agreement to make payments on an expenditure over a specified period of time. All such contracts shall be made in writing, signed by the debtor and creditor, and reported on the appropriate schedule.

**EPB 19 Contributed services.** The payment of compensation for the personal services of another person which are rendered to a candidate, committee or fund by any person other than that candidate, committee or fund are contributed services in Kind by the person's employer and should be reported and identified as "contributed services". The value of such Contribution in Kind is the gross of such compensation.

**EPB 20 Contribution in Kind.** A Contribution in Kind is a contribution of goods or services other than cash. The treasurer of the committee or fund shall report the fair market value of the goods or services contributed as a contribution on the appropriate schedule. Fair market value is the amount at which a willing seller, under no compulsion and a willing buyer under no compulsion will trade. He shall identify the nature of the contribution and note that it is a Contribution in Kind. The total value of all Contributions in Kind of \$20 or more shall be reported on the Contribution in Kind and expenditure schedules. In addition, each Contribution in Kind with a value in excess of \$50 shall be disclosed as required on the appropriate schedules.

Contributions in Kind valued at less than \$20 need not be recorded or reported. The total amount of goods and services contributed in Kind shall be deemed to have been consumed in the reporting period in which received.

EPB 21 Reserved for Future Use.

**EPB 22 Debts outstanding.** For the purposes of the limits on expenditures imposed by the act, any debt owed by the reporting principal campaign committee for campaign expenditures still outstanding on December 31 shall be deemed a campaign expenditure for the reporting period ending December 31.

**EPB 23 Disclaimer for unauthorized expenditures.** Any person, committee or fund which solicits or accepts contributions or makes expenditures on behalf of any candidate without the written authorization of that candidate must disclose its lack of authorization on all oral and written communications. Such disclosure shall state in conspicuous type or clear oral announcement on each communication, as follows:

"The actions of \_\_\_\_\_ (name of person, committee or fund) are made on behalf of \_\_\_\_\_, but are made without his authorization or consent, express or implied, and he is not responsible for these activities".

**EPB 24 Disclosure requirements.** All contributions, in excess of \$50 for legislative candidates and in excess of \$100 for statewide candidates must be disclosed in accordance with the provisions of the act and these regulations. If any reporting committee or fund financially supports or opposes any candidate for the state legislature it must disclose all contributions received in excess of \$50. If the reporting committee or fund financially supports or opposes only statewide candidates it must disclose contributions received in excess of \$100.

**EPB 25 Earmarked contributions.** Each person, committee or fund which receives or makes an earmarked contribution (including any transfer of funds) that is subject to the reporting requirements of the act shall report:

A. the name, address, (and if an individual, employer or, if self-employed, occupation) of the donor who originally made the earmarked contribution;

B. the name and address of the candidate, committee or fund for whom the contribution is earmarked;

C. the amount of such contribution earmarked for each such candidate, committee or fund; and

D. the aggregate amount earmarked for such candidate, committee or fund.

**EPB 26 Exemptions from disclosure.**

A. Any individual or association may seek an exemption from the disclosure requirements of the act if disclosure would expose that individual or any members of that association to economic reprisals, loss of employment or threat of physical coercion.



**B.** Any individual or association seeking such an exemption from the disclosure requirements shall submit a written application to the Board setting forth in detail the reasons justifying the claim for exemption. Such a claim must be filed no later than 30 days before the next applicable reporting date.

**C.** If an individual decides to proceed anonymously in seeking an exemption, he shall designate a representative to present the claim on his behalf. The Board shall establish such procedures as may be necessary in the particular case to protect the anonymity of the individual seeking the exemption.

**EPB 27 Identification number.** Upon receipt of a Registration and Statement of Organization (EPB Form 1) the Board shall assign an identification number to the registering committee or fund, acknowledge receipt of the statement and notify the committee or fund of the number assigned. This identification number shall be entered by the committee or fund on all subsequent statements or reports as well as on all communications with the Board.

**EPB 28 Joint checks.** When a contribution is given on a joint check, it shall be deemed a contribution by the signator(s) of the check unless otherwise specified by the signator(s). When a contribution is given on a joint check and specified as a joint contribution it shall be deemed a contribution by each of the contributors in an amount proportional to the total number of contributors.

**EPB 29 Limitations on contributions and expenditures.**

**A.** No individual, committee or fund, except a political party or the principal campaign committee of a candidate, shall make a contribution to or expenditure on behalf of a candidate in an aggregate amount in excess of ten percent of the applicable spending limit for that candidate.

**B.** No political party shall make a contribution to or expenditure on behalf of a candidate in an aggregate amount in excess of fifty percent of the applicable spending limit. For the purpose of this regulation, a political party includes a political party's organization within congressional districts, counties, legislative districts, municipalities, wards, precincts and any legislative body.

**EPB 30 Loans not repaid.** For the purposes of

limits on contributions imposed by the act, any loans from other than a national or state lending institution made in the ordinary course of business to the reporting committee or fund not repaid by December 31, shall be deemed a contribution for the reporting period ending December 31.

**EPB 31 Non-campaign expenditures.** If an expenditure is not made for the purpose of purchasing goods or services used to influence the nomination for election or election of a candidate it shall be deemed to be a non-campaign expenditure and shall be reported on the appropriate schedule. The treasurer making the report shall provide upon request of the Board appropriate justification that the expenditure was not made for the purpose of purchasing goods or services used to influence the result of an election governed by this act.

**EPB 32 Petty cash.** Within any reporting period the treasurer of any reporting committee or fund may report as an expenditure for the purpose of "petty cash" an aggregate amount equal to \$100 per week if the committee or fund is supporting a candidate for statewide office or \$20 per week if the committee or fund is supporting a candidate for legislative office.

**EPB 33 Receipted bills.** A copy of a cancelled check with an invoice stating the purpose of the expenditure shall be deemed a receipted bill. The treasurer shall keep all receipted bills and accounts for four years. A treasurer may transfer records and receipts to a new treasurer relieving that treasurer of record retention responsibility by written notification to the Board, which shall include date, name and address of new treasurer, and signed by both the old and new treasurer.

