

18 July 2

Pages 2327-2362

# State



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# Register

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STATE OF MINNESOTA  
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## HIGHLIGHTS:

### RULES

Weather Modification

Real Estate Brokers and the Securities Act

Application and Hearing Procedures for  
Nursing Home Administrators

Homeownership Assistance Fund Program

Continuing Education

Liquor Control

Nursing Home Providers' Rates

### PROPOSED RULES

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Notice of Availability of Funds for Research

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## VOLUME 2, NUMBER 52

JULY 3, 1978

# State Register




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## Printing Schedule for Agencies

Issue Number	*Submission deadline for Executive Orders, Adopted Rules and Proposed Rules	*Submission deadline for State Contract Notices and other **Official Notices.	Issue Date
SCHEDULE FOR VOLUME 3			
1	Monday June 26	Monday July 3	Monday July 10
2	Monday July 3	Monday July 10	Monday July 17
3	Monday July 10	Monday July 17	Monday July 24
4	Monday July 17	Monday July 24	Monday July 31
5	Monday July 24	Monday July 31	Monday Aug 7
6	Monday July 31	Monday Aug 7	Monday Aug 14

\*Deadline extensions may be possible at the editor's discretion; however, none will be made beyond the second Wednesday (12 calendar days) preceding the issue date for rules, proposed rules and executive orders, or beyond the Wednesday (5 calendar days) preceding the issue date for official notices. Requests for deadline extensions should be made only in valid emergency situations.

\*\*Notices of Public Hearings on proposed rules are published in the Proposed Rules section and must be submitted two weeks prior to the issue date.

Instructions for submission of documents may be obtained from the Office of the State Register, Suite 415, Hamm Building, 408 St. Peter Street, St. Paul, Minnesota 55102.

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The *State Register* is 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*.

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# 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.

## Department of Agriculture Adopted Rules Governing Weather Modification

The rules published at *State Register*, Volume 2, Number 31, pp. 1459-1462, February 6, 1978 (2 S.R. 1459-1462), are adopted and are identical to their proposed form, with the following amendments:

### Chapter 25 Weather Modification

#### 3 MCAR § 1.0600 General.

A. Purpose and authority. The rules contained herein are adopted pursuant to Minn. Stat. ch. 42 (Laws of 1977, ch. 426) by the Commissioner of Agriculture to implement procedures and conditions for the licensing and permitting of weather modification operators and operations, criteria for submission of operational reports, and financial liability limits. The procedures and criteria specified in these rules are in addition to those set forth in the Act itself. Any violation of these rules is a misdemeanor pursuant to Minn. Stat. ~~see~~ § 42.12.

B. Definitions. For purposes of these rules, the following definitions, as well as those in the Act, shall apply:

1. "The Act" means Minn. Stat. ~~see~~ §§ 42.01 through 42.14 (Supp. 1977).

2. "Operational area" means that geographic area and the atmosphere there above wherein a person or persons place or attempt to place any substance in the atmosphere or clouds within the atmosphere, for the purpose of producing, or attempting to produce, a certain modifying effect, and the geographic area and the atmosphere there above wherein the weather is intended to be modified.

3. "Project office" means the Minnesota office of the person conducting weather modification activities in Minnesota.

4. "Managing agent" means that individual who shall be located in Minnesota during the duration of the operation and who shall directly supervise and/or conduct the weather modification activity in Minnesota.

#### 3 MCAR § 1.0601 Licensing.

A. Application for license. No person as defined in Minn. Stat. § 42.02, subd. 2, shall engage in any weather modification activity within the State of Minnesota without first obtaining a license as prescribed in the Act and these rules.

1. Application for license shall be made under oath on forms provided by the commissioner. Such application shall contain, ~~but shall not be limited to~~, the following:

a. name, business address, and phone number of the applicant;

b. name of the applicant's chief executive officer;

c. name(s), business address(es), and phone number(s) of all the applicant's managing agents;

d. project office address(es) and phone number(s);

e. a list of other states in which the applicant is currently licensed;

f. documentary evidence demonstrating that the applicant ~~meets the qualifications set forth in Minn. Stat. see- 42.06;~~ ;

(1) has at least eight years of experience at the professional level in weather modification field research or

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## 3 MCAR § 1.0601

operations, at least three of these years as a professional director; or

(2) has obtained a baccalaureate degree in engineering, mathematics, or the physical sciences plus three years experience in weather modification field research or operations; or

(3) has obtained a baccalaureate degree in meteorology, or a degree in engineering or the physical sciences which includes, or is in addition to, the equivalent of at least 25 semester-hours of meteorological course work and two years practical experience in weather modification operations or research;

g. a list of all adversary proceedings both pending and ~~settled~~ closed involving the applicant in any court or administrative agency; ~~and;~~

h. the length of time the applicant has been in the business of conducting weather modification activities; ~~and;~~

i. other information deemed necessary and relevant by the commissioner.

