

# State



# Register

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- Health and Development Screening for Pre-School Children  
—Adopted Temporary Rules from the Department of Education
- Exposure to DBCP Limited  
—Emergency Temporary Standard from the Department of Labor and Industry
- Financial Assistance to Mentally Retarded or Epileptic Children  
—Adopted Temporary Rules from the Department of Public Welfare
- Licensure and Continuing Education for Registered Nurses  
—Proposed Rules from the Board of Nursing
- Licensure and Continuing Education for Electrical Contractors  
—Public Opinion Sought by the State Board of Electricity
- Standards of Conduct for Peace Officers in the State of Minnesota  
—Public Opinion Sought by the Board of Peace Officer Standards and Training
- Railroad Changes in Angus; Halstad; and Milaca, Minnesota  
—Notices of Contested Case Hearings from the Department of Transportation
- Statement of Ownership, Management and Circulation  
—Notice from the Office of the State Register

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# CONTENTS

## RULES

### Department of Education

Adopted Temporary Rules Governing Pre-School  
Health and Development Screening ..... 753

### Department of Labor and Industry

Emergency Temporary Standard Limiting Employee  
Exposure to DBCP (1,2-dibromo-3-  
chloropropane) ..... 753

### Department of Public Welfare

Adopted Temporary Rules Governing the Cost of  
Care for Mentally Retarded or Epileptic Children .. 754

## PROPOSED RULES

### Board of Nursing

Proposed Rules Governing Licensure and Continuing  
Education for Registered Nurses ..... 755

## OFFICIAL NOTICES

### State Board of Electricity

Notice of Intent to Solicit Outside Opinion on Proposed  
Rules Governing Licensing and Continuing  
Education for Electrical Contractors ..... 762

### Department of Human Rights

Notice of Settlement Agreements Made between  
September 19, 1977 and October 3, 1977 ..... 762

### Board of Peace Officer Standards and Training

Notice of Intent to Solicit Outside Opinion on  
Proposed Rules Governing Standards of Conduct  
for Peace Officers in the State of Minnesota ..... 763

### Department of Transportation

Notice of Contested Case Hearing on Burlington  
Northern's Petition to Close Freight Depot at  
Angus, Minnesota ..... 763

Notice of Contested Case Hearing on Burlington  
Northern's Petition to Close Station at Halstad,  
Minnesota ..... 764

Notice of Contested Case Hearing on Burlington  
Northern's Petition to Close Station at Milaca,  
Minnesota ..... 765

### Office of the State Register

Statement of Ownership, Management and  
Circulation ..... 767

# MCAR AMENDMENTS AND ADDITIONS

List of amendments and additions to rules con-  
tained in the Minnesota Code of Agency Rules  
(MCAR) as published in the State Register,  
Volume 2:

## TITLE 1 CONSTITUTIONAL OFFICES

Part 3 State Treasurer ..... 662

## TITLE 2 ADMINISTRATION

### Part 1 Administration Department

SBC 6001-6006 (adopted) ..... 173

### Part 2 Personnel Department

Persl 4, 9, 11-12, 19, 21-22, 24, 28-29, 31,  
39-40, 46-47, 61, 65-66, 68, 82, 85, 97, 106,  
109, 129, 131, 133, 135-136, 141, 144, 160-161,  
166-168, 170, 172, 181-182, 203, 224-254  
(proposed) ..... 254

Persl 9, 18-19, 24, 31, 39, 61, 109, 131,  
141, 144, 181, 203 (proposed temporary rules) . 50  
Persl 9, 18-19, 24, 31, 39, 61, 109, 131,  
135-136, 141, 144, 181, 203 (adopted  
temporary rules) ..... 308  
Persl 275-285 (proposed) ..... 92

## TITLE 3 AGRICULTURE

### Part 1 Agriculture Department

3 MCAR §§ 1.0563-1.0568 (proposed) ..... 248  
Emergency Rules 1, 2 (adopted emergency rules) 128  
3 MCAR §§ 1.0583-1.0585 (proposed) ..... 694

## Part 2 Livestock Sanitary Board

3 MCAR §§ 2.002, 2.005, 2.042 (proposed) .. 194

## TITLE 4 COMMERCE

### Part 1 Commerce Department

BD 226, 227 (proposed) ..... 177  
Ins 90, 92 (proposed) ..... 183  
Ins 180-188 (proposed) ..... 178

### Part 6 Accountancy Board

Accy 5, 8, 12, 18-19, 30, 40, 43-46, 50, 60, 63,  
70-74, 80-84, 110-112, 120-121, 140-141,  
150-151, 220-429 (adopted) ..... 145

### Part 7 Board of Architecture, Engineering, Land Surveying and Landscape Architecture

AE&LS 9 (proposed) ..... 678

### Part 8 Barber Examiners Board

BE 1-15, 26-31, 33, 42-45, 56-66, 77-79  
(proposed) ..... 410

### Part 10 Cosmetology Board

MSBC 1-8, 20-29, 40-42, 60-66 (proposed) .... 35  
MSBC 64 (errata) ..... 164

## TITLE 5 EDUCATION

### Part 1 Education Department

5 MCAR §§ 1.720-1.725 (proposed  
temporary rules) ..... 251

# MCAR AMENDMENTS AND ADDITIONS

EDU 741, 743 (adopted) .....	693
5 MCAR §§ 1.0720-1.0724 (adopted temporary) .....	753

## Part 2 Higher Education Coordinating Board

5 MCAR §§ 2.0101-2.0108, 2.0301-2.0310, 2.0401-2.0407, 2.0501-2.0507, 2.0601-2.0607, 2.0801-2.0806 (proposed) .....	697
HECB 101-103, 105-108, 301-310, 401-407, 501-507, 601-607 (proposed) .....	697

## Part 3 Teaching Board

5 MCAR §§ 3.001, 3.003-3.015, 3.020-3.031, 3.041, 3.050-3.054, 3.060-3.086, 3.102-3.103, 3.130 (proposed) .....	311
---	-----

## Part 5 Arts Board

MSAB 1-8 (adopted) .....	31
--------------------------	----

## TITLE 6 ENVIRONMENT

### Part 1 Natural Resources Department

NR 51, 56 (proposed) .....	441
NR 2600, 2610, 2620, 2630, 2640 (adopted) ..	174
NR 5020-5026 (proposed) .....	201
NR 5300 (proposed) .....	287

### Part 3 Environmental Quality Board

MEQC 72, 73, 76-80, 82 (adopted emergency) .....	501
MEQC 71-82 (proposed) .....	508

### Part 4 Pollution Control Agency

APC 4, 11 (errata) .....	135
WPC 43 (proposed) .....	94
HW 1-10 (proposed) .....	521
SW 1-4, 6, 7 (proposed) .....	616
WPC 40 (proposed) .....	710

### Part 5 Water and Wastewater Operator Certification Council

WWOB 1 (proposed) .....	675
-------------------------	-----

### Part 6 Metropolitan Waste Control Commission

MWCC 2 .....	518
--------------	-----

## TITLE 7 HEALTH

### Part 1 Health Department

MHD 145-149 (emergency rules) .....	381
MHD 268, 279, 294, 304-306, 314-315, (proposed) .....	420
MHD 139 (proposed) .....	674