**EPB 34 Recording contributions.** Every individual committee or fund that receives an individual contribution in excess of \$20 (including individual cash contributions received in mass collections) shall record the name and address of the contributor of each such amount. On demand of the treasurer and in any event within 14 days after receipt of such contribution the record of each such contribution together with the contribution shall be transmitted to the treasurer responsible for filing reports of receipts and expenditures.

**EPB 35 Recording expenditure.** The treasurer shall keep a record of every expenditure made by the committee or fund. He shall obtain a receipted bill, stating the particulars, for every expenditure on behalf of the

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committee or fund of over \$100 and for any expenditure in lesser amount if and when the aggregate amount of lesser expenditures to the same person during a year exceeds \$100.

**EPB 36** Support of and opposition to a candidate. For the purpose of this act, these rules, and the forms prescribed by the Board, influencing the nomination for election, or election of a candidate includes action in support of, or opposition to a candidate. The reporting requirements extend to support of or opposition to any candidate.

When a committee or fund is established primarily to support a candidate it shall designate the name of the candidate being supported on the Registration and Statement of Organization (EPB Form 1). When a committee or fund is established primarily to oppose a candidate it shall designate the name of the candidate opposed in lieu of any designation of the name of candidate supported.

**EPB 37** Termination of committees and political funds. After having filed a Registration and Statement of Organization with the Board, any committee or fund which determines that it will no longer receive contributions or make expenditures in support of any candidate for statewide or legislative office shall so notify the Board. Such notification shall consist of a Termination Report that covers the period from the closing date of the last previous report filed through the date of termination, together with a statement as to the disposition of residual funds, and both shall be signed. A committee may not terminate if it has outstanding debts. Any terminated committee which subsequently becomes subject to the registration and reporting requirements of the act is required to register.

**EPB 38** Complaints of violations.

A. Any person who believes a violation of the act or of these rules has occurred may file an oral or written complaint with the Board. When a written complaint is received from a registered voter, it shall be marked to show the date of receipt and acknowledged by letter within 5 days of receipt.

B. There is no prescribed form for a written complaint, but all such complaints shall be typewritten or handwritten legibly in ink. The name and address of the person making the complaint shall be typewritten or hand printed on the complaint and it shall be signed by such person. A complaint shall name the alleged violator, describe in detail the alleged violation and shall be submitted together with any evidentiary material. Complaints will not be available for public inspection or copying.

C. Upon receipt of a complaint, the Board shall cause to be investigated the alleged violation and take

appropriate action. No investigation shall be required if a complaint is frivolous on its face, illegible, too indefinite, does not identify the violator or is unsigned.

D. If upon investigation, the Board finds probable cause of criminal violation the matter shall be referred to the appropriate law enforcement authorities. The Board may commence action for injunctive relief in district court in appropriate cases.

E. Any meeting or portion of a meeting during which the Board is hearing testimony or taking action concerning any complaint or investigation shall be closed to the public and the minutes of such meeting kept confidential until the Board makes a finding that there is or is not probable cause to conclude that a violation of the criminal provision of the act or other campaign laws has occurred, or until the Board has determined that an action for injunctive relief should or should not be commenced, or until the Board has otherwise resolved the matter.

**EPB 39** The EPB Forms referred to herein, are not part of these rules and may be altered by the Board without rule changes.

## Chapter Two

### EPB 100 Statements of Economic Interest

A. Form for filing. Every public official or candidate for elective office required to file a Statement of Economic Interest shall set forth the required information on a form prescribed by the Board.

B. Time for Filing by Candidates. Every candidate for statewide or legislative office, excluding candidates for supreme court justice or district court judge, shall file a Statement of Economic Interest within 14 days after filing an affidavit of candidacy or petition to appear on the ballot, provided that August 7, 1974, shall be the earliest date upon which any Statement of Economic Interest must be filed.

#### C. Time for Filing by Public Officials.

1. Each public official in office on April 13, 1974, or any individual who accepts employment as a public official between April 13, 1974, and June 8, 1974, inclusive, and who is still in office on August 7, 1974, shall file a Statement of Economic Interest with the Board on or before August 7, 1974. Each individual who accepts employment as a public official after June 8, 1974, shall file a Statement of Economic Interest within 60 days after accepting employment, and if the advice and consent of the senate is required, prior to submission of his name to the senate. No individual shall be required to file more than one Statement of Economic Interest in any year. An individual who holds more than one public office for which a Statement

of Economics Interest is required, shall include a listing of all such offices held.

2. In 1975 and subsequent years, each public official who has previously filed a Statement of Economic Interest shall file a supplementary Statement of Economic Interest on or before April 15 of each year.

3. In 1975 and subsequent years, a public official who has filed a Statement of Economic Interest and who thereafter files as candidate for statewide or legislative office shall file an amendment to the statement within 14 days after filing an affidavit of candidacy or submitting a petition to appear on the ballot.

D. Occupation and principal place of business. For statement of occupation, the individual shall state his principal occupation, i.e. the occupation at which he spends most of his working hours or which provides his major source of compensation. "Principal place of business" means the name of the entity providing the individual's principal occupation.

E. Business with which the individual is associated. Each individual who files a Statement of Economic Interest shall state the name of each business with which he is associated and the nature of that association. For purposes of these rules, an individual is associated with a business in the following cases:

1. when he receives compensation other than for actual and reasonable expenses, in excess of \$50 in any month as a director, officer, owner, member, partner, employer or employee; or

2. when he is a holder of securities worth \$2,500 or more at fair market value.

#### F. Compensation.

1. "Compensation" includes every kind of compensation for labor or personal services of every kind from any private or public employment office, position, or occupation.

2. "Source of compensation" includes the name of the corporation, partnership or other entity from which the individual receives payment in compensation. An individual who is self-employed is required to list only the name of the proprietorship or description of the occupation in which the individual is self-employed (e.g. farming, practice of law as sole proprietor), and is not required to list the names of the corporation, partnerships, or other entities making payments in compensation to the individual in his capacity as a self-employed individual.

3. For purposes of an original Statement of Economic Interest, "compensation in any month" includes compensation received only in the calendar month immediately preceding the date of appointment as a public official or filing as a candidate. For purposes of this rule, the calendar month for reporting compensation is July, 1974, for any individual who holds public office as of April 13, 1974, or at any time thereafter through July 31, 1974, and who is still in office on the date of filing.