2. All applicants shall comply with the requirements set forth by the Secretary of State for conducting business in the state.

~~3. The Commissioner may require an applicant additionally to demonstrate educational and experience qualifications by successful completion of a written and/or an oral examination.~~

~~4. Each application shall be accompanied by a fee of \$100 unless waived by the Commissioner.~~

B. Change of managing agent. The applicant or licensee shall notify the commissioner of a change in the ~~responsible personnel~~ managing agent. The replacement must meet the same requirements as set forth in the Act and this rule for a managing agent.

C. Licenses shall be valid for one year from the date of issuance.

D. Renewal shall be automatic upon the following conditions:

1. receipt of a request for renewal by the licensee, including any changes from the original application;

2. receipt of the \$100 license fee, if applicable; and,

3. compliance with all the requirements necessary for issuance of an original license; ~~and;~~

~~4. Verification by the Commissioner that evidence has not become available that would raise doubts as to the qualifications of the licensee.~~

E. The commissioner shall refuse to renew a license, after notice and hearing, for the causes set forth in Minn. Stat. § 42.07.

## 3 MCAR § 1.0602 Permits.

A. Application for permit. No person shall conduct any weather modification operation within the State of Minnesota without first obtaining a permit as prescribed in the Act and these rules. Each operation shall require a separate application and permit.

1. Application for permit shall be made under oath on forms provided by the commissioner. Such application shall contain; ~~but not be limited to:~~

a. name, business address, and phone number of the applicant;

b. name of the applicant's chief executive officer;

c. name, address, and phone number of the applicant's managing agent;

d. project office address and phone number;

e. a description of the method to be used in placing the substance into the atmosphere or clouds within the atmosphere;

f. demonstration that the applicant and the applicant's managing agent, by his/her knowledge of meteorology, cloud physics, and field experience, has the qualifications to conduct a weather modification operation using the method by which the applicant plans to place the substance into the atmosphere or clouds within the atmosphere;

g. the applicant's purpose and the anticipated effects of the operation; ~~and;~~

h. information set forth in Minn. Stat. ~~see~~ § 42.09, subd. 9; ~~and,~~

i. other information deemed necessary and relevant by the commissioner.

2. Each application shall be accompanied by:

a. a fee of \$100; ~~and;~~

# RULES

## 3 MCAR § 1.0602

b. proof of notification of county boards and publication of "notice of intent" to engage in weather modification activities as required in B. of this rule;

c. proof of financial responsibility demonstrating the applicant's ability to respond to damages for liability which might reasonably result from the operation for which the permit is sought; this proof shall be in the form of a liability insurance policy in the amount set by the commissioner commensurate with the extent of the operation, the person's experience, and adequate protection for the public, or such other proof as the commissioner may require;

d. a copy of all contractual agreements, including all financial agreements, relating to the operation; and,

e. copies of approval from the county boards of all counties required to give approval under Minn. Stat. see- § 42.05.

3. The applicant shall have filed in a timely manner all reports and documents required under the Act or these rules for all previous operations.

### B. Notice.

1. "Notice of intent." Upon the filing of a permit application, the applicant shall publish a "notice of intent" to engage in weather modification activities in each county of which all or part may be within the proposed operational area. The "notice of intent" shall be published for a period of not less than two consecutive weeks in all "legal newspapers" and newspapers of general circulation in the proposed operational area. In addition, the use of radio and television spot announcements shall be encouraged. The notice shall:

a. describe the proposed operation area;

b. describe the area which might reasonably be affected;

c. specify the period of operation which need not be continuous, including starting and ending dates;

d. describe the general method of operation;

e. describe the intended effect of the operation;

f. state that complete details of the application for a permit will be available for examination in the Department of Agriculture;

g. state that the commissioner will receive written comments on the proposed operation for ten (10) days before determining whether to order and notice an informal hearing for the purpose of determining whether to issue a permit for the proposed operation; and,

h. contain other information ~~prescribed~~ deemed necessary and relevant by the commissioner.

