

State Register

STATE OF
MINNESOTA



Pages 1967-1990

RECEIVED

MAY - 8 1978

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

HIGHLIGHTS:

RULES

Instructional Materials in Nonpublic Schools

Catastrophic Health Expense Protection Program (CHEPP)

PROPOSED RULES

Steamfitting Standards

OFFICIAL NOTICES

Fee Increase for Grade "A" Milk Inspection Service

Special Grants Available for Health Services
for Migrant Agricultural Workers

Iron Range Resources and Rehabilitation Board's
Tourism Activities Division Solicits
Proposals for Advertising and Promotion

Application Filed for Licensure of
Emergency-Nonemergency Land Ambulance Service

Minnesota Comprehensive Health Association
Meeting Notice

A detailed table of contents appears inside.

VOLUME 2, NUMBER 44

MAY 8, 1978

Printing Schedule for Agencies

Issue Number	*Submission deadline for adopted and proposed rules and executive orders	*Submission deadline for official notices	Issue Date
45	May 1	May 8	May 15
46	May 8	May 15	May 22
48	May 22	May 30 (Tu)	June 5
48	May 22	May 30 (Tu)	June 5
49	May 30 (Tu)	June 5	June 12

*Deadline extensions may be possible at the editor's discretion; however, no extensions will be made beyond the second Wednesday (12 calendar days) preceding the issue date for rules, proposed rules and executive orders, or beyond the Wednesday (5 calendar days) preceding the issue date for official notices. Requests for deadline extensions should be made only in valid emergency situations. Instructions for submission of documents may be obtained from the Office of the State Register, Suite 415, Hamm Building, 408 St. Peter Street, St. Paul, Minnesota 55102, (612) 296-8239.

The *State Register* is published weekly, on Monday, by the State of Minnesota, Office of the State Register, Suite 415, Hamm Building, 408 St. Peter Street, St. Paul, Minnesota 55102, pursuant to Minn. Stat. § 15.0411. In accordance with expressed legislative intent that the *State Register* be self-supporting, the subscription rate has been established at \$110 per year, and \$85 per year for additional subscriptions, postpaid to points in the United States. Second class postage paid at St. Paul, Minnesota, Publication Number 326630. No refunds will be made in the event of subscription cancellation. Single issues may be obtained at \$2.25 per copy.

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

The State of Minnesota has reserved a copyright to cross-reference tables, tables of contents, indices, numerical lists and codification guides, as provided in RGSTR 7 of the rules of the Office of the State Register.

Copyright © 1978 State of Minnesota

Rudy Perpich
Governor

Carol Anderson Porter
Editor

Richard L. Brubacher
Commissioner
Department of Administration

James Clancy, Paul Hoffman, Robin PanLener, Jack Richter
Editorial Staff

Cindy Peterson
Secretarial Staff

CONTENTS

MCAR AMENDMENTS AND ADDITIONS

EXECUTIVE ORDERS LIST

RULES

Board of Education

Adopted Temporary Rule Governing Instructional
Materials for Pupils Attending Nonpublic
Schools 1974

Department of Public Welfare

Medical Assistance Division

Adopted Rule Governing Operation of the
Catastrophic Health Expense Protection
Program (CHEPP) 1974

PROPOSED RULES

Department of Labor and Industry

Steamfitting Standards Division

Proposed Rules Governing Steamfitting Standards .. 1976

OFFICIAL NOTICES

Department of Agriculture

Grade A Inspection Division

Notice of Fee Increase for Grade "A" Milk
Inspection Service 1985

Department of Commerce

Policy and Rate Division

Notice of Meeting of Minnesota Comprehensive
Health Association Nominating Committee 1985

Department of Health

Emergency Medical Services Division

Notice of Filing of Application for Licensure of
Emergency/Nonemergency Land Ambulance
Service 1985

Notice of Special Grants Available for Health
Services for Migrant Agricultural Workers 1985

Iron Range Resources and Rehabilitation Board, Eveleth, Minnesota

Tourism Activities Division

Solicitation of Proposals for Advertising and
Promotion 1986

MCAR AMENDMENTS AND ADDITIONS

The following is a cumulative listing of all proposed and adopted rules published in the *State Register* from Volume 2, Number 1, to the present issue. The listing is arranged in the same order as the table of contents of the *Minnesota Code of Agency Rules (MCAR)*. All adopted rules published in the *State Register* and listed below amend the rules contained in the MCAR set.

TITLE 1 CONSTITUTIONAL OFFICES

Part 1 Attorney General

Exhibit J (adopted) 1895

Part 2 Secretary of State

SecStat 301, 502-599, 601, 604-699, 902, 903, 1102, 1101-1199, 2101-2106, 2108-2111, 2113, 2115 (proposed) 784

Part 3 State Treasurer

TRE 1-14 (proposed) 662
TRE 1-15 (adopted temporary rules) 1443
TRE 1-15 (proposed) 1501

TITLE 2 ADMINISTRATION

Part 1 Administration Department

SBC 101-111, 201-204 (proposed) 837
SBC 6001-6006 (adopted) 173
SBC 6101-6107 (adopted) 806
SBC 6201-6205 (proposed) 1095
ASHRAE Standard 90-75 pp. 22, 28, 34 (proposed) 1096

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 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 (adopted) 1236
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 9, 18-19, 24, 31, 39, 61, 109, 131, 135-136, 141, 144, 181, 203 (adopted temporary rules) 949
2 MCAR §§ 2.044, 2.048, 2.064, 2.084, 2.087 (proposed temporary rule) 1954
Persl 275-285 (proposed) 92
Persl 275-282 (adopted) 1494

TITLE 3 AGRICULTURE

Part 1 Agriculture Department

3 MCAR §§ 1.0109-1.0113 (proposed) 1394
3 MCAR § 1.0338 (proposed) 1246
3 MCAR §§ 1.0563-1.0568 (proposed) 248
3 MCAR §§ 1.0563-1.0568 (adopted) 948
3 MCAR §§ 1.0583-1.0585 (proposed) 694
3 MCAR §§ 1.0583-1.0585 (adopted) 1615
3 MCAR § 1.0600-1.0603 (proposed) 1459
Emergency Rules 1, 2 (adopted emergency rules) 128
3 MCAR § 1.1188 (adopted) 1781

Part 2 Livestock Sanitary Board

3 MCAR §§ 2.002, 2.005, 2.042 (proposed) 194
3 MCAR §§ 2.002, 2.040 (proposed) 930
3 MCAR § 2.002 (adopted) 1807
3 MCAR §§ 2.005, 2.042 (adopted) 1393
3 MCAR § 2.041 (adopted) 915

TITLE 4 COMMERCE

Part 1 Commerce Department

BD 226, 227 (proposed) 177

INS (worker's compensation rates) 1804
INS 90, 92 (proposed) 183
INS 90, 92 (adopted) 1164
INS 150 (proposed temporary rules) 1051
INS 150 (adopted temporary) 1494
INS 150 (proposed) 1782
INS 180-188 (proposed) 178
INS 200-207, 225-235 (proposed) 1672
Uniform Conveyancing Blanks 1463
SDiv 1501, 1503, 1505-1506, 1508-1509, 1511, 1513, 2011, 2027, 2138 (proposed) 1520

Part 3 Public Service Department

PSC 2, 5 (adopted) 977
PSC 120, 122-124, 128 (adopted) 1050
PSC 179-183 (adopted) 1874
PSC 390-395 (adopted) 834

Part 4 Cable Communications Board

MCCB 2, 20, 46-55, 61-62, 64-77, 80, 91, 99, 103, 111-113, 121, 134, 136, 166-168, 170-171, 201, 225 (adopted) 1028

Part 5 Abstractors Board

Abs 1-10 (adopted) 1378

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
Accy 150, 160 (adopted) 1028
Accy 150 (proposed) 1878

Part 7 Board of Architecture, Engineering, Land Survey 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
BE 1-15, 26-31, 33, 42-45, 56-66, 77-79 (adopted) 1164