4. For purposes of a supplementary Statement of Economic Interest to be filed on April 15, "compensation in any month" includes compensation received in any month between the end of the period covered in the preceding Statement of Economic Interest and March 31, inclusive.

5. For purposes of calculating the amount of compensation received from any single source in a single month, such amount shall include the total amount received from such source during the month, whether or not the amount covers compensation for more than one month.

#### G. Securities.

1. "Securities" includes any stock, share, bond, warrant, option, pledge, note, mortgage, debenture, lease or commercial paper in any corporation, partnership, trust or other association.

2. A "holder of securities" or individual who "holds securities" is an individual having an ownership interest in any security as defined herein, or who is the trustee or beneficiary of any trust.

3. For purposes of an original Statement of Economic Interest, "securities" includes only securities held on the date of appointment as a public official or filing as a candidate. For purposes of this rule, "date of appointment" means July 31, 1974, for any individual who holds public office as of April 13, 1974, or at any time thereafter through July 31, 1974, and who is still in office on the date of filing.

4. For purposes of a supplementary Statement of Economic Interest to be filed on April 15, "securities" includes any security held at any time between the end of the period covered by the preceding Statement of Economic Interest and March 31, inclusive.

5. For purposes of indicating the address of the entity in which stock is held, the registered office or principal place of business shall be stated, except that if stock is listed on one of the national exchanges, and

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the address of the entity is not known, the name of the exchange shall suffice.

#### **H. Real Property.**

1. A separate listing shall be made to indicate each deed or documents pursuant to which the individual's interest was acquired, except that only one listing is required if there are multiple deeds or documents covering the same real property.

2. For purposes of determining the individual's amount of interest in the real property, the value of the property shall be the market value shown on the property tax statement.

3. For purposes of an original Statement of Eco-

nomic Interest, the individual shall indicate the location of only those real properties held on the date of appointment as a public official or filing as a candidate, and in which his interest is in excess of \$2,500. For purposes of this rule, "date of appointment" means July 31, 1974, for any individual who holds public office as of April 13, 1974, or at any time thereafter through July 31, 1974, and who is still in office on the date of filing.

4. For purposes of a supplementary Statement of Economic Interest, the individual shall indicate the location of any real property held at any time between the end of the period covered by the preceding Statement of Economic Interest and March 31, inclusive, in which his interest is in excess of \$2,500.

# Proposed Rulemaking

## OFFICE OF THE ATTORNEY GENERAL

### PROPOSED RULES OF THE ATTORNEY GENERAL GOVERNING RULEMAKING AND CONTESTED CASES.

#### Notice of Hearing

Notice is hereby given that a public hearing will be held pursuant to Minn. Stat. § 15.0412, subd. 1, in the above-entitled matter in the State Office Building, St. Paul, Minnesota, on August 17, 1976, commencing at 9:00 A.M., and continuing until all representatives of associations or other interested groups or persons have had an opportunity to be heard concerning adoption of the proposed rules captioned above by submitting either oral or written data, statements or arguments. Statements or briefs may be submitted without appearing at the hearing.

The subject matter of the amendments is:

1. Amendments of rules to correspond with the Administrative Procedures Act amendments of 1975;
2. Reduction of the number of copies of documents required for Attorney General's review of agency rules, and requirement of new documents called for by the Administrative Procedures Act;
3. Clarification of the procedure for Attorney General's review and repeated revision of rules following such review;
4. Provision for notification of interested persons by the promulgating agency of submission of rules to the Attorney General for review;

5. Adoption of a form for petition for adoption, amendment, or repeal of rules; and

6. Repeal of the Model Rules for Contested Cases.

A copy of the proposed rules may be obtained by writing the Office of the Attorney General, 102 State Capitol, St. Paul, Minnesota 55155.

Please be advised that pursuant to Minn. Stat. § 10A.01, subd. 11 (1974) any individual engaged for pay or other consideration for the purpose of representing persons or associations attempting to influence legislative action, such as the promulgation of these rules, must register with the State Ethical Practices Board, 410 State Office Building, St. Paul, Minnesota 55155, as a lobbyist within five days of the commencement of such activity by the individual.

The Statement of Need, explaining the necessity for the adoption of these rules, and the Statement of Evidence, which outlines the testimony to be introduced by the Office of the Attorney General at the hearing, will be filed with the Office of Hearing Examiners at least 25 days prior to the hearing and will be available there for public inspection.

Warren R. Spannaus  
Attorney General  
June 24, 1976

#### Rules as Proposed

##### Rules [and Regulations] of the Attorney General

##### Chapter Three: Rulemaking Procedures (Non-Contested Cases)

**AttyGen 301 Applicability and purpose.** These [regulations] **rules** shall govern the Attorney General when, pursuant to [M.S.] Minn. Stat. § 15.0412, Subd. 4, or any other statutory authority, he is required to approve

rules [and regulations] adopted [thereunder] as to form and legality.

The procedures embodied herein are designed to ensure the legality of the rules adopted and fairness to the affected members of the public.

**AttyGen 302 Documents.** When the Attorney General, pursuant to statutory authority, reviews [regulations] **rules** as to form and legality, he shall require

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submission to him of the original and [two copies] **one copy** (except where noted) of the following documents:

A. [Regulations] **Rules** as adopted. The original and [F] five copies of the [regulations] **rules** as adopted must be submitted.

B. [Regulations] **Rules** as proposed. The [regulations] **rules** as proposed shall be those [regulations] **rules** available at the hearing.

C. Order [of] **for** Hearing. [See Exhibits A, B-1 and B-2] The Order for Hearing must contain the following:

1. When and where the hearing is to be held.

2. That notice be given to all persons who have registered their name with the Secretary of State for that purpose.

3. The signature of the person authorized to call or set a hearing date. If a board is involved the person signing the order must be so authorized and that authority must be of record and attached to this order.

D. Notice of Hearing. [See Exhibits D and E] The Notice of Hearing must contain the following:

1. When and where the hearing is to be held.

2. That all [interested parties] **persons** will have an opportunity to be heard.

3. A statement or a description of the subjects and issues involved. If the proposed rules themselves are not included with the notice then the notice must clearly show the nature and extent of the proposed rules.

[4. The manner in which interested parties may present their views.]