### Part 4 Medical Board

7 MCAR § 4.012 (proposed) .....	309
---------------------------------	-----

### Part 5 Nursing Board

7 MCAR §§ 5.1002-5.1004, 5.1032-5.1036, 5.1060-5.1061, 5.1063, 5.1080, 5.1091, 5.2002-5.2003, 5.2005, 5.2030-5.2036, 5.2040, 5.2050-5.2051, 5.2053, 5.2070, 5.2082 (proposed) .....	228
7 MCAR §§ 5.1010, 5.1011, 5.1030-5.1033 (proposed) .....	755

## Part 7 Optometry Board

OPT 1-8 (proposed) .....	44
--------------------------	----

## TITLE 8 LABOR

### Part 1 Labor and Industry Department

LS 1-9, 12, 14-18 (proposed) .....	189
FEA 1, 3, 7-8, 13, 16, 22, 27, 29, 44, 57 (proposed) .....	187
MOSHC 1 (emergency rule) .....	145
MOSHC 270-283, 290-306, 310-317, 320-336 (proposed) .....	149

## TITLE 9 LAW

### Part 2 Hearing Examiners Office

HE 102-112, 203-206, 209-214, 216-218, 222 (proposed) .....	382
HE 401-418 (adopted temporary rules) .....	85
HE 401-418 (proposed) .....	382

## TITLE 10 PLANNING

### Part 1 State Planning Agency

10 MCAR §§ 1.305-1.306 (adopted temporary rules) .....	146
10 MCAR §§ 1.305-1.306 (adopted) .....	673

## TITLE 11 PUBLIC SAFETY

### Part 1 Public Safety Department

DES 94, 129-130, 140-141 (proposed) .....	443
MoVeh 58 (adopted) .....	33
MoVeh 70-82 (adopted) .....	145
Liq 1-3, 24-35, 38-39, 56, 67, 71-77, 83-84, 92, 95, 98-100, 123 (proposed) .....	96

### Part 2 Corrections Department

CORR 4-12 (adopted) .....	84
CORR 4 (errata) .....	135
CORR 200-203 (emergency rules) .....	407

## TITLE 12 SOCIAL SERVICE

### Part 2 Public Welfare Department

DPW 30 (proposed temporary rule) .....	132
DPW 33 (proposed temporary rule) .....	133
DPW 30A, 33A (adopted temporary) .....	754
DPW 47 (adopted) .....	353
DPW 47 (proposed) .....	677
DPW 49 (proposed temporary rule) .....	234
DPW 49 (proposed) .....	617
DPW 49 (adopted) .....	245
DPW 49A (adopted temporary) .....	507
DPW 52 (adopted) .....	34
DPW 94, 104, 116, 125, 128, 131-132, 140-141 (proposed) .....	455
DPW 125, 126, 128, 130-132, 135, 140 (proposed) .....	633
DPW 160 (proposed) .....	60
DPW 160 (proposed) .....	160
DPW 160 (errata) .....	164

### Part 3 Housing Finance Agency

MHFA 1-17, 31-36, 51, 61-69, 111-115 (adopted) .....	306
MHFA 120 (proposed) .....	675

# RULES

## Department of Education Adopted Temporary Rules Governing Pre-School Health and Development Screening

The State Board of Education adopted the temporary rules relating to Governing Pre-School Health and Development Screening on September 12, 1977. These rules 5 MCAR §§ 1.0720-1.0724 are identical to those printed in the *State Register*, August 15, Vol. 2, Number 6, pp. 251-254. The attorney general approved the rules on September 19, 1977 with the following amendments:

§ 1.0724 Screening procedures.

[[B. As of July 1, 1978, the screening procedure shall, in addition to the components include in A. of this section, and to the extent the school board determines they are financially feasible, include the following components:

1. Assessment of the unclothed child with respect to height, weight, physical and oral condition, head circumference and blood pressure measurements as specific to the child's age and sex.
2. Laboratory tests as recommended by the department of health on the basis of age and sex of the child.
3. Assessments of nutritional status by measures approved by the department of health.]]

Howard B. Casmey  
Commissioner

## Department of Labor and Industry Emergency Temporary Standard Limiting Employee Exposure to DBCP (1,2-dibromo-3- chloropropane)

Please take notice that E. I. Malone, Commissioner, Minnesota Department of Labor and Industry has deter-

mined that a grave danger currently exists for workers exposed to 1,2-dibromo-3-chloropropane (DBCP), a soil fumigant pesticide. The Commissioner has therefore determined that an Emergency Temporary Standard (ETS) must be adopted to protect workers from this grave danger. This decision to adopt an ETS is based upon information published in the *Federal Register* on Tuesday, September 9, 1977.

During July 1977, it was discovered that among employees of the Agricultural Chemical Division of the Occidental Chemical Company in Lathrop, California, several men handling DBCP were either sterile or had low sperm count. Additionally, laboratory tests conducted on four species of animals exposed to DBCP showed damage to lungs, kidneys, digestive systems and a severe atrophy and degeneration of testes. In order to protect workers from sterility and possible cancer due to exposure to DBCP, the U.S. Department of Labor, Occupational Safety and Health Administration (OSHA) has adopted the ETS published in Volume 42, No. 175 of the *Federal Register* on September 9, 1977 pages 45544 through 45549. The ETS limits employee exposure to 10 parts DBCP per billion parts of air (10 ppb), as an 8 hour time-weighted average concentration, with a ceiling level of 50 ppb for any 15-minute period during the 8-hour day. In addition, the ETS requires the measurement of employee exposure, engineering controls, personal protective equipment, employee training, medical surveillance and recordkeeping.

Therefore, the following Rule is promulgated pursuant to Minn. Stat. § 182.655 subd. 11 (1976), as an Emergency Temporary Occupational Safety and Health Standard:

Minnesota Occupational Safety and Health Codes and Rules are hereby changed and modified by incorporating and adopting by reference the following change made to Title 29 of the Code of Federal Regulations:

Part 1910 Emergency Temporary Occupational Safety and Health Standard as published in *Federal Register*, Volume 42, No. 175, pages 45544 through 45549, September 9, 1977 which contains a new standard, Section 1910.1044 for occupational exposure to 1,2-dibromo-3-chloropropane. This adoption includes an amendment to the ETS published in *Federal Register*, Volume 42, No. 180, page 46540, September 16, 1977. This new standard issued as an Emergency Temporary Standard will take effect October 11, 1977. It applies to all occupational exposures to 1,2-dibromo-3-chloropropane in Minnesota except that it does not apply to exposures to DBCP which result solely from application and use of DBCP as a pesticide.

**KEY:** Existing rules are printed in standard type face. Proposed additions to existing rules are printed in **boldface**, while proposed deletions from existing rules are printed within [single brackets]. Additions to proposed rules are underlined and boldfaced, while deletions from proposed rules are printed within [[double brackets]].