Part 9 Boxing Board

4 MCAR §§ 9.101-9.124, 9.201-9.215, 9.301-9.306, 9.401-9.411, 9.501-9.518, 9.601-9.611 (proposed) 916

Part 10 Cosmetology Board

MSBC 1-8, 20-29, 40-42, 60-66 (proposed) 35
MSBC 1-8, 20-30, 40-42, 60-66 (adopted) 1029
MSBC 64 (errata) 164

TITLE 5 EDUCATION

Part 1 Education Department

5 MCAR §§ 1.0552-1.0559, 1.05599 (proposed) 1541
5 MCAR §§ 1.0741-1.0745 (proposed temporary rules) 1402
5 MCAR §§ 1.0741-1.0745 (adopted temporary rules) 1974
5 MCAR §§ 1.720-1.725 (proposed temporary rules) 251
EDU 8 (repealed) 1539
EDU 330 (repealed) 1540
EDU 44, 764, 767-769 (adopted) 915
EDU 741, 743 (adopted) 693
5 MCAR §§ 1.0010, 1.0720-1.0725 (proposed) 1051
5 MCAR §§ 1.0070-1.00791, 1.00801, 1.00811, 1.00821, 1.00831, 1.0084-1.0086, 1.0100-1.0109, 1.01101, 1.0111-1.0116 (proposed) 1056
5 MCAR §§ 1.0720-1.0724 (adopted temporary) 753
5 MCAR §§ 1.0720-1.0724 (adopted temporary) 1236
5 MCAR § 1.0762 (proposed) 1540
5 MCAR § 1.0765 (repealed) 1540
5 MCAR §§ 1.0764, 1.0767-1.0769 (adopted temporary) 305

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

MCAR AMENDMENTS AND ADDITIONS

5 MCAR §§ 2.0101-0108, 2.0301-0310, 2.0401-2.0407, 2.0501-2.0507, 2.0601-2.0607, 2.0801-2.0806 (adopted)	1873
5 MCAR §§ 2.1001-2.1008 (proposed)	1096
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
5 MCAR §§ 3.002-3.003, 3.106, 3.108-3.109 (adopted)	915
5 MCAR §§ 3.073, 3.106, 3.108, 3.130, 3.131 (proposed)	1897

Part 4 State University Board

SCB 101-110, 201-212, 251-255, 301-309, 321-328, 401-404, 421-423, 431-433, 501-506, 601-604, 701-714, 751-753, 801-805, 901-904, 1001-1014 (proposed)	1223
--	------

Part 5 Arts Board

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

Part 6 Zoological Garden

Zoo 101-105, 201-206, 301-307, 401-409, 501-505, 601-615, 701-702 (proposed)	1266
---	------

TITLE 6 ENVIRONMENT

Part 1 Natural Resources Department

NR (unnumbered) (proposed)	1732
NR 51, 56 (proposed)	441
NR 51, 56 (adopted)	1593
NR 2600, 2610, 2620, 2630, 2640 (adopted)	174
NR 2700, 2710, 2720 (adopted)	1664
NR 5020-5026 (proposed)	201
NR 5300 (proposed)	287
NR 5300 (adopted)	1926
NR 10 (proposed)	777

Part 2 Energy Agency

EA 301-315 (adopted)	1038
EA 601-641 (adopted)	1444
EA 601-641 (adopted)	1618
EA 701-705, 711, 721, 731-737, 741-743, 781, 791 (proposed)	1549
EA 1001-1005, 1011, 1021, 1031-1033, 1040-1045, 1050-1055, 1060-1065, 1091 (proposed)	1560
6 MCAR §§ 2.1101-2.1105, 2.1111, 2.1121, 2.1131-2.1135, 2.1141-2.1144, 2.1146-2.1149, 2.1151-2.1154, 2.1156- 2.1159, 2.1181, 2.1186, 2.1191 (proposed)	1808

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 38 (adopted)	833
WPC 40 (proposed)	710
WPC 34 (proposed)	1737

Part 5 Water and Wastewater Operator Certification Council

WWOB 1 (proposed)	674
WWOB 1 (adopted)	1730

Part 6 Metropolitan Waste Control Commission

MWCC 2 (proposed)	518
MWCC 2 (adopted)	1287

Part 7 Soil and Water Conservation Board

SWC 1-5 (proposed temporary rules)	970
SWC 1-5 (proposed)	1422
SWC 1-5 (adopted temporary rules)	1457

TITLE 7 HEALTH

Part 1 Health Department

MHD 139 (proposed)	674
MHD 139 (adopted)	1200
MHD 145-149 (emergency rules)	381
MHD 145, 147, 149-150, 195, 198, 246-254 (adopted)	1046
7 MCAR §§ 1.174-1.178 (proposed)	1252
MHD 181-186 (adopted)	1284
MHD 220, 224 (proposed)	926
MHD 220, 224 (adopted)	1726
MHD 268, 279, 294, 304-306, 314-315, (proposed)	420
MHD 268, 279, 294, 304-306, 314-315 (adopted)	1165
7 MCAR § 1.370 (adopted)	832
7 MCAR §§ 1.521-1.527 (adopted)	829
MHD 536-538 (adopted)	1659

Part 4 Medical Board

7 MCAR § 4.012 (proposed)	309
7 MCAR § 4.012 (adopted)	1613

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 §§ 5.1002-5.1004, 5.1012, 5.1030, 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	1874
7 MCAR §§ 5.1010, 5.1011, 5.1030-5.1033 (proposed)	755

Part 6 Nursing Home Administration Board

NHA 10, 22-23 (proposed)	1479
------------------------------------	------

Part 7 Optometry Board

OPT 1-8 (proposed)	44
OPT 1-8 (adopted)	1669

Part 8 Pharmacy Board

PHARM 1-4, 6-13, 21, 25-28, 31, 33, 36-37, 40-41, 43-46, 51, 61, 101-106, 111-118 (adopted)	1136
Pharm 51 (proposed)	1594

Part 9 Podiatry Board

7 MCAR § 9.002 (proposed)	442
-------------------------------------	-----

Part 11 Veterinary Board

7 MCAR §§ 11.001-11.008 (adopted)	1243
---	------

TITLE 8 LABOR

Part 1 Labor and Industry Department

LS 1-9, 12, 14-18 (proposed)	189
LS 1-9, 12, 14-18 (adopted)	1139
FEA 1, 3, 7-8, 13, 16, 22, 27, 29, 44, 57 (proposed)	187
FEA 1, 3, 7-8, 13, 16, 22, 27, 29, 44, 57 (adopted)	1593
SRLI 8300-8312 (proposed)	1976
MOSHC (emergency temporary standard)	1664
MOSHC 1 (emergency rule)	145
MOSHC 1 (adopted)	969
MOSHC 1 (withdrawn)	1378
MOSHC 1 (proposed)	1380
MOSHC 1 (adopted)	1729
MOSHC 270-283, 290-306, 310-317, 320-336 (proposed)	149

Part 3 Public Employment Relations Board

PERB 1, 3, 10, 35, 40-41, 50, 55 (proposed)	931
---	-----

MCAR AMENDMENTS AND ADDITIONS

Part 4 Department of Economic Security

8 MCAR § 4.0010 (proposed)	1147
8 MCAR § 4.0010 (adopted)	1951

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
HE 401-418 (adopted)	1798

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
10 MCAR §§ 1.305-1.310 (proposed)	1640

Part 3 Municipal Board

MMC 20 (proposed)	1731
-------------------	------

Part 4 Metropolitan Council

MC 1-11 (proposed)	1355
--------------------	------

TITLE 11 PUBLIC SAFETY

Part 1 Public Safety Department

DES 94, 129-130, 140-141 (adopted)	1167
DES 94, 129-130, 140-141 (proposed)	443
11 MCAR §§ 1.5067-1.5070 (proposed)	891
11 MCAR §§ 1.5067-1.5070 (adopted)	1933
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 100-112 (adopted)	1842
CORR 200-203 (emergency rules)	407
CORR 200-203 (adopted temporary rules)	969