E. Secretary of State's List. [See Exhibits C-1 and C-2]

1. The Secretary of State's List shall list all associations or persons who have registered with the Secretary of State for the purpose of receiving notice of public hearing on proposed rules.

2. This list shall be accompanied by a document which shows that the list was obtained from the Secretary of State within a reasonable period of time before the Notice of Hearing was mailed.

F. Affidavit of Mailing. [See Exhibit F-1] The Affidavit of Mailing shall establish that a person served a copy of the Notice of Hearing to all persons and associations at the addresses listed on the Secretary of State's List by depositing in the United States mail a true and correct copy of the Notice of Hearing, properly enveloped, with postage prepaid.

The affidavit of the person mailing the Notice of Hearing shall be notarized.

G. Statement of Need. [See Exhibit F-2] The State-

ment of Need shall contain a recitation of the reasons which support a finding of need for the rules. If the agency acts pursuant to a petition (see [M.S.] Minn. Stat. § 15.0415 which sets forth reasons, such a petition may be substituted for the Statement of Need. A general statement of statutory implementation will not suffice.

H. Hearing Examiner's Findings and Recommendations.

I. Agency's Findings of Fact. [See Exhibit G-2] The Findings of Fact must contain that which the agency finds to be the facts [which] support[s] ing the [reasons or] need for and reasonableness of the rules adopted. Findings of Fact may be simply an adoption of the Hearings Examiner's Findings, or an adoption of such Findings with exceptions taken. Where such exceptions are taken, the Findings of Fact shall set forth the reasons therefor, with citations to relevant testimony, data and evidence.

In addition, the Findings of Fact shall set forth the reasons for changes between the Rules as Proposed and Rules as Adopted, including discussion of relevant testimony, data and evidence.

J. Order Adopting Rules. [See Exhibit G-1, H-1 and H-2]

1. The Order Adopting Rules shall recite the time and place of the hearing, that proper notice was served, that all [parties] **persons** were given the opportunity to be heard, and that the rules adopted are based on the record, applicable statutes and an existing need.

2. If the agency is not a board, the order shall be signed by an authorized person. If the agency is a board, the rules may be adopted only at a meeting duly called and attended by a quorum. The action should be in the form of a resolution. (For a suggested form, see Exhibit H-1.) [.] Once the rules are adopted at a meeting, that action shall be shown by a certification by the appropriate member. (For a suggested form, see Exhibit H-2.) [.] In its original resolution a board may not authorize one member to approve and adopt final rules.

K. Petition for Adoption, Suspension, Amendment or Repeal of Rule. If the agency has adopted, suspended, amended or repealed a rule or rules in response to a petition filed pursuant to Minn. Stat. § 15.0415:

1. Such petition shall be submitted to the agency in the form of Exhibit J.

2. Such petition shall be served on the commissioner or chairman of the affected agency or board personally or by United States mail at the business address of the agency or board.

3. The agency or board shall have sixty days from receipt of such petition to make its reply. The reply shall:

a. Be in writing,

b. Respond specifically to all points raised in the petition, and

c. Be signed by the agency commissioner, deputy, assistant, or, in the case of a board, any of its officers or executive secretary upon approval by the board.

#### AttyGen 303 Record.

A. A transcript shall be prepared of all hearings on proposed [regulations] rules. A copy of this transcript and all exhibits shall accompany [regulations] rules submitted to the Attorney General for review as to form and legality.

B. The transcript shall show that at the hearing the agency recited the reasons why the proposed rules are needed.

C. The record must support the rules as adopted.

D. The record shall show that all [interested parties] persons were afforded [an] reasonable opportunity to speak and otherwise present evidence to the agency.

E. The record shall show that a reasonable time period, at least 20 days, was allowed subsequent to the hearing for [interested parties] persons to submit briefs or other written material relative to the proposed rules. The time [to be] allowed must have been stated at the hearing.

**AttyGen 304 Further hearings shall be held if the proposed rules are changed before adoption.** If a change is made which goes either to another subject matter or results in a rule fundamentally different from that contained in the Notice of Hearing, a further hearing must be held, at least [on the rules] insofar as the[y] rules relate to another subject matter or are fundamentally different from the Notice of Hearing.

#### AttyGen 305 Duties of the Attorney General.

A. [Regulations] Rules must be approved or disapproved within 20 days after receipt.

1. If he approves the rule, he shall file it promptly in the office of the Secretary of State.

2. If he disapproves the rule, he shall state in writing [his reasons therefor and] the applicable criteria from Rule AttyGen 305B, including specific application of those criteria to the part or parts of the rule that necessitate its disapproval. [t]The rule shall not be filed in the office of the Secretary of State nor shall it be published.

[3. If he fails to approve or disapprove any rule within the 20-day period, the agency may file the rule in the office of the Secretary of State and publish the same.]

3. If he returns any rule to an agency for revision, the 20-day period is terminated and he shall have another 10 days for review when the rules are resubmitted. If the rules are returned to the agency for additional revision, he shall have 10 days for review each time they are resubmitted.

B. Approval as to form and legality.

1. Regarding form, the rules [may] shall be disapproved if the rules, record and or supporting documents do not demonstrate compliance with these [regulations] rules and [regulations] rules of the Minnesota State Publications Board.

2. Regarding legality, the rule shall be disapproved if it:

a. Exceeds the statutory authority conferred. [or]

b. Fails to meet the statutorily required conditions as to adoption and content [have not been met].

c. Conflicts with the governing statute, relevant judicial decision or other [relevant] pertinent law.

d. Has no reasonable relationship to statutory purposes.

e. Is unconstitutional, vague, arbitrary or unreasonable.

C. If a person or association advises the Attorney General that he wishes to [question] object to the legality of the rules, he shall be permitted to do so by submitting a [further] brief or making an oral argument, whichever the Attorney General deems appropriate in the particular case. This must be done within 10 days after receipt of the rules by the Attorney General. The Attorney General must retain the rules for at least 10 days to allow for such objections.

At the time the rules are submitted to the Attorney General for approval, the agency shall notify anyone who has made a written request for notification of such submission; such notification shall be made by U.S. mail no later than the day on which the rules are submitted to the Attorney General. The agency shall announce at the public hearing that such notification will be made upon written request made within the period following the hearing during which the record is kept open.