2. Notice ~~to~~ to county boards. Upon the filing of a permit application, the applicant shall notify in writing the county board of each county of which all or part may be within the proposed operational area and counties contiguous thereto. Such notice shall include all information required on the permit application.

C. No applicant shall be granted a permit without first filing with the commissioner resolutions from the county board of each county in the operational area approving such operation in or over their respective counties. Except under the provisions of Minn. Stat. ~~see- § 42.09, subd. 4,~~ the commissioner may issue a permit only after a period of at least ten (10) days has transpired from the date that the notice requirements set forth in this rule have been met.

D. A permit may not be assigned or transferred by the holder.

E. The commissioner may place or amend conditions and restrictions on any permit at any time necessary to protect the environment or the public health, welfare, or safety. Any revision in an existing permit shall be made only after proper notice and hearing pursuant to Minn. Stat. ch. 15, except as provided for in Minn. Stat. ~~see- § 42.11, subd. 1~~ (b).

F. Before a permittee may modify the boundaries of a project for which a permit has previously been obtained, the permittee must make application to the commissioner and meet the requirements set forth in 3 MCAR § 1.0602 A-E.

G. The permit shall be valid for one year from the date of issuance or until the operation terminates, whichever first occurs.

### H. Renewal.

1. Permits ~~may~~ shall be renewed by the commissioner upon the following conditions:

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## 3 MCAR § 1.0602

1 a. receipt of a request for renewal by the permittee including any changes from the original permit;

2 b. receipt of the \$100 permit fee; and,

3 c. the permittee meets all the requirements necessary for issuance of an original permit.

2. The commissioner shall suspend, revoke or refuse to renew a permit under the provisions of Minn. Stat. 42.10, subd. 2.

## 3 MCAR 1.0603 Reports.

A. All persons engaged in weather modification shall:

1. maintain at their project office a current (within 24 hours) log of all operations; this log shall be available for inspection during normal working hours or at other reasonable hours by persons authorized by the Commissioner; the log shall include:

a. date of the operation;

b. location of the operation, including flight tracks;

c. type, rate, amount of artificial cloud seeding material used;

d. time during which each weather modification device was activated;

e. total hours of operation of each unit of equipment; and,

f. other information ~~requested~~ deemed necessary and relevant by the commissioner;

2. file monthly with the commissioner and with the county board of each county of which all or part may be within the operation area and counties contiguous thereto:

a. reports of weather modification activities; such reports shall be filed no later than the 15th day of the following month and shall contain a tabulation and summary of the daily operational logs for the preceding month;

b. preliminary report within thirty (30) days after the end of each calendar year or within thirty (30) days after the end of an operation, whichever occurs first, and a final report on the operation no later than ninety (90) days thereafter; such reports shall contain:

(1) the name, business address, and phone number of the person engaged in the weather modification activity;

(2) the name, Minnesota address, and phone number of the responsible person;

(3) information regarding the permittee's qualifications for performing the operation;

(4) the scope of the operation as set forth in the permit;

(5) the total number of days on which operations were conducted;

(6) the total number of seeding or other modification missions attempted and completed;

(7) the total number of hours of operation of each type of weather modification equipment;

(8) the total amount of each seeding agent used;

(9) any significant environmental or public health, welfare, or safety impacts caused by the operation; and,

(10) Such other information as may be required deemed necessary and relevant by the commissioner.

## Department of Commerce Securities Division

### Adopted Rules for Real Estate Brokers and Salespersons and the Securities Act

The rules published at *State Register*, Volume 2, Number 33, p. 1518, February 20, 1978 (2 S.R. 1518), are adopted and are identical to their proposed form, with the following amendments.

#### SDiv 1501

~~(a)~~ A. Overpayment of fees. "Overpayment" shall mean any payment of monies in excess of a statutory fee or for an examination or license for which a person does not qualify. An overpayment of any fee paid pursuant to this chapter shall be refunded within a reasonable time after a letter requesting said refund is received by the commissioner and signed by the person making the overpayment.

#### SDiv 1503

~~(b)~~ B. Cancellation of a salesperson's license. A salesperson's license which has been cancelled for failure of a

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salesperson to complete required instruction must be returned to the commissioner by the salesperson's broker within ten days of notice of cancellation. Such license may be reinstated without reexamination by completing the required instruction and filing an application and fee for a salesperson's license within one year of the cancellation date.