Part 3 Crime Control Planning Board

CCPB 100-109 (proposed)	1631
-------------------------	------

TITLE 12 SOCIAL SERVICE

Part 2 Public Welfare Department

DPW 1 (adopted)	1168
DPW 3 (adopted)	1182
DPW 17 (proposed)	1404
DPW 30 (proposed temporary rule)	132
DPW 33 (proposed temporary rule)	133
DPW 30A, 33A (adopted temporary)	754
DPW 30 (30A), 33 (33A) (adopted)	1168

DPW 30 (proposed)	1634
DPW 43 (proposed)	1755
DPW 44 (errata)	998
DPW 47 (adopted)	353
DPW 47 (proposed)	677
DPW 47 (adopted)	1617
DPW 47 (proposed)	1955
DPW 49 (proposed temporary rule)	234
DPW 49 (proposed)	617
DPW 49 (adopted)	245
DPW 49 (proposed temporary rule)	1596
DPW 49 (proposed temporary rule)	1828
DPW 49 (proposed)	1935
DPW 49A (adopted temporary)	507
DPW 52 (adopted)	34
DPW 56, 60-62 (proposed)	1100
DPW 60 (adopted temporary)	1239
DPW 60 (adopted)	1974
DPW 94, 104, 116, 125, 128, 131-132, 140-141 (proposed)	455
DPW 94, 104, 116, 125, 128, 131-132, 140-141 (adopted)	1189
DPW 125, 126, 128, 130-132, 135, 140 (proposed)	633
DPW 125, 126, 128, 130-132, 135, 140 (adopted)	1496
DPW 160 (proposed)	60
DPW 160 (proposed)	160
DPW 160 (errata)	164
DPW 162 (proposed)	1751
DPW 171, 200, 210-218 (adopted)	1093

Part 3 Housing Finance Agency

MHFA 1-17, 31-36, 51, 61-69, 111-115 (adopted)	306
MHFA 120 (proposed)	675
MHFA 120-121 (adopted)	1873
MHFA 131-135 (proposed)	1359
MHFA 131-135 (proposed)	1575

TITLE 13 TAXATION

Part 1 Revenue Department

Tax S&U 101, 104, 107-109, 112, 115-117, 202, 204, 207-208, 211-212, 302, 401, 404, 407, 408, 411, 415, 421-422, 508, 510-511, 601, 604, 607-610 (proposed)	1288
---	------

Part 2 Tax Court

13 MCAR §§ 2.001-2.00 (proposed)	1260
13 MCAR §§ 2.001-2.017 (adopted)	1877

TITLE 14 TRANSPORTATION

Part 1 Transportation Department

14 MCAR §§ 1.4025-1.4028 (proposed temporary rules)	892
14 MCAR §§ 1.4025-1.4028 (adopted temporary rules)	1200
14 MCAR §§ 1.4025-1.4028 (adopted temporary rule)	1515
14 MCAR §§ 1.4025-1.4028 (proposed)	1781
14 MCAR § 1.5041 (proposed)	1360
14 MCAR § 1.5041 (adopted)	1894

EXECUTIVE ORDERS LIST

The following is a cumulative listing of all executive orders published in the *State Register* from Volume 2, Number 1, to the present issue. The listing is arranged in numerical order by executive order number.

Executive

Order

Number

Title

Issue Page

144A	Amending Executive Order 144 Creating the Governor's Appointments Commission	27	1352
149	Providing for a State Materials Inventory Management Program	3	125
150	Creating the Agriculture Commissioner Search Committee	3	126
151	Writ of Special Election to Fill Vacancy in the Office of the State Representative of District 22B within the Counties of Hennepin, McLeod, Meeker and Wright, State of Minnesota, and of Special Primary Election to Nominate Candidates for Said Office	7	285
152	Creating Crime Control Planning Regions	10	405
153	Providing for Assistance to Officials of the State of Minnesota (Emergency Executive Order)	10	406
156	Creating a Committee for the Governor's Pre-White House Conference on Libraries	16	805
157	Assigning Emergency Responsibilities to State Agencies and Repeating Executive Orders 102 and 102A	21	1008
158	Write of Special Election to Fill Vacancy in the Office of the State Senator of District 49 within the Counties of Anoka and Ramsey, State of Minnesota, and of Special Primary Election to Nominate Candidates for Said Election	19	964
159	Providing for the Establishment of the Governor's Council on Employment and Training and Repealing Executive Orders 79 and 79A	19	965
160	Providing for the Transfer of the Administration of State and Federally-Funded Programs Previously Administered by the Governor's Manpower Office to the Department of Economic Security, and Repealing Executive Order No. 125	19	966
161	Write of Special Election to Fill Vacancy in the Office of the State Representative of District 35A within the Counties of Mower, Fillmore, and Olmsted, State of Minnesota, and of Special Primary Election to Nominate Candidates for Said Election	21	1026
162	Providing for Assistance to Officials of Lake of the Woods County, Minnesota (Emergency Executive Order)	22	1092
163	Providing for Referenda to Determine Inclusion of members of the Minneapolis Teachers Retirement Fund Association, St. Paul Teachers Retirement Fund Association and Minneapolis Municipal Employees Retirement Fund in the State Social Security Agreement	27	1353
164	Providing for Assistance to Officials of Polk County, Minnesota (Emergency Executive Order)	27	1354
165	Charging the Department of Natural Resources with the Administration of the Governor's Aesthetic Environment Program and Related Efforts to Eliminate Visual and Aesthetic Pollution in the State of Minnesota	31	1441
166	Providing for Assistance to Officials of the State of Minnesota (Emergency Executive Order)	32	1493
167	Providing for Assistance to Officials of Polk County, Minnesota (Emergency Executive Order)	33	1513
168	Providing for the Reaffirmation of the Establishment of an Affirmative Action Program and Repealing Executive Order Nos. 76 and 76A	36	1657
169	Providing for Assistance to Officials of Polk County, Minnesota (Emergency Executive Order)	43	1050

RULES

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

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

If an adopted rule differs from its proposed form, language which has been deleted will be printed with strike outs and new language will be underlined, and the rule's previous *State Register* publication will be cited.

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

Board of Education

Adopted Temporary Rule Governing Instructional Materials for Pupils Attending Nonpublic Schools

The State Board of Education adopted the temporary rule relating to the instructional materials for pupils attending nonpublic schools on March 13, 1977. This rule, 5 MCAR §§ 1.0741-1.0745, is identical to the rule printed in the *State Register*, Vol. 2, Number 29, pp. 1402-1404, January 23, 1978 (2 S.R. 1402). The attorney general approved the rule on April 13, 1978, with the following correction:

5 MCAR § 1.0742 Instructional materials available to pupils attending nonpublic, sectarian schools.

A. The term shall be limited to any book or book substitute which a pupil uses as a text or text substitute in a particular class or program in the school he regularly attends, ~~which~~ which book or book substitute shall be limited to books, workbooks, or manuals, whether bound or in looseleaf form, intended for a given class or group of students, a copy of which is expected to be available for individual use of each pupil in such class or group. In addition, pupils attending nonpublic schools may be supplied with such standardized tests as are in use in the public schools of the state.

Department of Public Welfare Medical Assistance Division Adopted Rule Governing Operation of the Catastrophic Health Expense Protection Program (CHEPP)

The proposed rule (DPW 60) published at *State Register*, Volume 2, Number 22, pp. 1102-1112, December 5, 1977 (2 S.R. 1102), is adopted and is identical in every respect to its proposed form, except for the following amendments:

DPW 60 Catastrophic health expense protection.

A.1. Scope and purpose of rule. This rule governs administration of the Catastrophic Health Expense Protection Program (CHEPP, CHEP Program) in Minnesota. It is issued pursuant to Minn. Stat. § 62E.54, subd. 1. ~~(1976)~~. It provides the basis for implementation of §§ 62E.51 to 62E.55.