## RULES

Within ten (10) days of the effective date or within ten (10) days following the introduction of DBCP into a workplace, every employer who has a workplace where DBCP is present shall report the following information to the Director, Occupational Safety and Health Division, Department of Labor and Industry, 444 Lafayette Road, St. Paul, Minnesota 55101: (1) The address and location of each workplace in which DBCP is present; (2) A brief description of each process or operation which may result in employee exposure to DBCP; (3) The number of employees engaged in each process or operation who may be exposed to DBCP and an estimate of the frequency and degree of exposure that occurs; and (4) A brief description of the employer's safety and health program as it relates to limiting employee exposure to DBCP.

A complete copy of the above standard is available by writing Deputy Commissioner, Minnesota Department of Labor and Industry, 500 Space Center Building, 444 Lafayette Road, St. Paul, Minnesota 55101.

## Department of Public Welfare

### Adopted Temporary Rules Governing the Cost of Care for Mentally Retarded or Epileptic Children

The proposed temporary rules 30A and 33A published in the *State Register*, Vol. 2, No. 3, pp. 132-134, July 25, 1977 (2 SR 132-134) are adopted as of September 8, 1977, and are identical in every respect to their proposed form with the following amendments:

The definition of annual gross income is added to "G", Parental Financial Responsibility, (30A), under the printed fee schedule on page 132 and added to "F", Parental Financial Responsibility, on page 133 (33A).

Annual Gross Income shall mean income, prior to any deductions, received from wages or salary; net income from self-employment; net farm income; Social Security payments; dividends, interest, rent received, or royalties; General Assistance payments; pensions and annuities, unemployment compensation; worker's compensation; alimony; child support, veteran's pensions; or any combination of the above sources of income.

The definition of Child's Financial Responsibility is amended on page 133 (30A) and page 134 (33A) as indicated below:

Child's Financial Responsibility: If the child has income or resources of his/her own, such as but not limited to Social Security, Supplemental Security Income (SSI), Veteran's Benefits, Railroad Retirement Benefits, Child Support, Trust Income, Annuities, Inheritance, Insurance Benefits, Tribal Benefits, Military Serviceperson's Contributions, Union Benefits, or other retirement benefits, the parents, on behalf of the child, shall be responsible for reimbursing the county making payments for boarding care. [[an amount up to \$125 per month.]] Consistent with Minn. Stat. 252.27, in no case shall the child be responsible to reimburse the county making payments for boarding care an amount greater than \$125 per month. The amount paid by the child does not relieve the parents of their financial responsibility. Exception: If the child has income or resources of his/her own, an amount not to exceed \$30.00 per month shall be excluded when determining the financial responsibility of the child to reimburse the county making payments for boarding care. This excluded \$30.00 per month shall be allowed to meet the child's monthly clothing and personal needs.

# PROPOSED RULES

## Board of Nursing Proposed Rules Governing Licensure and Continuing Education for Registered Nurses

### Notice of Hearing

Notice is hereby given that public hearings in the above-entitled matter will be held pursuant to Minn. Stat. § 15.0412 subd. 4 (1976), as amended by Laws of 1977, ch. 443 §, on the dates and locations as follows: On Monday, November 14, 1977, at the Rochester Methodist Hospital Auditorium, 201 West Center Street, Rochester, Minnesota; on Wednesday, November 16, 1977, at the University of Minnesota, Room 175 Willey Hall, 225 19th Avenue South, Minneapolis, Minnesota; and on Friday, November 18, 1977 at the St. Luke's Hospital Auditorium, 915 East First Street, Duluth, Minnesota. All of the hearings referenced hereinabove shall commence at 9:30 a.m.

All interested or affected persons will have an opportunity to participate concerning the adoption of the proposed rules and an amendment to 7 MCAR § 5.1031, captioned above. Statements may be made orally and written material may be submitted. In addition, whether or not an appearance is made at any of the hearings, written statements or material may be submitted by mail to Mr. George Beck, Hearing Examiner, at Room 300, 1745 University Avenue, Saint Paul, Minnesota 55104, telephone: (612) 296-8108, either before the hearing or within five (5) working days after the close of the final hearing to be held on November 18, 1977. All such statements will be entered into and become part of the record. Testimony or other evidence to be submitted for consideration should be pertinent to the matter at hand. For those wishing to submit written statements or exhibits, it is requested that at least three (3) copies be furnished. In addition, it is suggested, to save time and avoid duplication, that those persons, organizations, or associations having a common viewpoint or interest in these proceedings join together where possible and present a single statement in behalf of such interests. The conduct of the hearing shall be governed by the rules of the Office of Hearing Examiners.

A copy of the proposed rules and the amendment is attached hereto and made a part hereof.

Copies of the proposed rules and amendment are now available and at least one free copy may be obtained by

writing to the Minnesota State Board of Nursing, 717 Delaware Street Southeast, Minneapolis, Minnesota 55414. Additional copies will be available at the door on the date of the hearing.

A Statement of Need explaining the Board of Nursing's position relative to the necessity for the proposed rules and the amendment and a Statement of Evidence outlining the testimony and evidence which will be introduced by the Board in support of the proposed rules and the amendment will be filed with the Hearing Examiner's Office at least twenty-five (25) days prior to the hearing and will be available there for public inspection. The statutory authority of the Board of Nursing to promulgate and adopt these rules and the amendment is contained in Minn. Stat. §§ 148.231 (1976), § 214.12 (1976) and § 148.191 subd. 2 (1976).

In addition, please be advised that Minn. Stat. ch. 10A requires each lobbyist to register with the State Ethical Practices Board within five (5) days after he commences lobbying. Lobbying includes attempting to influence rulemaking by communicating or urging others to communicate with public officials. A lobbyist is generally any individual who spends more than \$250 per year for lobbying or any individual who is engaged for pay or authorized to spend money by another individual or association and who spends more than \$250 a year or five (5) hours per month at lobbying. The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 41 State Office Building, Saint Paul, Minnesota 55155, telephone (612) 296-5615.

Joyce M. Schowalter, R.N.  
Executive Secretary

### Rules as Proposed

7 MCAR § 5.1010 Qualifications.

#### C. Continuing education.

1. Before August 1, 1980, the registered nurse applying for licensure by interstate endorsement who has not been employed in nursing for five or more years immediately preceding application, except an applicant who graduated from an approved professional nursing program during the five years immediately preceding application, shall be required to submit evidence of competency in nursing before receiving a license in Minnesota. Such evidence, submitted on a notarized form, may include any of the following which occurred within the five year period immediately prior to the application for a license: completion of a re-

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## PROPOSED RULES

fresher course, attendance at no less than 15 clock hours of nursing-related continuing education courses, completion of an apprenticeship, participation in an orientation program at least one week in length conducted by an employer or potential employer or such other evidence as the Board may reasonably require.

2. On August 1, 1980, and thereafter, an applicant for licensure by interstate endorsement who has not been employed as a registered nurse for a period of two years or more immediately preceding application shall be required to submit an evidence form attesting to participation in continuing education activities which meet the criteria specified in 7 MCAR § 5.1031. The continuing education participation must have occurred within the 24 months preceding application for licensure.