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**AttyGen 306 Effective date.** These [regulations] rules shall be effective as to [regulations] rules where the Order of Hearing was issued after the filing of these rules with the Commissioner of Administration.

AttyGen 307-325 Reserved for future use.

**[Chapter Four: Model Rules For Contested Cases]**  
(Repealed in its entirety.)

## Forms to Accompany Rules as Proposed

### Exhibit G-1: Order Adopting Rules.

STATE OF MINNESOTA      BEFORE \_\_\_\_\_  
COUNTY OF RAMSEY      COMMISSIONER  
   OF \_\_\_\_\_

In the matter of the Proposed  
Adoption of Rules of the State  
\_\_\_\_\_ Division Governing  
\_\_\_\_\_  
ORDER  
ADOPTING  
RULES

The above-entitled matter came on for hearing before the \_\_\_\_\_ Commissioner of the State of Minnesota on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_:00 \_\_\_\_m. in the (State Office Building Auditorium, St. Paul, Minnesota,) after proper notice required by [M.S.] Minn. Stat. 19\_\_\_\_, Section 15.0412 was served upon all persons, associations and other interested groups registered with the Secretary of State for that purpose.

After affording interested persons an opportunity to present written and oral data, statements and arguments, having heard all of the testimony, having considered all of the evidence adduced and upon the records, files and proceedings herein, and applicable statutory standards or criteria, and having confirmed the need for the above-captioned rules[.],

NOW, THEREFORE, IT IS ORDERED that these rules identified as \_\_\_\_\_ are adopted this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, pursuant to authority vested in me by \_\_\_\_\_.

STATE OF MINNESOTA  
\_\_\_\_\_  
DIVISION  
\_\_\_\_\_  
STATE \_\_\_\_\_ COMMISSIONER

## Exhibit J: Petition for Adoption, Suspension, Amendment or Repeal of Rule

STATE OF MINNESOTA (OFFICIAL USE ONLY)

PROPOSED RULE \_\_\_\_\_  
AMENDMENT (Name of agency, board  
commission or department)

DATE RECEIVED \_\_\_\_\_

DATE RESPONDED TO \_\_\_\_\_

ACTION TAKEN \_\_\_\_\_

DATE \_\_\_\_\_

NAME \_\_\_\_\_

GROUP REPRESENTED

OR TITLE \_\_\_\_\_

ADDRESS \_\_\_\_\_

I hereby request that the Agency/Board/Commission/  
Department named above:

(Check one)

\_\_\_\_ Adopt a new rule governing \_\_\_\_\_

\_\_\_\_ Suspend Rule \_\_\_\_\_

\_\_\_\_ Repeal Rule \_\_\_\_\_

Insert here the new rule or rule change, with the exact wording proposed. Present wording of the rule is to be shown, with all wording that is to be deleted to be shown with a line drawn through the words. All proposed new wording is to be underscored.

(Use additional pages if necessary)

State here in as much detail and as completely as possible the reasons for your request, as the department will use as part of the basis for its decision the explanation or reasons given for your request.

(Use additional pages if necessary)



# Official Notices

## ENVIRONMENTAL QUALITY COUNCIL

### EQC MONITOR

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#### The Environmental Quality Council

The Environmental Quality Council, or EQC, has an overall objective to promote and insure cooperation and coordination among state agencies on matters significantly affecting the environment.

The EQC also reviews major actions, programs and legislation to resolve conflict and to insure agency compliance with the 1973 Minnesota Environmental Policy Act, and then to provide comment to the Governor, the Legislature, and the appropriate state agencies.

#### Members

Peter Vanderpoel, Chairman  
Director, State Planning Agency  
Peter Gove, Executive Director  
Minnesota Pollution Control Agency  
Robert Herbst, Commissioner  
Department of Natural Resources  
Andrew Kozak  
Special Assistant to the Governor  
Warren Lawson, Commissioner  
Department of Health

Barbara Lukermann, citizen member  
Richard Magnuson, citizen member  
Frank Marzitelli, Commissioner  
Department of Highways  
John Millhone, Director  
Minnesota Energy Agency  
Wesley Ohman, citizen member  
Jon Wefald, Commissioner  
Department of Agriculture  
One additional member, as yet unappointed

#### Programs

The EQC is responsible for administering the following activities:

- Environmental Impact Statement Process;
- Power Plant Siting and Transmission Line Routing;
- Critical Areas Planning Process; and
- Early Notice System.

#### The Environmental Impact Statement Process

An Environmental Impact Statement (EIS), a provision of the 1973 Minnesota Environmental Policy Act, is an informational document which provides a thorough evaluation of the environmental effects of a proposed project. An environmental assessment is a preliminary report used to determine whether an EIS is necessary. Both are useful planning tools which can create an awareness of the environmental significance and impact of our actions.

#### Power Plant Siting

The increasing demand for electrical power has necessitated construction of power plants and transmission lines at an accelerating rate. In addition, these facilities have increased in size and now require more land, air, and water than in the past. Citizens, state agencies and electric utility officials recognized this problem and saw the need for comprehensive public planning for siting and routing electric facilities.

In 1973, the Minnesota Legislature responded with

the Power Plant Siting Act. Following the policy stated in the act, the EQC has authority to site all power plants over 50 megawatts in generating capacity and to route all transmission lines operating at a voltage of 200 kilovolts or more. In addition, the EQC is required to appoint advisory committees and to insure broad citizen participation in the process.

### **The Critical Areas Planning Process**

The Critical Areas Act, passed by the 1973 Minnesota Legislature, provides a process for planning and management of an area of regional or statewide public

interest. Its purpose is to protect historical, cultural, scientific or natural resources while allowing compatible development.

### **The Early Notice System**

The EQC is responsible for establishing a procedure for giving early notice to the Governor and the public of permit applications and other impending state actions which have the potential for significant environmental impact. EQC is currently promulgating rules for administering the Early Notice System.