B.3. "Qualified expense" means any charge incurred subsequent to July 1, 1977 for a health service which is included in the list of covered services described in Minn. Stat. § 62E.06, subd. 1, ~~(1976)~~, and for which no third party is liable. Such qualified expenses shall include the usual and customary charges for the following services and articles when prescribed by a physician:

(Sections B.3.a. through B.3.n. remain unchanged from the original text as printed on December 5, 1977.)

B.14. "Physician" means a medical doctor, osteopath, a chiropractor, or a dentist acting within the scope of CHEPP coverage of dental services; licensed in the state in which he practices and acting within the scope of his license. The term does not include podiatrists, ~~chiropractors~~, optometrists, or psychologists. The inclusion of chiropractors here within the definition of "physician" shall not imply any authority within the CHEP Program for chiropractors to prescribe other health services for coverage under the program if prescribing such services would constitute the prescribing of internal drugs, the practice of medicine, or the practice of physical therapy.

B.20. "Medical Assistance Program" means that program of medical assistance to the poor and needy established by Title XIX of the Federal Social Security Act as of July 1, 1977 and, in Minnesota, by Minn. Stat. ch. 256B.

B.21. "Medicare" means that program of payment for

RULES

health services for the aged and disabled established by Title XVIII of the Federal Social Security Act, as of July 1, 1977.

B.29. "Review organization" means a professional standards review organization as defined in the Federal Social Security Act as of July 1, 1977, or a similar organization as defined in Minn. Stat. § 145.61.

B.36. "Applicant means a person who has directly, or through his attorney, guardian, or personally designated representative, made application for benefits from the CHEP Program with his local welfare agency. Additionally, an applicant may be a deceased person's estate, on behalf of which an application is filed by the personal representative of the estate, subject to the restrictions in Section C.2. below.

C.5. Filing and processing applications. ~~Local welfare agencies shall maintain such records of CHEPP applications~~

DPW 60

~~as may be required by this rule and by administrative procedures established by the commissioner.~~ Application forms and records of applicants' income and expenses for health services shall be kept in the local welfare agency for at least as long as such records are required to be kept by the Medical Assistance Program. Local agencies shall provide copies of CHEPP applications, applicants' medical bills, and other documents submitted at application, to the Department of Public Welfare as required by the commissioner. Local agencies shall determine whether an applicant is eligible for CHEPP benefits within 30 days of receiving all information and documents needed to determine eligibility. When an applicant has been found eligible, the local agency shall take whatever action is necessary to establish the applicant family as an eligible case in the State computerized Welfare Information System (the Case Information System); this updating of the Case Information System shall be completed within 10 work days of determining the applicant's eligibility.

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

PROPOSED RULES

Pursuant to Minn. Stat. § 15.0412, subd. 4, agencies must hold public hearings on proposed new rules and/or proposed amendment of existing rules. Notice of intent to hold a hearing must be published in the *State Register* at least 30 days prior to the date set for the hearing, along with the full text of the proposed new or amended rule. The agency shall make at least one free copy of a proposed rule available to any person requesting it.

Pursuant to Minn. Stat. § 15.0412, subd. 5, when a statute, federal law or court order to adopt, suspend or repeal a rule does not allow time for the usual rulemaking process, temporary rules may be proposed. Proposed temporary rules are published in the *State Register*, and for at least 20 days thereafter, interested persons may submit data and views in writing to the proposing agency.

Department of Labor and Industry Steamfitting Standards Division Proposed Rules Governing Steamfitting Standards

Order for Hearing

It is hereby ordered, that a public hearing on the above-captioned rules be held in the State Office Building, Room 81, St. Paul, Minnesota, 55155, on June 13, 1978, commencing at 9:00 a.m., and continuing until all persons have had an opportunity to be heard.

It is further ordered, that a Notice of Hearing be mailed to all persons or representatives of associations or other interested groups who registered their names with the Secretary of State for that purpose.

It is further ordered, that the Notice of Hearing be published in the *State Register*.

E. I. Malone
Commissioner

April 18, 1978

Notice of Hearing

Notice is hereby given, that a public hearing in the above-entitled matter will be held in the State Office Building, Room 81, St. Paul, Minnesota, 55155, on June 13, 1978, commencing at 9:00 a.m., and continuing until all representatives of associations or interested groups or per-

sons have had an opportunity to be heard concerning the adoption of the proposed rules captioned above by submitting either oral or written data, statements or arguments. 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. Harry Crump, State Office of Hearing Examiners, 1745 University Avenue, St. Paul, Minnesota, 55104 (296-8111), the Hearing Examiner appointed to hear this matter, either before the hearing or within five (5) working days after the close of the hearing unless the Hearing Examiner orders a longer period of time which may not exceed twenty (20) days.

The proposed rules, if adopted, would amend the existing rules relating to high pressure steam piping and appurtenances. Present rules have not been changed or revised since May, 1963. The purpose of the proposed rules is to clarify existing language to correspond with the present statutory language contained in Minnesota's Steamfitters Licensing Law, Minn. Stat. § 326.46-326.52; to update the present minimum standards which pertain to steamfitting work; and to shorten the length of time necessary to serve as a steamfitter's apprentice from five years to four years. The specific subject matters and nature of the proposed rules are as follows:

1) Minn. Stat. § 326.49 provides for the formation of an "Advisory Council for Steamfitting Examinations". Prior law and rules adopted thereunder provide for a "Board of Steamfitting Examiners". The proposed rules change the identification of this organization wherever its name appears in the rules;

2) The proposed rules delete language which is no longer applicable to the present personnel structure of the Department and which does not assist in the overall interpretation or application of the rules;

3) The proposed rules delete the provisions of Rule SRLI 8300 which describe the steps to be taken prior to the suspension or revocation of a steamfitter's license and provide that such hearings shall proceed in accordance with the provisions of Minnesota's Administrative Procedures Act;

4) Rule SRLI 8301 is proposed to be amended to provide that the Secretary of the Advisory Council be an employee of the Department and that language be deleted which pertains to the compensation received by the Secretary;

5) Rule SRLI 8304 is proposed to be amended by changing the term for a steamfitter's apprentice from five years to four years;

6) Rule SRLI 8306 is proposed to be amended by deleting the dollar amounts provided for examination fees;

PROPOSED RULES

7) Rule SRLI 8307 is proposed to be amended by changing the age qualification for journeyman from 21 years to 20 years; and that such journeyman serve a four-year term of apprenticeship rather than a five-year term presently provided for;

8) Rule SRLI 8308 is proposed to be amended to change the amount of credit given on examination papers for experience in the trade from 25% to 10%;

9) Rule SRLI 8309 is proposed to be amended by deleting the specified fees for examinations, renewals and language which pertains to the expiration of licenses;

10) Rule SRLI 8310 is proposed to be amended to change the term of apprenticeship from five years to four years;

11) Rule SRLI 8312 which consists of the Minnesota Code for High Pressure Piping is proposed to be amended as follows:

Subpart No. 18 entitled "drains, drips and steam traps" amended to provide that the discharge of a high pressure trap shall not empty into a low pressure receiver unless certain criteria are met;

Subpart No. 44, "boiler feed systems" amended to provide that in no case shall pipe or fitting be rated less than 1.25 times the safety valve setting on the boiler;

Subpart No. 45, "boiler feed piping" amended to require that where two means of feeding water are required for a boiler, each source shall be capable of supplying water at a pressure of 6% higher than the highest setting of any safety valve on the boiler;

Subpart No. 46, "blow off piping and tanks" amended to change the temperature at which blow-downs must pass through a blow off tank to not more than 180°;

Subpart No. 47, "water column" amended to delete the cast iron fitting requirements for piping to the water column and language which pertains to the power boiler code of the American Standards Association. Proposed language will restrict the pipe connections which may be made on the water column piping;

Subpart No. 55, "expansion and flexibility" amended to delete the formula defining the expansion of pipe and adding a definition of "E" utilized in the rule's formula.

SRLI 8300

Copies of the proposed rules in their entirety are now available and one free copy may be obtained by writing to the Department of Labor and Industry, Space Center Building, 444 Lafayette Road, St. Paul, Minnesota 55101. Additional copies of rules will be available at the door on the day of the hearing.