3. On August 1, 1980, and thereafter, continuing education participation, as required in 7 MCAR § 5.1010 C.2., shall not be required of an applicant who graduated from an approved professional nursing program during the two years immediately preceding application for licensure.

§ 5.1011 Application. The application forms and instructions for filing are provided by the Board.

A. A completed application for licensure by interstate endorsement shall include all of the following:

1. The completed and notarized application form;
2. A verification of licensure from the state in which the licensure examination was written;
3. A verification of licensure from the state in which most recently employed if this is different than the state of examination;
4. A satisfactory employment reference from the five years preceding the application. If the applicant has not been employed during this period, a personal reference is substituted;
5. The fee of \$35;
6. A notarized evidence form attesting to the required continuing education participation.

Chapter Four: §§ 5.1030-[5.1039] 5.1036 [Annual] Registration Renewal; Penalty, Delinquent and Nonpracticing Status; Change of Name and Address; Duplicate and Replacement Documents; Verification of Minnesota License.

§ 5.1030 [Renewal of Registration.] Introduction and definitions. [Each licensee is responsible for applying for renewal registration if he/she wishes to be employed as a Registered

Nurse in Minnesota in the coming year. The Board issues renewal applications to all current licensees and will renew registration upon receipt of the application and the renewal fee. Beginning with the 1976 renewal period, the annual fee shall be \$5.]

A. Introduction. These rules are adopted pursuant to Minn. Stat. §§ 148.231 and 214.12 (1976). They pertain to the establishment of requirements and procedures for registration renewal for registered nurses and criteria which continuing education activities must meet in order to be acceptable for registration renewal.

B. [The renewal period shall be 24 months in length, beginning August 1 and ending July 31.] Definitions.

1. “Acceptable continuing education activity” means a learning experience in which a registered nurse has participated, evidence of which he/she submits to the Board as part of the application for registration renewal, and which meets the requirements stated in these rules.

2. “Board” means the Minnesota Board of Nursing.

3. “Contact hour” means 50 consecutive minutes.

4. “Continuing education participation period” means the 24 month interval of time immediately prior to the renewal date during which a licensee must fulfill the requirements for registration renewal.

5. “Evidence form” means the printed document provided by the Board for use in reporting the information required in 7 MCAR § 5.1031.

6. “Instructor” means a presenter, preparer, or guide for a continuing education activity.

7. “License” means the document issued by the Board to an individual who meets for the first time the requirements to practice professional nursing in Minnesota.

8. “Licensure” mean the process by which the Board confers legal authority upon an individual authorizing the person to engage in professional nursing, thereby certifying that those licensed have attained the minimal degree of competency necessary to ensure that the public health, safety and welfare will be reasonably well protected.

9. “Participation” means attendance at, or in any other manner taking part in, an acceptable continuing education activity documentation of which is submitted as a part of the application for registration renewal.

10. “Registration” means the process by which the names and original license numbers of individuals licensed by the Board are recorded on a roster.



## PROPOSED RULES

11. “Renewal period” means a 24 month interval of time for which a renewal certificate is issued, beginning August 1 of any given year.

12. “Registration renewal” means the periodic process by which the Board confers legal authority upon an individual licensed and registered with the Board, authorizing the person to continue engaging in professional nursing.

13. “Registration renewal deadline” means May 31, immediately preceding the licensee’s next renewal period.

14. “Renewal certificate” means the document issued periodically by the Board to a registered professional nurse who meets registration renewal requirements.

15. “Renewal date” means the first calendar day of a renewal period.

[C. The December 31, 1977, expiration date of all renewal certificates is hereby extended to July 31, 1978. All renewal certificates issued between the effective date of this rule and July 31, 1978, which are intended to be valid during these dates shall contain an expiration date of July 31, 1978.

D. Beginning August 1, 1978, the fee for registration renewal shall be \$15.00 per renewal period.

E. Individuals licensed for the first time within three calendar months prior to the first day of a renewal period shall not be required to meet requirements for that renewal period but shall be considered in good standing.]

§ 5.1031 [Penalty.] Registration renewal. [An applicant for renewal of registration, except if in nonpracticing status, shall pay a late penalty fee of \$4 as well as the renewal fee if the request for renewal is postmarked after the end of the renewal period.]

### A. Requirements.

1. On June 1, 1978, each registered nurse currently licensed and registered with the Board shall begin his/her first continuing education participation period.

2. A licensee shall submit true information. Falsification of any evidence and/or failure to comply with these rules for any two registration renewal periods shall constitute unethical conduct and provide grounds for suspension or revocation of a license.

3. An acceptable application for registration renewal consisting of a completed, signed application form; a completed, notarized evidence form meeting requirements stated in these rules; and a renewal fee, shall be postmarked on or before May 31, immediately preceding the licensee’s next renewal period. Resubmission of an acceptable application form, evidence form and renewal fee postmarked on or before May 31, shall constitute timely submission.

4. The renewal fee shall be \$15 per renewal period, effective August 1, 1978.

5. An applicant for registration renewal, except if in the nonpracticing status, shall pay a penalty fee of \$4 as well as the renewal fee for the current renewal period if the application, evidence form or renewal fee is postmarked after May 31, of the year in which it was due.

6. A licensee shall keep records documenting each acceptable continuing education activity submitted to meet registration renewal requirements and obtain data from the acceptable continuing education activity as required in § 5.1031 B.8. The records shall be kept for two years following the end of the renewal period to which the activity is applied.

7. In order for a continuing education activity to be acceptable to the Board for registration renewal, a licensee shall be able to substantiate that each of the criteria listed below has been met.

a. The content is related to one or more of the following components of professional nursing specified in Minn. Stat. § 148.171 (3) (1976):

(1) Independent nursing functions as listed below:

(a) providing a nursing assessment of the actual or potential health needs of individuals, families or communities;

(b) providing nursing care supportive to or restorative of life by functions such as:

i. skilled ministrations of nursing care,

ii. supervising nursing personnel,

iii. teaching nursing personnel,

iv. health teaching,

**KEY:** Existing rules are printed in standard type face. Proposed additions to existing rules are printed in **boldface**, while proposed deletions from existing rules are printed within [single brackets]. Additions to proposed rules are **underlined and boldfaced**, while deletions from proposed rules are printed within [[double brackets]].

## PROPOSED RULES

- v. health counseling,
- vi. case finding,
- vii. referral to other health resources; and

(c) evaluating nursing functions; or

(2) Delegated medical functions.

b. The duration was at least one contact hour.

c. The objectives were written in measurable terms which describe what a licensee can expect to learn.

d. The instructor's qualifications in the subject shall be stated in written form.

e. The method utilized to determine whether or not learning occurred was in written form.

f. The continuing education activity was completed during the continuing education participation period immediately preceding the renewal date for which the licensee is seeking registration renewal.

g. The continuing education activity submitted shall not have identical objectives to another continuing education activity submitted during the same continuing education participation period.

h. A written statement of participation following completion of each acceptable continuing education activity was obtained. A fee receipt shall not be acceptable.

i. A grade indicating successful completion was obtained in an acceptable continuing education activity for which grades are granted.