(e) C. Waivers. The commissioner may waive the real estate licensing experience requirement for the broker's examination.

(+) 1. Qualifications. An applicant for a waiver shall provide evidence of either:

(aa) a. successful completion of a minimum of ninety (90) quarter credits or two hundred seventy (270) classroom hours of real estate related studies; or

(bb) b. a minimum of five (5) consecutive years of practical experience in real estate related areas; or

(ee) c. successful completion of thirty (30) credits or ninety (90) classroom hours and three (3) consecutive years of practical experience in real estate related areas.

(2) 2. Requests. A request for a waiver shall be submitted to the commissioner in writing and be accompanied by such documents as necessary to evidence qualification as set forth in (+) 1.

## SDiv 1505

(a) A. Trust funds.

(4) 4. Trust funds may be placed by the broker in an interest-bearing account or certificate of deposit, provided ~~all parties to the transaction~~ the buyer and the seller consent in writing to such account or deposit and to the disposition of such trust funds.

## SDiv 1506

(a) A. Trust account records.

(3) 3. A check received from the potential buyer shall be deposited into the listing broker's trust account not later than the next business day after delivery of the check to the broker except that the check may be held by the listing broker until acceptance or rejection of the offer if:

(aa) a. the check by its terms is not negotiable by the

## SDiv 1509

broker or if the potential buyer has given written instructions that the check shall not be deposited nor cashed until acceptance or shall be immediately returned if the offer is rejected; and

(bb) b. the potential seller is informed that the check is being so held before or at the time the offer is presented to him for acceptance.

If the offer is accepted, the check shall be deposited in a neutral escrow depository or the trust fund account of the listing broker not later than the next business day following acceptance of the offer unless said broker has received written authorization from all parties to the transaction to continue to hold the check. If the offer is rejected, the check shall be returned to the potential buyer not later than the next business day after rejection. ~~if no such written instructions to hold a check exist, such check shall be deposited not later than the next business day after delivery of such check into the listing broker's trust account.~~

## SDiv 1508

(b) A. Fraudulent, deceptive or dishonest practices. The methods, acts or practices set forth herein shall be presumed fraudulent, deceptive or dishonest when engaged in by a real estate broker or salesperson and shall constitute grounds for denial, suspension or revocation of the license of such person, or censure of said licensee:

(qq) 17. ~~Failing to disclose any material information which is of the licensee's knowledge to a purchaser. failing to disclose to a purchaser all material facts pertaining to the property, of which the agent is aware, which would adversely and significantly affect the purchaser's use or enjoyment of the property;~~

(rr) 18. failing within a reasonable time to notify the commissioner of any change of information contained in a license application on file with the commissioner.

## SDiv 1509

(a) A. Standards of conduct.

(+) 1. The methods, acts, or practices set forth herein shall be standards of conduct governing the activities of real estate brokers and salespersons under this chapter. The failure to comply with said standards shall constitute grounds for denial, suspension or revocation of the license of such person, or censure of said licensee. Licensees shall:

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(ee) e. not represent membership in any organization in which said licensee is not a member;

(qq) ~~Not misrepresent the nature and amount of any taxes and/or assessments to a party in any transaction. Any representations by a licensee regarding taxes and/or assessments must be in writing and furnished to all parties of the transaction;~~

(rr) q. not fail to present any written offer to purchase to the owner within a reasonable period of time;

(ss) ~~Clearly identify said licensee's business is independently owned and operated, if applicable, on all real estate documents and advertising, except one inch classified ads;~~

(tt) ~~Knowingly providing a buyer any information which misstates any tax liabilities of the seller or the property, or potential tax liabilities of the buyer;~~

(uu) ~~Knowingly providing a buyer any information which indicates that the seller has been misrepresenting records to decrease tax liabilities.~~

**SDiv 1511 Real estate education.**

(a) A. Approval. A course of study in the real estate field will be approved by the Commissioner of Securities, pursuant to Minn. Stat. § 82.22, subd. 6, upon compliance with the following requirements:

(+) 1. Requirements.