These rules are proposed pursuant to the authority vested in the Department of Labor and Industry by the provisions of Minn. Stat. § 326.46 (1976) which empowers the Department to prescribe minimum standards for high pressure steam piping, and Minn. Stat. § 326.48 (1976) which empowers the Department to prescribe rules and regulations for the examination and licensing of steamfitters. A "Statement of Need" explaining why the agency feels the proposed rules are necessary and a "Statement of Evidence" outlining the testimony that will be introduced 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. § 10A.01, subd. 11 (1976), 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 at the State Ethics Commission as a lobbyist within five (5) days of the commencement of such activity by the individual.

E. I. Malone
Commissioner

April 18, 1978

A. Proposed Rules amending Department of Labor and Industry Rules and Regulations Relating to Steamfitting Standards Division.

B. The following Rules are amended pursuant to the authority contained in Minn. Stat. § 326.46 & Minn. Stat. § 326.48.

SRLI 8300 Organization and duties of ~~Board of Examiners~~ Advisory council for steamfitting examinations

(a) ~~A.~~ The ~~Board of Steamfitting Examiners Council~~ shall organize by electing from its members a chairman and a secretary, which elections must be confirmed by the ~~Industrial Commission~~ Commissioner, Department of Labor & Industry before becoming effective.

(b) ~~B.~~ The ~~Board of Steamfitting Examiners Council~~ shall meet not less than two times a year for examinations and

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

PROPOSED RULES

SRLI 8300

shall meet at such other times as it deems necessary of when called by the secretary. ~~to carry out the provisions of the registration act or Code of Minimum Standards.~~

(~~e~~)C. The ~~board~~ Council shall examine all applicants for contracting or journeymen steamfitters' licenses, and after being satisfied of an applicant's qualifications and passage of the examination, it shall certify ~~him~~ the applicant to the secretary Department for issuance of a license.

(~~d~~)D. Upon information coming to the ~~board~~ Council of any licensee having obtained his license through error, misrepresentation or fraud, or of his incompetency, or of a wilful violation of any of the rules and regulations applicable to the work of steamfitting or of the adopted Code of Minimum Standards, ~~it the Council~~ shall make an investigation as to the probable truth of such information. If the facts elicited by such investigation appear to warrant a suspension or revocation of the licensee's license, the ~~board~~ Council shall file with the commissioner written charges against the licensee and a recommendation for the suspension for a stated length of time or revocation of the license. Thereupon the commissioner shall ~~notify the licensee in writing of the charges against him, the time and place of hearing the charges and his right to produce testimony of himself and witnesses and to be represented by counsel. The commission may appoint a referee to take the testimony of all the proceedings, upon a transcript of which it shall render a decision, proceed in accordance with the provisions of Minnesota's Administrative Procedures Act. If the license is suspended, it shall be reinstated at the end of the period of suspension, and if it is revoked an application for a new license cannot be made within one year from the date of revocation.~~

(~~e~~)E. If any person whose license has been suspended or revoked has adjusted the cause for the suspension or revocation in a manner satisfactory to the ~~board~~ council, or if the period of suspension has elapsed, the ~~board~~ council shall so certify to the commissioner ~~and it who~~ may reinstate the suspended license or reissue the revoked license to such person, as the case may be, for the remainder of the license year.

(~~f~~)F. The ~~board~~ council shall notify ~~employees of the division the Department of any misbehavior, neglect of duty or incompetency, and report the same to the Industrial Commission with the a recommendation for dismissal if it deems the charge to be of sufficient gravity.~~

(~~g~~)G. The ~~board~~ council shall recommend to the ~~Industrial Commission Department~~ any changes it deems advisable ~~in the registration act, to these rules or the Code of Minimum Standards.~~

(~~h~~)H. The ~~board~~ council shall keep a record of all meetings, hearings and examinations.

(~~i~~)I. The ~~board~~ council shall determine questions of interpretation of provisions of the Code of Minimum Standards, which determinations shall be subject to ~~appeal review to by the Industrial Commission Department, but and shall submit questions of interpretation of the law or of these rules directly to the commission Department.~~

(~~j~~)J. The ~~board~~ council shall faithfully perform duties outlined by the ~~registration act~~, the Code of Minimum Standards, and these rules.

(~~k~~)K. ~~No~~ A member of the ~~board~~ council ~~shall may be removed during his term of office except for reasons considered sufficient therefor by the Industrial Commission Department of Labor and Industry, nor without the privilege of a hearing in accordance with Minn. Stat. § 15.059, subd. 4.~~

SRLI 8301 Duties of the secretary. The secretary of the ~~board~~ council ~~may shall be~~ an employee of the Industrial Commission Department and have general charge of the office of the Steamfitting division and its books and records, including those of the ~~board~~ council. ~~If he is not a full time employee of the commission department he shall retain in his possession the books and records of the board of examiners Advisory Council for Steamfitting Examinations. Specifically, his duties shall include the following:~~

(~~a~~)A. Maintain a record of all proceedings of the ~~board~~ council together with the necessary registers pertaining to applications for examinations and licenses, showing thereon, for each, the date of application, name, qualifications, place of business, place of residence, and whether the license was granted or not.

(~~b~~)B. To receive all moneys derived for examination fees and remit same to the ~~cashier of the Industrial Commission Department.~~

(~~c~~)C. To ~~sign and~~ issue all licenses upon receipt of certification from the ~~board~~ council, and approved by the commissioner, that the applicant has qualified and has successfully passed the examination. He shall sign and issue renewals of licenses without such certification.

(~~d~~)D. To call meeting of the ~~board~~ council whenever he deems the same to be necessary, or when requested by a majority of the ~~board~~ council or by the commissioner.

(~~e~~)E. To issue notices and summons to licensees, complainants and witnesses of hearings by the ~~board~~ council on charges of violations of the law or the Code of Minimum Standards.

PROPOSED RULES

(~~F~~) F. To issue notices to applicants for licenses of the time and place of examination.

(~~G~~) G. To keep complete and detailed records of complaints and evidence pertaining thereto and have the same at hearings of the ~~board~~ council thereon.

(~~H~~) H. To furnish to the ~~board~~ council such information in his possession as may be necessary for the proper performance of its duties or as it may from time to time require.

(~~I~~) I. To prepare, with the advice and assistance of the ~~board~~ council, a budget of expenses quarterly and transmit a copy thereof to the ~~Industrial Commission~~ Department.

(~~J~~) J. To approve, before payments, all expense vouchers pertaining to the ~~Division of Steamfitting Standards~~.

(~~K~~) K. To supervise the duties of inspectors and employees of the division and notify the ~~board~~ council of any incompetence, misbehavior or neglect of duty by them.

The ~~secretary of the board~~ shall receive such compensation as the ~~Industrial Commission~~ shall determine, subject to the rules of the ~~Civil Service Commission~~.

SRLI 8302 Qualifications and duties of inspectors. Inspectors shall be ~~directly~~ responsible to the ~~secretary of the board~~ for the fulfillment of their duties, which shall include the following:

(~~A~~) A. They shall report to the secretary of the ~~board~~ council or the ~~Industrial Commission~~ Department all violations of the law or Code of Minimum Standards, with recommendation for action on such violations.

(~~B~~) B. They shall inspect the installation of all high pressure steam piping and appurtenances when requested or when deemed advisable to determine if such installation meets code requirements. They shall also inspect high pressure steam piping underground and overhead or in any building at any time to determine the safety operations of such steam piping and appurtenances.

(~~C~~) C. They shall at all times be alert to ascertaining whether persons engaging in the business or occupation of high pressure steam piping are complying with the provisions of the registration act and Code of Minimum Standards, and especially as to whether or not such persons are licensed.

SRLI 8303

(~~D~~) D. They shall be thoroughly conversant with all provisions of the registration act, the Code of Minimum Standards, and these rules.