8. Continuing education requirements.

a. Fifteen contact hours of acceptable continuing education activities shall be required for registration renewal between August 1, 1980, and July 31, 1982.

b. Thirty contact hours of acceptable continuing education activities shall be required for registration renewal on August 1, 1982, and thereafter.

c. At least one of the acceptable continuing education activities required for registration renewal on or after August 1, 1986, shall require the licensee to show evidence that he/she successfully demonstrated to the instructor skill in performing one or a portion of a professional nursing function as indicated in Minn. Stat. § 148.171 (3) (1976).

9. A continuing education activity which the licensee

taught shall not meet that licensee's registration renewal requirements.

B. Procedure.

1. The licensee shall maintain with the Board his/her correct mailing address for the purpose of receiving Board communications and/or notices. Placing the notice in first class United States mail, postage prepaid and addressed to the licensee at his/her last known address shall constitute valid service.

2. The Board shall mail a renewal application and evidence form at least 120 calendar days prior to a licensee's renewal date to the last known address of every registered nurse holding a current renewal certificate. Failure to receive such notice shall not relieve a license holder of his/her obligation to comply with these rules.

3. An application, evidence form and renewal fee postmarked on June 1, or later, shall not be processed and shall be returned to a licensee for payment of a penalty fee.

4. A licensee's renewal application, evidence form and renewal fee postmarked on August 1, or later, shall be considered delinquent.

5. Information to be provided by the licensee on an evidence form shall include:

a. identification of the licensee;

b. identification of the continuing education activities;

c. verification that the continuing education activities met all the criteria specified in 7 MCAR § 5.1031 A and that the information contained on the form is true in every respect;

d. licensee's signature and date signed; and

e. notarization.

6. If the application form, evidence form or renewal fee submitted by a licensee is incomplete, incorrect or in noncompliance with these rules, the licensee shall be notified as to the reason for rejection and all documents shall be returned within 30 calendar days after receipt.

7. If an individual is licensed within six calendar months prior to the first day of the licensee's renewal period, the license fee shall serve as payment for the first renewal period.

8. Following each renewal date the Board may select a sample of licensees applying for registration renewal and

## PROPOSED RULES

require substantiation of participation in acceptable continuing education activities. Selected licensees shall submit in writing the following data obtained from each continuing education activity:

a. continuing education activity materials received by the licensee which verify the information on the evidence form;

b. objective of each continuing education activity;

c. verification received by the licensee of the number of contact hours and a schedule listing time periods for activities lasting four or more hours;

d. documentation of each instructor's qualifications;

e. evidence that the licensee used a mechanism to determine if learning occurred;

f. written verification received by the licensee of participation in each continuing education activity, signed by an instructor involved with the continuing education activity or his/her designee;

g. the specific professional nursing content area to which each continuing education activity is related;

h. in 1986 and thereafter, proof of compliance with 7 MCAR § 5.1031 A.8.c.; and

i. any additional documentation the Board deems necessary.

9. If a licensee cannot demonstrate that he/she has sufficient hours of acceptable continuing education activities, the number of hours lacking to comply for that continuing education participation period shall be added to the contact hours required in the immediately succeeding period.

10. A licensee in noncompliance with 7 MCAR § 5.1031 A.7. and A.8. shall be subject to the conditions in 7 MCAR § 5.1031 B.8.

11. Rule 7 MCAR § 5.1031 B.9. may be applied once for any one licensee.

§ 5.1032 Delinquent status.

[A. An applicant for renewal of registration except if in nonpracticing status, who failed to re-register in the previ-

ous year or years shall pay a delinquent fee of \$4 for each year for which he/she has been delinquent up to a maximum of \$40 as well as the penalty fee of \$4 and the renewal fee for the current period.] A registered nurse who fails to apply for registration renewal or request nonpracticing status or is in noncompliance with 7 MCAR § 5.1031 shall be deemed delinquent and shall not be entitled to practice nursing in Minnesota.

B. [The registered nurse who has failed to re-register with the Board and whose license has been in delinquent status for five years or more must present evidence of competency in nursing before becoming actively re-registered. Such evidence, submitted on a notarized form, may include any of the following which occurred within the five year period prior to the application for a current renewal certificate:

1. employment as a registered nurse in another U.S. jurisdiction or foreign country,

2. completion of no less than one week of a refresher course,

3. attendance at no less than 15 clock hours of nursing related educational offerings,

4. participation in an orientation program at least one week in length conducted by an employer or potential employer, or

5. such other similar evidence; and

such other evidence as the Board may reasonably require.] Whenever a license is placed in the delinquent status the Board shall mail a notice to the licensee's last known address which indicates the license status and the requirements for removal from such status.

C. Failure to fulfill the requirements for registration renewal or nonpracticing status within four years after being found delinquent in a hearing shall constitute unethical conduct and provide grounds for suspension or revocation of a license.

D. Before August 1, 1980, the registered nurse holding a license which is in the delinquent status who applies for registration renewal shall:

1. submit a signed application;

2. pay a delinquent fee of \$4 for each year or part thereof during which the license was delinquent up to a

**KEY:** Existing rules are printed in standard type face. Proposed additions to existing rules are printed in **boldface**, while proposed deletions from existing rules are printed within [single brackets]. Additions to proposed rules are **underlined and boldfaced**, while deletions from proposed rules are printed within [[double brackets]].

## PROPOSED RULES

maximum of \$40, the penalty fee, and the renewal fee for the current period; and

3. submit evidence of competency in nursing before becoming actively re-registered if the license has been in the delinquent status for five or more years. Such evidence, submitted on a notarized form, may include any of the following which occurred within the five years period prior to the submission of an application for a current renewal certificate:

a. employment as a registered nurse in another U.S. jurisdiction or foreign country;

b. completion of no less than one week of a refresher course;

c. participation in no less than 15 contact hours of nursing-related educational offerings;

d. participation in an orientation program at least one week in length conducted by an employer or potential employer; or

e. such other similar evidence the licensee chooses to submit.

E. On August 1, 1980, and thereafter, each registered nurse holding a license which is in the delinquent status who applies for registration renewal shall:

1. submit a signed application;

2. pay a delinquent fee of \$4 for each year or part thereof during which the license was delinquent up to a maximum of \$40, the penalty fee, and the renewal fee for the current period; and

3. submit notarized evidence of meeting all requirements specified in 7 MCAR § 5.1031. Participation in continuing education activities shall have occurred during the two years prior to the submission of the application for registration renewal.

### § 5.1033 Nonpracticing status.

A. [An applicant for nonpracticing status who failed to renew registration for the previous year or years shall pay a delinquent fee of \$4 for each year which he/she has been delinquent up to a maximum of \$40.] The Board shall change a registered nurse's license status to nonpracticing only at the end of a renewal period and upon receipt of a written request.