(aa) a. The 90-hour course of study in real estate prescribed by Minn. Stat. § 82.22, subd. 6, shall consist of three (3) thirty-classroom-hour courses (Course I, Course II and III). Each applicant or salesperson shall be required to complete all courses successfully. Courses I, II and III must be taken in sequence and may not be taken concurrently. Applicants who elect to successfully complete an approved course of real estate education while not licensed may receive credit for such education if a real estate salesperson's license is obtained within one year after the successful completion date of the course.

(bb) b. Applicants will have one year from the successful completion date of the course to successfully complete the salesperson's examination. After this date, credit for Course I will expire and successful completion of the first thirty (30) hour course must be repeated before applying for the salesperson's examination. Every salesperson licensed after July 1, 1978, shall, within one year of the date the license was first issued, be required to successfully complete Courses II and III. Courses II and III must be taken in sequence and may not be taken concurrently. Ap-

licants who elect to successfully complete Courses II and III while not licensed may receive credit for such education if a real estate salesperson's license is obtained within one (1) year after the successful completion date of Course I.

(2) 2. Extensions. Upon appropriate showing of hardship, the commissioner may extend the time period during which the post-licensing real estate instruction must be successfully completed. A request for an extension shall be submitted in writing to the commissioner no later than forty-five (45) days prior to the date of license cancellation. The request shall include:

1) a. an explanation and verification of hardship; and

2) b. verification of enrollment in an approved course of study and the dates during which the course will be held.

Loss of income resulting from the cancellation of a license is not acceptable hardship.

3) 3. Waivers of post-licensing classroom attendance. Upon appropriate showing of hardship, the commissioner may waive mandatory classroom attendance for post-licensing education. A request for a waiver shall be submitted in writing to the commissioner at least six (6) months prior to the date of cancellation and shall include:

1) a. an explanation and verification of hardship; and

2) b. verification of enrollment in approved independent study.

(b) B. Curriculum. The curriculum for the ninety (90) hour course of study shall be as follows:

Course I (30 Hours)

"Fundamentals of Real Estate"

Real Estate Fundamentals and Professional	
Standards	3 hours
Real Estate Marketing	3 hours
Real Estate Financing	3 hours
Residential Market Evaluation	3 hours
Legal Aspects (Contracts)	4 hours
Closing (Mechanics of)	3 hours
Construction	3 hours
Zoning	2 hours
Discrimination in Housing	1 hour
Real Estate License Law & Subdivided Land	
Act	2 hours
Mathematics	3 hours
	—
	30 hours

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## Course II (30 Hours)

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### “Advanced Fundamentals of Real Estate”

Law (2 hours) — Deeds (Types, Characteristics, Validity) and Current Update on State and Federal Real Estate Laws (1 hour) . . . . .	3 hours
Advanced Legal Contracts (Listing, Purchase and Leasing Agreements) . . . . .	4 hours
Real Estate Taxation . . . . .	3 hours
Introduction to Investment Property . . . . .	3 hours
Real Estate Management — Landlord/Tenant Relationship and Leases . . . . .	3 hours
Land Development . . . . .	3 hours
Condominiums, Cooperatives and Townhouses . . . . .	2 hours
Introduction to Appraising . . . . .	3 hours
Minnesota Real Estate Security Law . . . . .	1 hour
*Introduction of Major Specialty Brokerages . . . . .	2 hours
Choice of Optional Hours . . . . .	3 hours
	30 hours

### Optional Subjects

<u>Business Brokerage</u> . . . . .	3 hours maximum
<u>Advertising</u> . . . . .	3 hours maximum
<u>Communication</u> . . . . .	3 hours maximum
<u>Guaranteed Sales Plan</u> . . . . .	3 hours maximum
<u>Trade-Ins — Exchanges</u> . . . . .	3 hours maximum
<u>Farm Brokerage</u> . . . . .	3 hours maximum
<u>Resort Brokerage</u> . . . . .	3 hours maximum
<u>Insurance</u> . . . . .	3 hours maximum
<u>Economics</u> . . . . .	3 hours maximum
<u>Property Management</u> . . . . .	3 hours maximum
<u>Shopping Centers</u> . . . . .	3 hours maximum
<u>Industrials</u> . . . . .	3 hours maximum
<u>Land Planning and Development</u> . . . . .	3 hours maximum
<u>Advanced Financing</u> . . . . .	3 hours maximum
<u>Real Estate Marketing</u> . . . . .	3 hours maximum
<u>Advanced Construction</u> . . . . .	3 hours maximum
<u>Property Management</u> . . . . .	3 hours maximum
<u>Advertising</u> . . . . .	3 hours maximum