(~~E~~) E. They shall at all times be courteous in the conduct of their duties and shall acquaint the persons engaged in the business of high pressure steam piping with the provisions of the registration act and Code of Minimum Standards.

(~~F~~) F. They shall be furnished with a badge or certificate of identification and shall display the same whenever requested when on duty.

(~~G~~) G. They shall refrain from debating any question of disputes where violations are found, but shall be empowered to inform violators of the provisions of the code.

(~~H~~) H. They shall not divulge any of their opinions or findings pertaining to their duties as inspectors to any person not connected with the Division of Steamfitting Standards unless instructed to do so by their superior officers, nor shall they divulge to the public any matters of a private nature in the possession of the division.

(~~I~~) I. They shall not have authority to start any action or legal proceeding pertaining to the enforcement of the registration act or Code of Minimum Standards unless instructed by their superior officers to do so.

(~~J~~) J. They shall have authority to give notice to installers or the property owner by attaching a tag to the steam piping or equipment advising that the piping installation does not meet the Minnesota code requirements or that it was installed by persons not licensed to make such installation, and that the equipment shall not be put into operation until the law and code are complied with and the tag removed by an authorized person.

SRLI 8303 Definitions.

(~~A~~) A. High pressure steam shall mean a pressure in excess of 15 pounds per square inch.

(~~B~~) B. A contracting steamfitter is any person engaged in the planning, superintending and practical installation of high pressure steam piping and appurtenances, and otherwise lawfully qualified to construct high pressure steam piping installations and make replacements to existing plants, who is also qualified to conduct the business of high pressure steam piping installations and who is familiar with

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

PROPOSED RULES

SRLI 8303

the laws, rules, regulations and minimum standards governing same.

(e)C. A journeyman steamfitter is any person other than a contracting steamfitter who, as his principal occupation, is engaged in the practical installation of high pressure steam piping and appurtenances in the employ of a contracting steamfitter.

(d)D. A steamfitter's apprentice is any person other than a contracting or journeyman steamfitter, who, as his principal occupation, is engaged in learning and assisting in the installation of high pressure steam piping and appurtenances under the supervision of a licensed steamfitter.

SRLI 8304 Licensing and registration.

(a)A. No person, firm, corporation or association shall engage in the business or work at the occupation of high pressure steam piping in the State of Minnesota without first obtaining a license and being registered as a contracting or journeyman steamfitter, as the case may be, and no licensed contractor shall employ a journeyman steamfitter, to install high pressure steam piping unless such journeyman is a licensed steamfitter; and no person shall work as a steamfitter's apprentice for more than thirty days without being registered as such, nor longer than ~~five years~~ four years without making application for examination and license as a steamfitter.

(b)B. Licenses shall be granted as contracting or journeyman steamfitters upon proof of qualifications therefor as hereinafter provided, and no apprentice shall be registered as such who is not at least sixteen years of age.

(c)C. An applicant for a contractor's license to do business in the name of a firm or partnership shall be a bona fide member or employee of such firm or partnership. An applicant for a contractor's license to do business in the name of a corporation shall be a regular employee or member in such corporation.

SRLI 8305 Applications for registration.

(a)A. Application for a contractor's license and registration shall be made to the secretary of the Division of Steamfitting Standards at least thirty days prior to the next scheduled examination on blanks provided for that purpose by the division. ~~accompanied by the examination fee.~~ Application for a journeyman's license shall be filed with the division at least ten days prior to the next examination. The ~~board council~~ may waive the rule applying to journeymen examinations in emergency cases. If the statements made by the applicant in said application form indicate that he possesses the necessary qualifications to take an examination,

the secretary shall notify him of the time and place of examination. If, on examination, the applicant fully qualifies, the ~~board council~~ shall so certify to the ~~commission department~~, which shall thereupon issue to him a license as a contracting or journeyman steamfitter, as the case may be, for the remainder of the calendar year. If an applicant fails to qualify at an examination, the ~~board council~~ shall so certify to the secretary, who shall notify the applicant of his failure to pass.

(b)B. Any applicant who fails to pass the first examination may be reexamined at the next regular examination of which he is notified without the payment of another fee, but thereafter all applicants for reexamination shall be accompanied by the regular statutory fee.

SRLI 8306 Qualifications for contracting steamfitter license. Applicants for license as a contracting steamfitter shall:

(a)A. Be at least twenty-one years of age.

(b)B. Possess sufficient education to read and comprehend blueprints, specifications and terms of contracts, and to compute the cost of installing high pressure steam piping and equipment.

(c)C. Have worked at the trade of steamfitting for at least five years.

(d)D. Be examined as to their knowledge of high pressure steamfitting, the requirements of the laws and regulations and minimum standards for the installation of high pressure steam piping in the state of Minnesota, their ability to lay out a plan of high pressure steam piping, and their knowledge of the physics and mechanics applicable to high pressure steam piping.

(e)E. Generally demonstrate to the ~~board council~~ their fitness to properly, intelligently and lawfully carry on the business of a contracting and employing steamfitter in the state of Minnesota.

(f)F. Be of good moral character.

(g)G. Pay an examination fee. ~~of \$40.~~

(h)H. Pass the required examination by at least 70 per cent.

SRLI 8307 Journeyman steamfitter qualifications. Applicants for license shall:

(a)A. Be at least ~~twenty one~~ twenty years of age.

(b)B. Possess sufficient education to read and com-

PROPOSED RULES

prehend blueprints and specifications for the installation of high pressure steam piping.

(c) C. Be of good moral character.

(d) D. Have been a registered apprentice or journeyman steamfitter for at least ~~five~~ four years.

(e) E. Pay an examination fee. ~~of \$15-~~

(f) F. Pass the required examination by at least 70 per cent.

SRLI 8308 Examination of applicants for licenses.

(a) A. Examinations shall consist of written ~~and~~ or oral questions and drawings of plans and sketches, except that when an applicant is handicapped for a written examination his examination may be entirely oral. All questions and sketches shall pertain to practical experience and knowledge of steamfitting and be standard, but may be changed from time to time.

(b) B. Examination papers shall be reviewed by at least two members of the ~~board~~ council. Each answer or sketch shall be graded on the basis of 100 for perfect. The board may grant up to ~~25~~ 10 per cent for experience in the trade or to persons who are certified welders based upon actual experience on high pressure steamfitting as shown on the application. An average of at least 70 per cent shall constitute the passing mark.

(c) C. Applicants shall be notified of the outcome of their examination after their papers have been graded. The notice to those who have failed to pass shall inform them of their privilege of reexamination without the payment of another fee at the next examination held of which they are notified.

SRLI 8309 Fees for examinations and licenses.

(a) A. Examination fees for contracting steamfitters shall be \$40; and for journeymen steamfitters \$10. ~~Such fees~~ Fees shall ~~be for the examination and to cover the cost of a license for the remainder of the calendar year in which the examination is taken or for which the application is made if the applicant qualifies for a license.~~

(b) ~~The annual renewal fee shall be \$30 for contracting steamfitters and \$4 for journeymen steamfitters.~~

(c) B. All licenses shall expire on December 31 of each year, but may be renewed at any time during the month of

SRLI 8311

December or the following January upon payment of the regular annual renewal fee. For renewals made during the following February the fee for contracting steamfitters shall be \$10 and for journeymen steamfitters \$2 in addition to the regular annual renewal fee. After February a license may be reinstated upon payment of the regular examination fee; however, the board may at its discretion require the applicant to be reexamined and pass an examination before being reinstated as a licensed steamfitter.

SRLI 3810 Registration of apprentices.

(a) A. All steamfitters' apprentices who are at least sixteen years of age shall be registered with the Division of Steamfitting Standards, unless they are indentured through some recognized Apprenticeship training program. Each registration shall give the name, address and age of the apprentice and the date of commencement of his term of apprenticeship, and also the name and address of his present and past employers as such apprentice. The registration shall be good until the completion of the term of apprenticeship, provided that when an apprentice is thereafter transferred from one contracting steamfitter to another, a notice of such transfer shall be filed with the Division of Steamfitting Standards or the Division of Voluntary Apprenticeship. Upon completion of the term apprenticeship, which shall consist of ~~five~~ four years, the apprentice shall make application for examination and license as a journeyman or contracting steamfitter.