B. [The registered nurse who has been in the nonpracticing status for five years or more must present evidence of competency in nursing before becoming actively re-

registered. Such evidence may include any of the following which occurred within the five year period prior to the application for a current renewal certificate:

1. employment as a registered nurse in another U.S. jurisdiction or foreign country,

2. completion of no less than one week of a refresher course,

3. attendance at no less than 15 clock hours of nursing related education offerings,

4. participation in an orientation program at least one week in length conducted by an employer or potential employer, or

5. such other similar evidence, and

such other evidence as the Board may reasonably require.] A licensee holding a current renewal certificate need not have met continuing education requirements to have his/her license placed in nonpracticing status.

C. [The licensee who has been in the nonpracticing status for less than five years will be granted renewal of registration upon notification to the Board of intent to renew and payment of the renewal fee for the current period.] A registered nurse holding a license which is in the delinquent status who applies for nonpracticing status shall pay all delinquent fees before such status shall be granted.

D. Before August 1, 1980, a registered nurse holding a license which is in nonpracticing status who applies for registration renewal shall:

1. submit a signed application;

2. pay the renewal fee for the current period; and

3. submit evidence of competency in nursing before becoming actively re-registered if the licensee has been in nonpracticing status for five or more years. Such evidence, submitted on a notarized form, may include any of the following which occurred within the five year period prior to the submission of an application for a current renewal certificate:

a. employment as a registered nurse in another U.S. jurisdiction or foreign country;

b. completion of no less than one week of a refresher course;

c. participation in no less than 15 contact hours of nursing-related educational offerings;

## PROPOSED RULES

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d. participation in an orientation program at least one week in length conducted by an employer or potential employer; or

e. such other similar evidence the licensee chooses to submit.

E. On August 1, 1980, and thereafter, a registered nurse holding a license which is in nonpracticing status who applies for registration renewal shall:

1. submit a signed application;

2. pay the renewal fee for the current period; and

3. submit notarized evidence of meeting all requirements specified in 7 MCAR § 5.1031. Participation in continuing education activities must have occurred during the 24 months prior to the submission of the application for registration renewal.

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# OFFICIAL NOTICES

## State Board of Electricity

### Notice of Intent to Solicit Outside Opinion on Proposed Rules Governing Licensing and Continuing Education for Electrical Contractors

Notice is hereby given, pursuant to Minn. Stat. § 15.0412, subd. 6 (1976) that the Minnesota State Board of Electricity has begun consideration of proposed rules relating to the setting of fees for license renewal and examination, definition of master responsibility to electrical contractor's license, definition of personal on-the-job supervision for apprentices, continuing education program before renewal of license, and review of electrical inspection fees for increase in some areas and set maximum in other areas. The rule making power is authorized by Laws of 1967 § 326.241 (6). The Department is seeking information from outside sources in preparing to compile the proposed rules.

All interested parties desiring to submit data or opinions relating to the above subject should address their comments to:

State Board of Electricity  
1954 University Avenue  
St. Paul, Minnesota 55104  
(612) 645-7703

Evidence submitted for consideration must be pertinent to the aforementioned subject matter and should be received by November 8, 1977. All written material received will become part of the official record of the rule-making hearing.

## Department of Human Rights

### Notice of Settlement Agreements Made Between September 19, 1977 and October 3, 1977

In addition to specific remedies, standard agreements reached prior to a hearing contain the following stipulations:

1. The agreement does not constitute an admission by the respondent of a violation of Minn. Stat. ch. 363.
2. The respondent agrees to abide by the provisions of Minn. Stat. ch. 363.

### Department of Human Rights Complainant, vs. Clyde Iron Works, Inc., E2077

Charge. A person (hereinafter "charging party") filed a charge alleging that Clyde Iron Works, Inc. (hereinafter "respondent") had discriminated against him by refusing to hire him on the basis of a disability which had not made him ineligible for similar work elsewhere. Following an investigation, the Commissioner of Human Rights found that there was probable cause to credit the charging party's allegation.

Settlement. The charging party and the respondent agreed to settle the matter in the following manner:

1. The respondent agreed to pay the charging party the sum of \$800.00 in settlement of the matter.

### Department of Human Rights, Complainant, vs. Whirlpool Corporation, Respondent, E1707.

Charge. A person (hereinafter "charging party") filed a charge of discrimination against Whirlpool Corporation (hereinafter "respondent") alleging that he was denied employment on the basis of a disability from which he had fully recovered. Following an investigation, the Commissioner of Human Rights found probable cause to credit the charging party's allegation that an unfair discriminatory practice had occurred.

Settlement. The charging party and the respondent agreed to settle the matter as follows:

1. The respondent agreed to pay the charging party the sum of \$850.00.
2. The charging party waived any right or claim to employment with the respondent.

### Department of Human Rights, Complainant, vs. O. B. Augustson, John Tradup, and the Tribune Printing Company, Inc., Respondent, E2472.

Charge. A person (hereinafter "charging party") filed a charge alleging that her employer, the West Central Daily Tribune (hereinafter "respondent") discriminated against her on the basis of sex and marital status by paying her less than men who performed substantially similar duties and by providing salary increases for male employees who married but not for married female employees. Following an investigation, the Commissioner of Human Rights found probable cause to credit the charging party's allegations.

Settlement. The charging party and the respondent agreed to settle the matter in the following manner:

1. The respondent agreed to pay the charging party the sum of \$1795.00.

## OFFICIAL NOTICES

2. The respondent agreed to expunge the charging party's personnel file of all matters which gave rise to the charge of discrimination.

### **Department of Human Rights, Complainant, vs. General Motors Corporation, Respondent, E1792.**

Charge. A person (hereinafter "charging party") filed a charge of discrimination against his employer, General Motors Corporation (hereinafter "respondent") alleging that he was terminated because of his race. Following an investigation, the Commissioner of Human Rights found probable cause to credit the charging party's allegation.

Settlement. The charging party and the respondent agreed to settle the matter in the following manner:

1. The respondent agreed to pay the charging party the sum of \$1000.00.

### **Hearing Notices**

Department of Human Rights, Complainant, vs. Ozark Air Lines, Inc. Respondent, November 30, 1977, 9:00 a.m., 240 Bremer Building, Seventh and Robert Streets, St. Paul, Minnesota 55101.

## **Board of Peace Officer Standards and Training**

### **Notice of Intent to Solicit Outside Opinion on Proposed Rules Governing Standards of Conduct for Peace Officers in the State of Minnesota**

Notice is hereby given that the Minnesota Board of Peace Officer Standards and Training (hereinafter POST) is seeking information and comments from all interested individuals or groups on amendment to the existing Rules of the Attorney General relating to peace officer training and reimbursement (Atty Gen 201-207, 210-216). In addition, POST is seeking information and comments on statewide standards of conduct for peace officers in the State of Minnesota pursuant to the legislative mandate of Minn. Stat. § 626.845 (a) [Laws of 1977, ch. 433, § 7].

Interested or affected individuals or groups may submit statements of information and comment in writing to:

Carl V. Pearson, Executive Director  
Minnesota Board of Peace Officer  
Standards and Training  
Fifth Floor — Metro Square Building  
Seventh and Robert Streets  
St. Paul, Minnesota 55101  
Telephone: (612) 296-2620

All written statements of information and comment must be received by November 15, 1977.