### **Actions Taken at the June 3, 1976 EQC Meeting**

1. Found Environmental Impact Statement (EIS) on Cooperative Power Association (CPA)—United Power Association (UPA) Transmission Route adequate.
2. Designated a route and issued a Construction Permit for CPA-UPA Transmission Route.
3. Recommended that the Governor designate the Twin Cities Corridor of the Mississippi River a Critical Area.
4. Ordered Environmental Assessment (EA) on Foley Woods Planned Unit Development (P.U.D.) and designated City of Coon Rapids as responsible agency.
5. Ordered EA on Jefferson Street widening and designated City of Columbia Heights as responsible agency.
6. Found EA on Springbrook Farm gravel mining adequate with DNR suggested conditions to Rice County.
7. Found EA on Rhude-Fryburger mining operation adequate and determined no EIS required.
8. Found EA on 57th and Thomas Minneapolis Housing and Redevelopment project adequate and determined no EIS required.

### **Actions Taken at the June 21, 1976 EQC Meeting**

1. Found EIS on Reserve Mining Company's On-Land Tailings Disposal project adequate.

**FOR FURTHER INFORMATION, CONTACT:**  
The Minnesota Environmental Quality Council

100 Capitol Square Building  
550 Cedar Street  
St. Paul, Minnesota 55101  
PHONE: 612/296-3985

### **Public Information Meeting**

for the  
**Minnesota Environmental Quality Council**  
**Regional Copper-Nickel Project**

A general informational meeting on the goals and programs of the Regional Copper-Nickel Project will be given by the Minnesota Environmental Quality Council. Bob Poppe, Executive Director of the Copper-Nickel Project will give a 45-minute narrative presentation with slides. A discussion period will follow and questions will be answered by a panel of staff members.

These informational meetings will be held at the following times and places:

July 26, 1976 at 7:00 p.m. in Room 81 of the State Office Building, St. Paul, Minnesota.

July 27, 1976 at 7:00 p.m. in Room 175 of the Life Science Building, University of Minnesota Duluth Campus, Duluth, Minnesota.

For further information contact: Minnesota Environmental Quality Council, Copper-Nickel Project, Suite 109, Hennepin Square Building, 2021 East Hennepin Avenue, Minneapolis, Minnesota 55413 (612/378-7770).

# **Notice of Public Hearings**

## **Site Selection of St. Louis County Power Plant**

Public Hearings on the site selection for the proposed **Minnesota Power and Light Company 800 mega-watt electric power plant to be located between the cities of Floodwood and Brookston, Minnesota** on the St. Louis River in St. Louis county will be continued at the following times and places:

July 27, 1976 at the Floodwood Community Center, Floodwood, MN from 10:00 AM to 5:00 PM and continuing that evening starting at 7:00 PM.

July 28, 1976 at the Floodwood Community Center, Floodwood, MN from 10:00 AM to 5:00 PM.

**Additional hearings may be held at the discretion of the hearing officer.**

Information about the plant and the proposed sites has been placed in public libraries at the following locations: Duluth, Cloquet, Grand Rapids, Hibbing, Minneapolis and St. Paul. This information has also been placed in school libraries in Brookston, Floodwood, and Meadowlands; and in the Arrowhead Regional Development Commission Office in Duluth; in the St. Louis County Planning and Zoning Office in Duluth; and in the Environmental Quality Council Office in St. Paul.

All interested citizens are urged to attend and participate in public hearings.

For further information write or call the Environmental Quality Council, Power Plant Siting, 100-Capitol Square Building, 550 Cedar Street, St. Paul, MN 55101 (612-296-2169).

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(End of EQC Monitor)

## DEPARTMENT OF ADMINISTRATION

### OFFICE OF THE STATE REGISTER

#### State Register Schedule for Acceptance and Publication of Materials

For Issue Published	Copy Must Be Into the Office of the State Register By 4:30 p.m. On:	Issue Number:	For Issue Published	Copy Must Be Into the Office of the State Register By 4:30 p.m. On:	Issue Number:	For Issue Published	Copy Must Be Into the Office of the State Register By 4:30 p.m. On:	Issue Number:
7/13	6/28	1	9/14	8/30	10	11/15	11/1	19
7/20	7/6	2	9/21	9/7	11	11/23	11/8	20
7/26	7/12	3	9/27	9/13	12	11/30	11/15	21
8/2	7/19	4	10/4	9/20	13	12/7	11/22	22
8/9	7/26	5	10/12	9/27	14	12/13	11/29	23
8/16	8/2	6	10/18	10/4	15	12/20	12/6	24
8/23	8/	7	10/26	10/12	16	12/28	12/13	25
8/30	8/16	8	11/1	10/18	17	1/4	12/20	26
9/7	8/23	9	11/8	10/25	18	1/10	12/27	27

### MINNESOTA ENERGY AGENCY

#### Notice of Intention to Solicit Outside Information

##### Decorative Gas Lamps

NOTICE IS HEREBY GIVEN that the Minnesota Energy Agency (hereafter the "agency") is seeking information or opinions from sources outside the agency in preparing to propose the adoption of rules governing criteria and application forms for variance to the state law prohibiting all decorative gas lamps after April 20, 1977, Minn. Laws 1976, ch. 333 § 5-6. The rules would establish the criteria that will be used to determine the need for a variance to the ban on decorative gas lamps. In addition, the rules would establish the form that would be used in applying for such a variance.

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

Richard A. Wallen  
Minnesota Energy Agency  
740 American Center Building  
160 East Kellogg Boulevard  
St. Paul, MN 55101

Oral statements will be received during regular business hours over the telephone at (612) 296-7457, and in person at the above address.

All statements of information and comment must be received by August 24, 1976. Any written material received by the agency shall become part of the hearing in the event rules governing this subject are promulgated.

Richard A. Wallen  
Director, Certificate  
of Need Program

### STATE ETHICAL PRACTICES BOARD

#### Seminar on Campaign Financing and Public Financing

The State Ethical Practices Board will hold a seminar on Thursday, July 29, 1976, at 1:00-5:00 p.m. or 7:00-10:00 p.m. on the subject of Campaign and Public Financing which will include instruction in general provisions of relevant law, accounting instructions, explanation of forms, definitions of terms, rules and regulations, and ethics in government law.

Candidates, committees, funds, and interested persons or groups are welcome to attend.