<u>Trade-Ins &amp; Exchanges</u> . . . . .	3 hours maximum
<u>Farm Brokerage</u> . . . . .	3 hours maximum
<u>Land Planning and Development</u> . . . . .	3 hours maximum
<u>Resort Brokerage</u> . . . . .	3 hours maximum
<u>Insurance</u> . . . . .	3 hours maximum
<u>Advanced Construction</u> . . . . .	3 hours maximum
<u>Urban Renewal</u> . . . . .	3 hours maximum
<u>Economics</u> . . . . .	3 hours maximum
<u>Shopping Centers</u> . . . . .	3 hours maximum
<u>Industrials</u> . . . . .	3 hours maximum
<u>Guaranteed Sales Plans</u> . . . . .	3 hours maximum
<u>Advanced Financing</u> . . . . .	3 hours maximum
<u>Business Brokerage</u> . . . . .	3 hours maximum
<u>Communication</u> . . . . .	3 hours maximum
<u>Real Estate Marketing</u> . . . . .	3 hours maximum

\*The content matter of this subject may be selected from the following optional subjects:

- Farm Brokerage
- Business Brokerage
- Resort Brokerage
- Industrials
- Commercial Property Brokerage

The Commissioner of Securities will consider for approval courses for the third thirty (30) hours of educational requirements based on:

- Function and Operation of Calculators and Computers
- Government in Real Estate
- Finance
- Real Estate Law
- Real Estate Appraisal
- Real Estate Investment
- Property Management
- Mathematics of Real Estate
- Residential Real Estate
- Principal Agency Relationships
- Farm and Ranch Real Estate
- Industrial and Commercial Property
- Taxation
- Real Estate Securities and Syndication
- Estate Building and Portfolio Management
- Real Estate Brokerage Administration
- Economics
- Business Brokerage
- Resort Brokerage
- Land Planning and Development
- Urban Renewal

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# RULES

## SDiv 1511

Closing Techniques and Procedures  
Advanced Construction  
Exchanging Relating to Real Estate

(+) 1. The commissioner may approve courses of study in the real estate field offered in an Area Vocational-Technical Institute.

(2) 2. Exclusions. The following course offerings will not be acceptable by the Commissioner of Securities as meeting the third thirty (30) hours of real estate education: courses of instruction designed to prepare a student for passing the state real estate broker or salesperson examination; offerings in mechanical office and business skills such as typing, speed-reading, memory improvement, language report writing, ~~advertising~~, personal motivation, salesmanship and sales psychology.

The subjects of "Real Estate License Law and Subdivided Land Act" and "Application of Securities Laws to Real Estate" shall be instructed by the commissioner or his designee.

(e) E. Student textbook. Each student attending an approved real estate Course I and II shall be required, at minimum, to have a textbook(s) cross-referencing the course subjects to the textbook(s). Each student attending an approved real estate Course III shall have at a minimum, a notebook containing thorough outlines on each subject, or a required textbook(s) cross-referencing the course subjects to the textbook(s).

(+) F. Fees. The commissioner shall be informed in detail of all fees charged by each approved real estate course of study. A fee or tuition of \$75.00 or less for a thirty (30) hour course shall be presumed as reasonable. Any fee in excess of that must be justified to the commissioner. Additional fees charged for supplies and materials or books needed in course work shall be itemized by the school and the materials shall upon payment become the property of the student.

(g) G. Examinations. Each student must successfully complete an written examination before credit will be given for completion of a thirty (30) hour course or segment. ~~Passing a written examination shall be the measurement of successful completion of a course.~~ The criteria for passing of an examination may be developed by each school based on each school's educational concept.

(+) H. Application for approval. (Form H.) Any person seeking initial approval from the commissioner of a real estate course of study shall submit the following:

(2) 2. the name and author of the required textbook for Course I and II;

(4) 4. copy of student notebook- containing com-

prehensive outlines for Course III, or the name and author of the required textbook;

(5) 5. copies of examinations for all courses complete with questions and answers must be submitted prior to their use;

(9) 9. if applicable, proof of being registered and approved to legally do business in the State of Minnesota;

(10) 10. if applicable, proof of licensure or exemption from Minn. Stat. ch. 141.