Ralph W. Talbot  
Chairman

## **Department of Transportation**

### **Notice of Contested Case Hearing on Burlington Northern's Petition to Close Freight Depot at Angus, Minnesota**

It is hereby ordered, and notice is hereby given that a contested case hearing concerned the above-entitled matter will be held on October 28, 1977 at 10:00 A.M., in the City Council Chambers, City Hall, East Grand Forks, Minnesota 56721.

The hearing will be held before Mr. Bernard Singer, 1745 University Avenue, Saint Paul, Minnesota 55104 (Telephone: 612-296-8110), a Hearing Examiner appointed by the Chief Hearing Examiner of the State of Minnesota. All parties have the right to be represented by legal counsel or any other representative of their choice throughout the contested case proceeding. The hearing will be conducted pursuant to the contested case procedures set out in Minn. Stat. § 15.0411 through Minn. Stat. § 15.052 and Minnesota Rules HE 201 through 222. Questions concerning the issues raised in this Order or concerning informal disposition or discovery may be directed to Mr. Gordon W. Boldt, Chief, Railroad Operations Section, 419 Transportation Building, Saint Paul, Minnesota 55155 (Telephone: 612-296-2452).

The purpose of the hearing is to ensure that under the provisions of Minn. Stat. § 219.85 (1976) all parties and potential parties of interest are given an opportunity to be heard on the proposed closing of the Angus Freight Depot.

The petition recites among other matters that:

"The freight depot at Angus is no longer necessary for the conduct of Petitioner's local business affairs, does not serve the public convenience and necessity, is a burden to those charged with its upkeep, and a hazard to its occasional trespassers.

# OFFICIAL NOTICES

Under the terms of this Petition:

- a. Train service at Angus will be uneffected.
- b. Angus will remain an open station on Burlington Northern, triplized with Argyle and Warren.
- c. Petitioner's agent will call upon rail patrons in Angus at their place of business as requested and as necessary for the proper conduct of business, and
- d. Petitioner's agent will be further accessible to patrons at Angus via telephone to Argyle and Warren, charges collect.'

**All parties are advised** that if a party intends to appear at the hearing scheduled for October 28, 1977 at 10:00 A.M., the Notice of Appearance form enclosed with this order must be completed and returned to the Hearing Examiner at least 10 days before the hearing date. **Should a party fail to appear at the hearing, the allegations made in the petition may be taken as true.**

The above cited procedural rules are available at the Office of Hearing Examiners or may be purchased from the Documents Section of the Department of Administration, 140 Centennial Building, Saint Paul, Minnesota 55155 (Telephone: 612-296-2874). They provide generally for the procedural rights of the parties including: rights to advance notice of witnesses and evidence, right to a prehearing conference, rights to present evidence and cross-examine witnesses, and right to purchase a record or transcript. Parties are entitled to issuance of subpoenas to compel witnesses to attend and produce documents and other evidence.

Persons attending the hearing should bring all evidence bearing on the case including any records or other documents.

If persons have good reason for requesting a delay of the hearing, the request must be made in writing to the Hearing Examiner at least 5 days prior to the hearing. A copy of the request must be served on the agency and any other parties.

Jim Harrington  
Commissioner of Transportation

## Notice of Appearance

Date of Hearing: October 28, 1977

Name and Telephone Number of Hearing Examiner:

Mr. Bernard Singer  
1745 University Avenue  
Saint Paul, Minnesota 55104  
296-8110

To the Hearing Examiner:

You are advised that the party named below will appear at the above hearing.

Name of Party: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Party's Attorney or Other Representative: \_\_\_\_\_

Signature of Party or Attorney: \_\_\_\_\_

Date: \_\_\_\_\_

## Notice of Contested Case Hearing on Burlington Northern's Petition to Close Station at Halstad, Minnesota

It is hereby ordered, and notice is hereby given that a contested case hearing in the above-entitled matter will be held on October 27, 1977 at 10:00 A.M., in Halstad High School, Halstad, Minnesota 56548.

The hearing will be held before Mr. Bernard Singer, 1745 University Avenue, Saint Paul, Minnesota 55104 (Telephone: 612-296-8119), a Hearing Examiner appointed by the Chief Hearing Examiner of the State of Minnesota. All parties have the right to be represented by legal counsel or any other representative of their choice throughout the contested case proceeding. The hearing will be conducted pursuant to the contested case procedures set out in Minn. Stat. § 15.0411 through Minn. Stat. § 15.052 and Minnesota Rules HE 201 through 222. Questions concerning the issues raised in this Order or concerning informal disposition or discovery may be directed to Mr. Gordon W. Boldt, Chief, Railroad Operations Section, 419 Transportation Building, Saint Paul, Minnesota 55155.

The purpose of the hearing is to ensure that under the provisions of Minn. Stat. § 219.85 (1976) all parties and potential parties of interest are given an opportunity to be heard on the proposed closing of the Halstad Freight Station. The petition recites among other matters that:

“Petitioner proposes to close the Halstad Freight Station and to change the headquarters of the Direct Service Agent from Halstad to Crookston and include Halstad as a station handled by said Direct Service Agent.

The aforementioned closure of the Halstad Freight



## OFFICIAL NOTICES

Agency will in no way affect the station agent's duties at Crookston.

The depot building at Halstad will be retained and maintained for internal railroad use.'

**All parties are advised** that if a party intends to appear at the hearing scheduled for October 27, 1977 at 10:00 A.M., the Notice of Appearance form enclosed with this order must be completed and returned to the Hearing Examiner at least 10 days before the hearing date. **Should a party fail to appear at the hearing, the allegations made in the petition may be taken as true.**

The above cited procedural rules are available at the Office of Hearing Examiners or may be purchased from the Documents Section of the Department of Administration, 140 Centennial Building, Saint Paul, Minnesota 55155 (Telephone: 612-296-2874). They provide generally for the procedural rights of the parties including: rights to advance notice of witnesses and evidence, right to a prehearing conference, rights to present evidence and cross-examine witnesses, and right to purchase a record or transcript. Parties are entitled to issuance of subpoenas to compel witnesses to attend and produce documents and other evidence.

Persons attending the hearing should bring all evidence bearing on the case including any records or other documents.

If persons have good reason for requesting a delay of the hearing, the request must be made in writing to the Hearing Examiner at least 5 days prior to the hearing. A copy of the request must be served on the agency and any other parties.

Jim Harrington  
Commissioner of Transportation

### Notice of Appearance

Date of Hearing: October 27, 1977.

Name and Telephone Number of Hearing Examiner:

Mr. Bernard Singer  
1745 University Avenue  
Saint Paul, Minnesota 55104  
612-296-8119

To the Hearing Examiner:

You are advised that the party named below will appear at the above hearing.

Name of Party: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Party's Attorney or Other Representative: \_\_\_\_\_

Signature of Party or Attorney: \_\_\_\_\_

Date: \_\_\_\_\_

### Notice of Contested Case Hearing on Burlington Northern's Petition to Close Station at Milaca, Minnesota

It is hereby ordered, and notice is hereby given that a contested case hearing concerning the above-entitled matter will be held on November 1, 1977 at 10:00 A.M., in the chambers of the Mille Lacs County Court House, 635 2nd Street S.E., Milaca, Minnesota 56353.