## STATE ETHICAL PRACTICES BOARD

### Receipt of a Request for an Advisory Opinion

#### Lobbyist Reports

The State Ethical Practices Board announces the receipt on June 11, 1976, of a request for an advisory opinion clarifying reporting for lobbyists as follows, and solicits comments, written or oral, from any interested persons or associations prior to Board approval of an advisory opinion:

MINNESOTA FARM BUREAU FEDERATION  
1976 Wooddale Dr., P.O. Box 3370  
St. Paul, Minn. 55165 / (612) 739-7200

June 9, 1976

Mr. B. Allen Clutter, III  
Executive Director  
State Ethical Practices Board  
410 State Office Building  
St. Paul, MN. 55155

Dear Mr. Clutter:

In response to your June 15, 1976, letter regarding new changes in the definition of a lobbyist I have a few questions and wish to have an advisory opinion from the Ethical Practices Board.

We have a watts line in our office. I occasionally use this watts line to contact a legislator to urge him or her to be against or in favor of a specific issue. Should I report a percentage of the cost of this watts line as lobbying expense?

During each legislative session we publish a Legislative Newsletter which is sent to county Farm Bureau leaders. The Newsletter contains up-to-date information on issues of concern to the Farm Bureau member. Occasionally we will urge the recipient, in this publication, to contact his or her legislator on a specific issue urging him or her to be against or in favor. Should this publication be reported as a lobbying expense? If so should the following be reported: (a) secretary's time to type the mats, (b) cost of the mats, (c) ink for the printer, (d) part of printer's salary, (e) cost of paper, (f) postage, (g) salary of person to assemble and mail newsletter.

We send a monthly publication to our 34,000 member families. Occasionally we might urge the reader to contact a public official on an issue. Should the cost of this publication be reported as a lobbying expense in the same manner as our Legislative Newsletter?

Occasionally we will send a letter or two to legislators on a specific issue urging him or her to vote against or

in favor of an issue. Should our cost of preparing and sending these letters be reported as lobbying expenses?

We use our office phones frequently to contact public officials and/or legislators on issues and many times urging them to be against or in favor of an issue or a regulation. Should we report a percentage of our phone bill as a lobbying expense?

It is my intent to comply with your regulations as completely as possible and an advisory opinion would assist me to do so.

Thank you.

Very truly yours,

/s/Vern Ingvalson,  
Vern Ingvalson, Manager  
LEGISLATIVE DIVISION

## OFFICE OF THE GOVERNOR

### STATEWIDE HEALTH COORDINATING COUNCIL Nominations Solicited

Notice is hereby given that a Statewide Health Coordinating Council will be established for the state of Minnesota under the provisions of the National Health Planning and Resources Development Act of 1974 (P.L. 93-641). The Statewide Health Coordinating Council will review and approve the state health plan, review the budgets of health systems agencies and advise the state agency on the performance of its functions. It will also review any state plan or application for receipt of federal funds allotted to states under P.L. 93-641, the Community Mental Health Centers Act, and the Comprehensive Alcohol Abuse and Alcohol Prevention, Treatment and Rehabilitation Act of 1970.

In compliance with Title 42, Code of Federal Regulations, Part 123.301-303, the Governor will appoint 35 members to the Statewide Health Coordinating Council for the state of Minnesota. The Statewide Health Coordinating Council will be composed of 21 members representing the health systems agencies, 13 members-at-large, and 1 ex-officio member of the Veterans Administration.

The following guidelines have been established for the selection of nominees for the Statewide Health Coordinating Council.

1. Each health systems agency will be entitled to three representatives on the Statewide Health Coordinat-

ing Council. Two of these representatives must be consumers of health care and one must be a provider of health care.

2. Each health systems agency must submit a minimum of ten nominees to the Governor for his consideration. The actual list submitted may contain more than ten nominees.
  - a. At least five nominees must be providers of health care representing each of the following categories:
    - i. health professionals
    - ii. health care institutions
    - iii. health care insurers
    - iv. health professions schools
    - v. allied health professions
  - b. At least five nominees must be consumers of health care. An effort should be made to include nominees representing the area's population (social, linguistic and racial) and local elected officials.
3. Each nominee will be required to complete a biographical sketch to accompany the nomination. The terms "consumer" and "provider" have those definitions set forth in the regulations of P.L. 93-641.
4. The governing body of each health systems agency will be responsible for the selection and submission of nominees to the Statewide Health Coordinating Council. The list of nominees must be accompanied by a letter indicating official action taken by the governing body to approve these nominees.
5. Nominees must be residents of the appropriate health service area and the state of Minnesota. Persons employed as staff or as consultants to the health systems agency may not be nominated for appointment to the Statewide Health Coordinating Council.
6. Nominations must be submitted to the Governor by August 31, 1976.
7. Nominations for members-at-large (members appointed by the Governor who do not represent health systems agencies) will be accepted from professional organizations, consumer organizations, and other interested parties. From these nominees, 13 individuals will be appointed to the Statewide Health Coordinating Council, 7 of whom must be consumers and 6 of whom must be providers of health care.
8. Nominations are to be submitted to:

Office of the Governor  
Room 130 State Capitol  
St. Paul, Minnesota 55155  
Attention: Cyndy Whiteford

## METROPOLITAN COUNCIL

### Notice of Hearing\*

#### Proposed Rules for Matters of Metropolitan Significance

NOTICE IS HEREBY GIVEN that a public hearing in the above-entitled matter will be held in the Metropolitan Council Chambers, 300 Metro Square Building, 7th and Robert Streets, St. Paul, on July 19, 1976, commencing at 1:30 p.m., reconvening at 7:30 p.m. and continuing until all persons have had an opportunity to be heard.

All interested or affected persons will have an opportunity to participate. Statements may be made orally and written materials may be submitted at the hearing. In addition, written materials may be submitted by mail to Mr. Howard Kaibel, State Office of Hearing Examiners, 1745 University Avenue, St. Paul, Minnesota 55104, either before the hearing or within 20 days after the close of the hearing.