(+) I. Advertising. No advertisement, pamphlet, circular or other advertising material pertaining to an approved course of study may be circulated or distributed unless it is first approved by the commissioner. All such advertisements, pamphlets, circulars, etc. shall contain the following language prominently displayed on the front:

"This Course Has Been Approved by the Commissioner of Securities Pursuant to Minn. Stat., Section 82.22."

The preceding language need not be prominently displayed on the front of any out-of-state Course III offering advertisements. However, it is the responsibility of the entity to show evidence of an approval letter from the Commissioner of Securities approving the course pursuant to Minn. Stat. § 82.22, subd. 6. This approval letter must be maintained in the entity's records evidencing that the course is approved.

(+) K. Annual report. (Form K.) Between January 1 and January 10 of each calendar year, every approved real estate course of study shall submit to the commissioner the following information:

(+) L. Notice. At the beginning and end of each course of segment of the ninety (90) hour course of study in real estate, it shall be the responsibility of the coordinator or his representative to read the following notice to the students:

"This thirty hour course of study in real estate is recognized by the Commissioner of Securities as applying in satisfaction of the educational requirements for real estate salespersons pursuant to the "Real Estate License Law." Since it is the concern of the commissioner that students receive a quality education the comments of each student would be appreciated. If you have any comments about this real estate course of study, your comments should be sent to the Commissioner of Securities, 500 Metro Square Buidling, St. Paul, Minnesota 55101."

(+) M. Course of study to certify completion. Each course of study shall, within fourteen (14) days of the completion of a course, notify the Licensing Section of the

## RULES

Department of Commerce of the names and addresses of the students who took the course and the grade they received on the examination. Student names should be alphabetized, typewritten and double-spaced on Real Estate Education Certification Form M. Only passing grades of licensees or those who will be licensed within one year should be reported to the Licensing Section in a language or symbols that can be interpreted as a passing grade. Send the course certification Form M to: Real Estate Licensing Section, 500 Metro Square Building, St. Paul, Minnesota 55101.

(+) 1. Each approved school shall maintain records of students successfully completing any course for a minimum of three years. In the event that a school should cease operation for any reason, the ownership shall be responsible for maintaining said records or providing a custodian for said records acceptable to the Commissioner of Securities. In no circumstances will the Commissioner of Securities take custody of such records. Custodians in order to be acceptable to the Commissioner of Securities must be notaries and agree to make copies of acknowledgments available to students at a fee in effect for duplicate transcripts at the time the school ceases operation.

(+) N. Facilities. Each course of study shall have such classrooms and such other facilities and supportive personnel as is necessary to adequately implement the programs. Courses operating under the approval of the Commissioner of Securities may not be presented in real estate brokerage offices.

(+) O. Conflict of interest. ~~No real estate course of study seeking approval pursuant to this rule may be affiliated with any real estate firm or company, or franchise. A course will not be approved if it is offered by an individual, firm or business organization, the primary income of which is derived from the real estate brokerage business.~~

(+) P. Suspension, revocation or denial of course approval. The commissioner may deny, suspend or revoke approval of a real estate course offering coordinator or instructor if it is determined that they are not in compliance with the law and rules. If disciplinary action is taken a written order of suspension, revocation or denial of approval will be issued.

(+) Q. Auditing. The Commissioner of Securities, or his designee, reserves the right to audit subject offerings.

(+) R. Course evaluation. The course coordinator is responsible for regular and consistent evaluation of the course and the instructor(s). The coordinator shall implement an

## SDiv 1512

instructor evaluation form (Form R) for completion by the students which will be transmitted to the commissioner of securities in the following manner:

(+) 1. Each time any school uses an instructor for the first time, along with the original student instructor evaluation forms, the course coordinator shall submit his or her evaluation of the instructor.

(+) 2. Subsequent evaluations on instructors previously qualified shall be completed at the discretion of the coordinator and should be used to measure any change in the quality of the instructor.

(+) 3. Upon the receipt of a complaint, the Commissioner of Securities may request, and the coordinator shall supply, additional student and coordinator evaluations on specific individual instructors in question.

(s) CLASS OFFERINGS ENROLLMENT. ~~To insure that professional quality standards are met, each class shall have a maximum of fifty (50) students. However, if a lecture is given in a proper environment, the maximum shall be four hundred (400), provided that for each hour of lectures the student obtains one hour of classroom discussion with a maximum of fifty (50) students.~~

## SDiv 1512 Continuing education.

(+) A. Approval. An offering of study in the real estate field will be approved by the Commissioner of Securities, pursuant to Minn. Stat. § 82.22, subd. 13, upon compliance with the following requirements. Continuing education credits may be earned either as a student or a lecturer in approved courses. Continuing education credit for approved Courses I, II, and III may be given to a licensee provided the licensee has not received credit previously for these courses.