(b) B. All contracting steamfitters shall within ten days of the employment of an apprentice inform the Division of Steamfitting Standards of the employment of such apprentice, giving his name, address, age and date of employment, unless such apprentice is indentured by some plan recognized by the Division of Voluntary Apprenticeship.

(c) C. All registered apprentices shall inform the Division of Steamfitting Standards of changes of employment and of their address.

SRLI 8311 General provisions.

(a) A. A contracting steamfitter's license shall entitle him to work as a journeyman steamfitter under rules and regulations applicable to journeyman steamfitters, but a journeyman steamfitter's license shall not entitle the holder thereof to do business as a contracting steamfitter.

(b) B. A contracting steamfitter employing a journeyman steamfitter or an apprentice steamfitter shall comply with all

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

PROPOSED RULES

SRLI 8311

the laws, rules, regulations and minimum standards of the State of Minnesota.

1. Paying promptly for labor and material furnished an owner;

2. Reporting income tax and conforming to the laws governing the relationship of master and servant, including the carrying of workmen's compensation insurance, paying the Social Security tax, paying wages when due, furnishing written contracts of employment, and employing licensed steamfitters on high pressure pipe work.

(e) C. All certificates of licenses of a contracting steamfitter shall be posted in a conspicuous place in the office of the contractor's place of business, and license cards issued to persons shall at all times be in the possession of the licensee during business hours and shall be displayed when required by a representative of the Division of Steamfitting Standards or the ~~Industrial Commission Department~~. Such card shall at no time be in the possession of any other person than the licensee to whom it was issued. Licenses issued hereunder shall not be transferable.

(e) D. The right of any firm, corporation or association to do business under a license issued to a member thereof shall depend upon the holder's active continuance in the business of such firm, corporation or association.

(e) E. If the member of a firm, corporation or association holding a license for it shall sever his connection with such concern, the concern shall have no right to continue the business of high pressure steamfitting without procuring another license.

(e) F. Changes in the name or place of business of a firm, corporation or association for which an individual is holding a license and the removal of the residence of a licensed journeyman from one city to another shall be reported immediately to the secretary of the Division of Steamfitting Standards by the licensee.

(e) G. When a steamfitter's license is revoked, the licensee shall at once surrender his certificate and identification card to the secretary of the Division of Steamfitting Standards.

(e) H. Duplicate licenses and identification cards may be issued by the secretary upon proof that the original is lost or mutilated.

(e) I. When a license has for any cause been suspended for a stated time, it shall automatically be again in force on the expiration of the period of suspension if such period is within the time for which the license was issued; provided,

that if the cause for suspension has been adjusted in a manner satisfactory to the ~~board~~ council, it may recommend to the ~~commission~~ department a reduction of the period of suspension or immediate reinstatement of the license.

(e) J. When a license has for any cause been revoked it cannot be renewed without the procedure for an original license; provided, that where a license has been revoked for some cause other than incompetency the ~~commission~~ department may in its discretion waive the requirement of an examination if an application for a new license is made within one year from the date of revocation, but not thereafter.

SRLI 8312 Minnesota code for high pressure steam piping and its component parts.

+A. thru 4D. Remain as previously adopted.

5. E. General requirements — materials.

(e) 1. Remains as previously adopted.

(e) 2. Should it be desired to use any materials or methods of manufacture not now covered by this code or which may be developed in the future, it is intended that the manufacturer shall provide details of design and construction which will be as safe as otherwise provided by the rules in the code. Where it is desired to use materials not included in Table I, written application shall be made to the ~~Industrial Commission Department~~ fully describing the proposed material and the contemplated use, requesting that an allowable stress (S value) be assigned. Such materials shall not be used until the stress values have been approved.

Note: Table I refers to American Standard Code for Pressure Piping and is not printed in this code book.

6F. thru 47 Q. Remain as previously adopted.

48. R. Drains, drips, and steam traps.

(e) 1. thru (e) 4. Remain as previously adopted.

(e) 5. The discharge of a high pressure trap shall not empty into a low pressure receiver unless first run through a flash tank or there is an ample sized vent so a trap failure could not increase the pressure in low pressure receiver tank.

49 S. thru 43 QQ. Remain as previously adopted.

44. RR. Boiler feed systems and other water piping not otherwise covered.

(e) 1. thru (e) 2. Remain as previously adopted.

PROPOSED RULES

SRLI 8312

(e)3. Boiler feed piping systems shall be designed for the highest pressure exerted by the boiler feed pumps at any load under normal operation and on the highest corresponding temperature, actually existing. Where water passes through heaters in series, the temperature rating of the piping shall conform to the actual temperatures produced by the heaters in each part of the system; but in no case shall pipe or fitting be rated less than 1.25 times the safety valve setting on the boiler.

45- SS. Boiler feed piping.

(a) ~~On power boilers that have over 500 square feet of heating surface, at least two means of feeding the boiler shall be provided using two different apparatuses for feeding. If pumps are used, one should be steam actuated where solid fuel is used.~~

(a)1. Boilers having more than 500 sq. ft. of water heating-surface shall have at least two means of feeding water. Each source shall be capable of supplying water to the boiler at a pressure of 6% higher than the highest setting of any safety valve on the boiler. For boilers that are fired with solid fuel, not in suspension, one source of feeding shall be steam operated.

(b)2. Remains as previously adopted.

(e)3. All valves and fittings on the feed water piping from the pump to the boiler to and including the stop and check valves shall be equal at least to the requirement of the American Standards for a pressure 1.25 times the maximum allowable working pressure of the boiler or 1.25 times the lowest set pressure of any safety valve in the boiler drum, except as otherwise provided in the A.S.M.E. Boiler Code or American Standards Association.

(d)4. thru (e)7. Remain as previously adopted.

46- TT. Blowoff piping and tanks.

(a)1. — remain as previously adopted.

(b)2. Design. Blowoff piping shall be designed as for saturated steam in accordance with the following table but all fittings shall be of steel.

(1)a. and (2)b. — remain as previously adopted.

(3)c. The outlet opening shall be connected with internal pipe or baffle extending downwards to within a few

inches of the bottom of the tank. A $\frac{3}{4}$ inch syphon ~~breaker~~ shall connect the outlet piping with the vent pipe.

(e)3. Recommended pipe sizes for blow-off systems up to 450 pounds.

Table remains as previously adopted.

(1)a. The blow-down from any boiler shall not be connected directly to any sanitary sewer system. The blow-down must first pass through a blow-off tank or other apparatus that will reduce the pressure to not more than 5 pounds and the temperature to not more than ~~+50~~ 180 degrees F.

(2)b. thru (7)g. Remain as previously adopted.

(8)h. ~~Section +50 of The State Plumbing Code provides:~~ "The exhaust, blow-off, sediment or drip pipe from any steam boiler or steam trap shall not be connected directly to any sewer, drain, soil waste, or vent pipe. The water or steam of condensation from such pipe before it shall enter any sewer or drain shall be discharged into a suitable catch basin or condenser." The foregoing section is adopted and made a part of this Code.

47- UU. Water column.

(a)1. Crosses shall be used on all right angle turns on the piping to the water column. The minimum size pipe connecting the water column to the boiler shall be not less than one inch in diameter.

(b) ~~Cast iron fittings designed for allowable working pressure of 125 pounds be used on piping to the water column when the maximum steam pressure allowed on the boiler does not exceed 100 psi.~~

(c) ~~The above rules are in accordance with the recommendations of the Power Boiler Code of the American Standards Association, i.e., the maximum allowable working pressure on the pipe and fittings to the water column shall not exceed 80 per cent of the maximum working pressure recommended by the manufacturer of such piping or fittings.~~

(b)2. No pipe connections may be made on the water column piping except those connected to equipment or appurtenances used to measure, record or regulate. This would include steam gauges, low water cut-off, pressure controls, pump controls, etc. Not included would be such equipment as whistle's or soot blowers.