The Metropolitan Council is authorized and required by Minnesota Statutes, Section 473.171 as amended by Laws 1976, Chapter 321, Section 2, to adopt regulations dealing with proposed matters of Metropolitan Significance by September 1, 1976. The proposed regulations would establish standards by which the Council will determine which public and private land use and development activities are of Metropolitan Significance and a process for making that determination and for establishing a metropolitan remedy. Metropolitan Significance would be determined by: (1) The potential affect an action will have on the existing or planned metropolitan sewer, transportation (including highways and transit), parks and open space, and airports facilities and systems, or (2) The potential affect of an action on a local governmental unit other than the one in which the proposed matter will be sited. For example, actions involving residential construction, sited outside the existing metropolitan sewer or transportation system, might be reviewed to determine whether they would result in a premature expansion of that system. Actions within portions of the metropolitan area currently served by metropolitan systems as well, might also be reviewed to determine whether they will cause a system expansion, overutilization or relocation. A Metropolitan Significance review may be initiated only by a local governmental unit, independent commission, state agency, metropolitan commission, the Metropolitan Council, or by a petition signed by five thousand adult residents of the metropolitan area. At the conclusion of a Metropolitan Significance review, the statute and the proposed regulations authorize the Council to suspend further construction or development on a proposed matter for a period not to exceed one year.

\*This notice is voluntarily published by the Metropolitan Council, accordingly, it is not accompanied by a full text of the proposed rules.

Copies of the proposed rules will be available on June 16 at the Council offices, and free copies may be obtained by writing to the Metropolitan Council, 300 Metro Square Bldg., St. Paul, 55101, 291-6464. Additional copies will be available at the door on the date of the hearing. A written summary describing the basis for the composition of the draft regulations and a "Statement of Evidence" outlining the testimony the Council will be introducing will be filed with the Hearing Examiner's Office at least 25 days prior to the hearing and will be available there for public inspection.

Please be advised that pursuant to Minn. Stat. Section 10A.01, Subd. 11, any individual engaged for pay or other consideration for the purpose of representing persons or associations attempting to influence administrative action, such as the promulgation of these rules, must register with the State Ethics Commission as a lobbyist within five days of the commencement of such activity by the individual.

Stanley Kegler,  
Vice-Chairman  
June 10, 1976

## **MINNESOTA POLLUTION CONTROL AGENCY**

### **SOLID WASTE DIVISION Notice of Public Meetings**

#### **Hazardous Waste Disposal**

A series of public meetings to obtain written and oral comment from government, industry and the public concerning Minnesota Pollution Control Agency draft hazardous waste regulations will be held during July in Duluth, St. Cloud, the Twin Cities and Rochester. Many Minnesota industries will be affected by the final hazardous waste management regulations, expected to be adopted as state law by April 1, 1977.

The program, the result of 1974 and 1976 state legislation, will regulate the storage, transportation, treatment and final disposal of all hazardous wastes, including waste oils, paint sludges, acids, PCB's, explosives, etc. The draft regulations were developed with the assistance of local government and industry as well as the U.S. Environmental Protection Agency and the National Solid Waste Management Association. Minnesota's hazardous waste program is expected to be a model other states will follow.

Interested citizens and groups will have the opportunity to learn more about the proposed hazardous waste management program and to make statements, comments and recommendations of a technical nature

on the draft regulations at the public meetings. The draft regulations and further information about the meetings will be available by writing to Hazardous Waste Public Meetings, Minnesota Pollution Control Agency, 1935 W. County Road B2, Roseville, Minnesota 55113.

Meetings will start at 9:00 a.m. and extend to 4:00 p.m. or until all comments have been received.

Specific locations and dates for the meetings are:

1. July 19, Duluth, Minnesota. The Duluth Area Vocational School Auditorium, 2101 Trinity Road, Duluth.

2. July 21, St. Cloud, Minnesota. The St. Cloud Area Vocational School Auditorium, 1601 North 9th Avenue, St. Cloud.

3. July 23, Rochester, Minnesota. The Rochester Community College Auditorium, Highway 14 East, Rochester.

4. July 28 and 29, Roseville, Minnesota. The MPCA Board Room, 1935 West County Road B-2, Roseville.

## **DEPARTMENT OF PUBLIC WELFARE**

### **CHEMICAL DEPENDENCY PROGRAM DIVISION STATE DRUG AND ALCOHOL AUTHORITY**

#### **Announcement of Intention to Issue a Request for Proposals**

A request for Proposals will be issued by the Chemical Dependency Program Division, Department of Public Welfare (State Alcohol and Drug Authority) on 30 June 1976, to procure services in support of the evaluation effort mandated by the "Governor's Bill" (Minnesota Law Chapter 125), which provides for programs of prevention, early intervention and treatment of alcohol and drug abuse by employees, Native Americans, youth and other underserved groups. These services, as presently anticipated, would include: the design, installation, implementation, and monitoring of a data collection and reporting system; and the processing and reporting of these data to the State Authority. A cost-reimbursement contract is anticipated, with a maximum of \$50-60,000. Proposals must be received by 1 August 1976. Persons or organizations wishing to receive this RFP should communicate with Dr. Steven Mayer, Coordinator for Evaluation, State Alcohol and Drug Authority, 402 Metro Square Building, St. Paul, MN 55101. Telephone (612) 296-4614.

## **MINNESOTA SOCIETY FOR THE PREVENTION OF CRUELTY**

### **MINNESOTA HUMANE SOCIETY**

#### **State-Wide Fund Drive**

This is to announce that the Minnesota Society for Prevention of Cruelty, Minnesota Humane Society, a 107 year old bureau of the state has just started a state-wide fund drive. State-wide cooperation will be necessary if the drive is to provide the necessary funds to keep the society in operation.

Minn. Stat. § 343.06 specifically spells out the duties of the society; however, prevention of cruelty becomes

very expensive, when the society must confiscate starving abused animals and hold them for months awaiting a court date. One case alone last year cost over \$5,000.00 for veterinary care, housing and food. That is one-third of the \$15,000.00 appropriation given the society by legislative action. The society investigates over 1,000 cruelty cases a year; teaches animal care; encourages spaying/neutering of pet animals; helps start new county humane societies and this past year proved that dogs can be taught to act as ears for the deaf.

Cruelty is on the increase in Minnesota. The state society intends to reverse that trend. Checks are now being received at the Minnesota Humane Society, 117 University Avenue, St. Paul, Minnesota 55155.



**STATE OF MINNESOTA  
OFFICE OF THE STATE REGISTER  
95 Sherburne, Suite 203  
St. Paul, Minnesota 55103**

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