The hearing will be held before Mr. George Deretich, 1745 University Avenue, Saint Paul, Minnesota 55104 (Telephone: 612-296-8116) a Hearing Examiner appointed by the Chief Hearing Examiner of the State of Minnesota. All parties have the right to be represented by legal counsel or any other representative of their choice throughout the contested case proceeding. The hearing will be conducted pursuant to the contested case procedures set out in Minn. Stat. § 15.0411 through Minn. Stat. § 15.052 and Minnesota Rules, HE 201 through 222. Questions concerning the issues raised in this Order or concerning informal disposition or discovery may be directed to Mr. Gordon W. Boldt, Chief, Railroad Operations Section, 419 Transportation Building, Saint Paul, Minnesota 55155 (Telephone: 612-296-2452).

The purpose of the hearing is to ensure that under the provisions of Minn. Stat. § 219.85 (1976) all parties and potential parties of interest are given an opportunity to be heard on the proposed closing of the Milaca Freight Station.

The Petition recites among other matters that:

"Petitioner presently maintains full-time agency and station service at St. Cloud which includes therein Reformatory, Clear Lake, Becker, Clearwater, Cold Spring, Roscoe, Richmond, Rockville and Paynesville.

Petitioner proposes to close the Milaca freight agency and to assign to the base agent at St. Cloud in addition to those localities previously enumerated, the 'blind sidings' of

# OFFICIAL NOTICES

Milaca, Mora, Ogilvie, Bock, Foreston, Oaks, Foley and Parent, with a work force of four clerks.

The depot building at Milaca will be retained and maintained for internal railroad use."

The Petition further recites that "the quality of rail service to affected patrons will not be diminished, and full and adequate freight service to the public will be maintained in satisfaction of the public convenience and necessity."

Any person who desires to become a **party** to this matter must submit a timely **petition to intervene** to the Hearing Examiner pursuant to HE 210, showing how the person's legal rights, duties and privileges may be determined or affected by the decision in this case. The petition must also set forth the grounds and purposes for which intervention is sought.

**All parties are advised** that if a party intends to appear at the hearing scheduled for November 1, 1977 at 10:00 A.M., the Notice of Appearance form enclosed with this order must be completed and returned to the Hearing Examiner at least 10 days before the hearing date. **Should a party fail to appear at the hearing, the allegations made in the petition may be taken as true.**

The above cited procedural rules are available at the Office of Hearing Examiners or may be purchased from the Documents Section of the Department of Administration, 140 Centennial Building, Saint Paul, Minnesota 55155 (Telephone: 612-296-2874). They provide generally for the procedural rights of the parties including: rights to advance notice of witnesses and evidence, right to a prehearing conference, rights to present evidence and cross-examine witnesses, and right to purchase a record or transcript. Parties are entitled to issuance of subpoenas to compel witnesses to attend and produce documents and other evidence.

Persons attending the hearing should bring all evidence bearing on the case including any records or other documents.

If persons have good reason for requesting a delay of the hearing, the request must be made in writing to the Hearing

Examiner at least 5 days prior to the hearing. A copy of the request must be served on the agency and any other parties.

Jim Harrington  
Commissioner of Transportation

## Notice of Appearance

Date of Hearing: November 1, 1977

Name and Telephone Number of Hearing Examiner:

Mr. George Deretich  
1745 University Avenue  
St. Paul, Minnesota 55104  
(Telephone: 612-296-8116)

To the Hearing Examiner:

You are advised that the party named below will appear at the above hearing.

Name of Party: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Party's Attorney or Other Representative: \_\_\_\_\_

Signature of Party or Attorney: \_\_\_\_\_

Date: \_\_\_\_\_

### Erratum

2 SR 507: Add "Proposed temporary rule 49A is adopted unchanged from its proposed form as published in the *State Register*, August 8, 1977, (2 SR 234-235)."

U.S. POSTAL SERVICE  
STATEMENT OF OWNERSHIP, MANAGEMENT AND CIRCULATION

*(Required by 39 U.S.C. 3685)*

1. TITLE OF PUBLICATION <b>State Register</b>		2. DATE OF FILING <b>10-01-77</b>	
3. FREQUENCY OF ISSUE <b>Weekly</b>		A. NO. OF ISSUES PUBLISHED ANNUALLY <b>52</b>	B. ANNUAL SUBSCRIPTION PRICE <b>\$110.00</b>
4. LOCATION OF KNOWN OFFICE OF PUBLICATION (Street, City, County, State and ZIP Code) (Not printers) <b>95 Sherburne Avenue, Suite 203, St. Paul, Minnesota 55103</b>			
5. LOCATION OF THE HEADQUARTERS OR GENERAL BUSINESS OFFICES OF THE PUBLISHERS (Not printers) <b>95 Sherburne Avenue, Suite 203, St. Paul, Minnesota 55103</b>			
6. NAMES AND COMPLETE ADDRESSES OF PUBLISHER, EDITOR, AND MANAGING EDITOR			
PUBLISHER (Name and Address) <b>State of Minnesota, 95 Sherburne Avenue, St. Paul, Minnesota 55103</b>			
EDITOR (Name and Address) <b>Louann Wood, 95 Sherburne Avenue, Suite 203, St. Paul, Minnesota 55103</b>			
MANAGING EDITOR (Name and Address) <b>Louann Wood, 95 Sherburne Avenue, St. Paul, Minnesota 55103</b>			
7. OWNER (If owned by a corporation, its name and address must be stated and also immediately thereunder the names and addresses of stockholders owning or holding 1 percent or more of total amount of stock. If not owned by a corporation, the names and addresses of the individual owners must be given. If owned by a partnership or other unincorporated firm, its name and address, as well as that of each individual must be given.)			
NAME		ADDRESS	
State of Minnesota		95 Sherburne Avenue, Suite 203, St. Paul, MN	
8. KNOWN BONDHOLDERS, MORTGAGEES, AND OTHER SECURITY HOLDERS OWNING OR HOLDING 1 PERCENT OR MORE OF TOTAL AMOUNT OF BONDS, MORTGAGES OR OTHER SECURITIES (If there are none, so state)			
NAME		ADDRESS	
None			
9. FOR COMPLETION BY NONPROFIT ORGANIZATIONS AUTHORIZED TO MAIL AT SPECIAL RATES (Section 132.122, PSM) The purpose, function, and nonprofit status of this organization and the exempt status for Federal income tax purposes (Check one)			
<input type="checkbox"/> HAVE NOT CHANGED DURING PRECEDING 12 MONTHS		<input type="checkbox"/> HAVE CHANGED DURING PRECEDING 12 MONTHS (If changed, publisher must submit explanation of change with this statement.)	
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2. MAIL SUBSCRIPTIONS	501	483	
C. TOTAL PAID CIRCULATION (Sum of 10B1 and 10B2)	501	483	
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