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

PROPOSED RULES

SRLI 8312

~~(d)~~ 3. Cast iron plugs shall not be used in courses. Galvanized pipe or galvanized fittings shall not be used on any connection directly to the boiler.

~~(e)~~ 4. If any valves are used between the water column and boiler, they shall be of the straight way type with either a lever or rising stem and shall be sealed open.

~~(f)~~ 5. On power boilers where pressures exceed 100 pounds, two valves shall be used on the blow-off pipe on the water column, one of which shall be of the plug type with gland and shall be installed as close to the water column as possible.

48VV. thru 54BBB. Remain as previously adopted.

~~55~~.CCC. Expansion and flexibility.

~~(a)~~ 1. thru ~~(d)~~ 4. ~~(2)~~ b. Remain as previously adopted.

~~(d)~~ 4. ~~(3)~~ c. Linear expansion of piping.

Constants per 100 Ft.

Formula:

Metal		E = expansion in inches per
Steel	.00804	100 ft. of pipe
Wrought Iron	.00816	F = starting temperature
Cast Iron	.00780	T = final temperature
Copper and Brass	.01140	C = constant
		E = constant x (T - F)

~~T~~. ~~F~~ x ~~C~~ x ~~E~~ = Expansion of Pipe

~~(d)~~ 4. 4-d. thru 62JJJ. Remain as previously adopted.

OFFICIAL NOTICES

Pursuant to the provisions of Minn. Stat. § 15.0412, subd. 6, an agency, in preparing proposed rules, may seek information or opinion from sources outside the agency. Notices of intent to solicit outside opinion must be published in the *State Register* and all interested persons afforded the opportunity to submit data or views on the subject, either orally or in writing.

The *State Register* also publishes other official notices of state agencies, notices of meetings, and matters of public interest.

Department of Agriculture

Grade A Inspection Division

Notice of Fee Increase for Grade "A" Milk Inspection Service

Notice is hereby given that, pursuant to Minn. Stat. § 32.394, subd. 8 (1977 Supp.), the commissioner of agriculture, having made the determination that the fee increase is necessary to more nearly meet the cost of the service, shall raise the fee for the Grade "A" milk inspection service to \$40. This is a \$4.00 increase which shall be effective July 1, 1978 and shall be reflected in the 1978 fee billings to all Grade A milk processors and Grade A milk marketing organizations which obtain routine supervision service from the Department of Agriculture.

Questions regarding this fee increase should be directed to:

Orlowe Osten, Director
Dairy Industries Division
530 State Office Building
Saint Paul, Minnesota 55155
(612) 296-3647

Bill Walker, Commissioner
Department of Agriculture

Policy and Rate Division

Notice of Meeting

Nominating Committee
Minnesota Comprehensive Health Association
Tuesday, May 16, 1978
10:00 a.m.
North American Life and Casualty Company
1750 Hennepin Avenue
Minneapolis

Department of Health Emergency Medical Services Division

Notice of Filing of Application for Licensure of Emergency/ Nonemergency Land Ambulance Service

On April 7, 1978, Health Central, Inc., Ambulance Division, filed application with Warren R. Lawson, M.D., Commissioner of Health, for a license to operate a (an) emergency/nonemergency land ambulance service with a base of operation in Shoreview, Minnesota. This notice is made pursuant to Minn. Stat. § 144.802 (Supp. 1977). Please be advised that subd. 2 of that statute states, in part: The Commissioner may grant or deny the license 30 days after notice of the filing has been fully published. If the Commissioner receives a written objection to the application from any person within 20 days of the notice having been fully published, the license shall be granted or denied only after a contested case hearing has been conducted on the application. The Commissioner may elect to hold a contested case hearing if no objections to the application are received. If a timely objection is not received, the Commissioner may grant or deny the requested license based upon the information contained in the license application. If licensure is denied without hearing, the applicant, within 30 days after receiving notice of denial, may request and shall be granted a contested case hearing upon the application, at which hearing all issues will be heard de novo. Any objections to this service, pursuant to Minn. Stat. § 144.802 (Supp. 1977) may be made in writing to Warren R. Lawson, M.D., within the time period outlined by statute.

Special Grants Available for Health Services for Migrant Agricultural Workers

To: Interested Parties

From: Warren R. Lawson, M.D.
Commissioner of Health

Amount, Purpose and Eligibility

I am pleased to announce the availability of \$75,000 of State Funds to be awarded by the Minnesota Department of Health through extension of existing special grants or new grants to establish, operate, or subsidize clinic facilities and

OFFICIAL NOTICES

services, including mobile clinics, to furnish health services for migrant agricultural workers and their families in areas of the state in which significant numbers of migrant workers are located. These grants are available to cities, counties, groups of cities or counties, or nonprofit corporations.

Effect of Grant Rules

These grants are subject to provisions of Minnesota Department of Health Rules 7 MCAR §§ 1.451-1.460.

How to Apply for Funds

Applications for funds to extend previously approved grants must include a revised budget and program descriptions which indicate proposed use of additional funds. Applications for new grants must include a complete application as required by Minn. Stat. § 145.92. Application materials are available upon request from the Commissioner of Health.

Five copies of the completed applications must be submitted to the Commissioner of Health by June 2, 1978; letters of intent should be submitted prior to that date. Applications will be considered for approval of funding in accordance with provisions of Department of Health Rules, 7 MCAR §§ 1.451-1.460. The Commissioner will act on these applications within sixty days of receipt.

Duration of Funding

Funds for grants for these purposes are available through June 30, 1979.

Iron Range Resources and Rehabilitation Board, Eveleth, Minnesota Tourism Activities Division

Solicitation of Proposals for Advertising and Promotion

The Iron Range Resources and Rehabilitation Board's Division of Tourism Activities is seeking proposals from Minnesota advertising agencies and public relations firms to administer the Iron Range Interpretative Center's program of public promotion and advertising.

The purpose of this project will be to effectively administer an estimated \$80,000.00 advertising and promotion campaign utilizing all media forms of advertising.

For formal Request for Proposal documents, interested parties should contact:

Richard A. Nordvold, Information Officer
Iron Range Resources and Rehabilitation Board
Iron Range Interpretative Center
Box 392
Chisholm, Mn. 55719

Closing date for submission of proposals is 4:30 p.m., May 24, 1978.

STATE OF MINNESOTA
OFFICE OF THE STATE REGISTER

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

ORDER FORM

State Register. Minnesota's official weekly publication for agency rules, notices and executive orders.

- _____ Annual subscription \$110.00
- _____ Additional subscription \$85.00
- _____ Single copy \$2.25 each

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

- _____ State Register Binder \$5.00 + \$.20 (sales tax) = \$5.20* each

Guidebook to State Agency Services. The 53rd issue of the State Register, a how-to-get-it guide to state services. Detailed information about every service available to the public, in clear, simple English.

- _____ Single copy \$5.95 + \$.24 (sales tax) = \$6.19*
- _____ Ten copies or more
\$5.00 + \$.20 (sales tax) = \$5.20*

Minnesota Code of Agency Rules (MCAR). The permanent, 15 volume set of state agency rules. An indispensable reference work for the practice of administrative law.

- _____ 15 volume set \$325.00, includes the annual update service subscription for the year of order (a \$105.00 value) and a set of MCAR binders.

MCAR Binders. A set of 15 sturdy, three inch, three-ring binders in attractive forest green, imprinted with the MCAR logo.

- _____ 15 volume set \$35.00 + \$1.40 (sales tax) = \$36.40*

*To avoid Minnesota sales tax, please include below your tax exempt number.

Please enclose full amount of items ordered. Make check or money order payable to "Minnesota State Treasurer."

Name _____

Attention to: _____

Street _____

City _____ State _____ Zip _____

Telephone _____

Tax Exempt Number _____

Legislative Reference Library
Attn: Stephen Plumb
Room 111 State Capitol
INTEROFFICE

I

3
⑧