(b) B. Curriculum. ~~All real estate salespersons not subject to, or who have completed the education requirements contained in Minnesota Statutes, Section 82.20, Subdivision 6, and all real estate brokers shall be required to successfully complete forty-five (45) hours of real estate education, either as a student or a lecturer in courses of study approved by the Commissioner of Securities within three years after their annual renewal date. Approved Courses I, II, and III (Continuing Education Credit for approved Courses I, II, and III, may be given to a licensee provided the licensee has not received credit previously for these courses as meeting the~~

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### SDiv 1512

~~initial educational requirements.~~ The Commissioner of Securities will also consider courses that are directed to primarily impart substantive and procedural knowledge in the real estate field. ~~(+) Exclusions.~~ The following course offerings will not be considered by the Commissioner of Securities for continuing education purposes:

~~(aa) 1.~~ courses of instruction designed to prepare a student for passing the state real estate broker or salesperson examination;

~~(bb) 2.~~ offerings in mechanical office and business skills such as typing, speed-reading, memory improvement, language report writing, ~~advertising,~~ personal motivation, salesmanship and sales psychology;

~~(cc) 3.~~ sales promotion, or other meetings held in conjunction with the general business of the licensee's broker;

~~(dd) 4.~~ No real estate course of study seeking approval pursuant to this rule may be affiliated with any real estate firm or company or real estate franchise, nor controlled by a subsidiary of any real estate broker or real estate franchise, nor presented in any office of a real estate company, firm, or franchise. a course will not be approved if offered by an individual, firm or business organization, the primary income of which is derived from the real estate brokerage business.

~~(ee) 5.~~ Time devoted to breakfasts, luncheons, dinners or other refreshments.

~~(e) C.~~ Criteria for continuing education offering approval. The commissioner will ~~approve~~ consider approval of any course, seminar, conference, correspondence course, or equivalent, (offering) that is provided by a public or private school, organization, association, person, corporation, society, or similar arrangement (entity). The commissioner, when acting on an application for approval of an offering, ~~will consider, but not be limited to,~~ shall rely upon the following criteria:

~~(+) 1.~~ Time limits. Offerings will not be approved by the commissioner if the total instruction time of the offering is less than one hour.

~~(2) 2.~~ Attendance. An entity shall certify to the best of its knowledge, the attendance of each student at the offering. The entity's criteria for measuring attendance shall be submitted in the application for course approval under Form D., Number 6.

~~(3) 3.~~ Records. The entity shall maintain records of students successfully completing any offering for a minimum of three years.

~~(4) 4.~~ Measure of successful completion.

~~(aa) a.~~ Attendance. Credit ~~may~~ shall be earned on the basis of attendance.

~~(bb) b.~~ Examinations. Students need not successfully complete a written examination before credit will be given for completion of a continuing education offering. ~~However, if passing an examination is the measurement of successful completion of an offering, the student credited with successful completion shall be credited with one and one-half hours of continuing education credit for every one hour of attendance. The examination shall be a written, closed book examination and administered by the coordinator or an instructor at the offering site. The entity shall submit the written examination to the commissioner prior to its use in the course for approval if the aforementioned credit is to be given. Students who take the course and fail the written examination will not be given credit as successfully completing the course by the attendance measure. If a student notifies the coordinator in advance that he is attending the course and will not be examined as a measure of successful completion of the course, he may receive credit as successfully completing the course through attendance measures.~~

~~(5) 5.~~ Coordinator. Each course of study shall have a coordinator ~~or administrator~~ supervising the program. Such coordinator shall be qualified, either through previous education or experience, to administer a real estate course of study, to evaluate course content and instructors and to analyze examinations (Form C under SDiv 1511).

~~(6) 6.~~ Instructors. All instructors in a real estate course of study shall file with the commissioner a resume noting such person has the necessary specialized preparation, training and experience to insure competent instruction. Approval of each instructor will be on an individual basis, and such approval must be obtained from the commissioner prior to the instructor's lecture in an approved course of study (Form C under SDiv 1511.).

7. Other information. The educational merit or objective of the offering.

~~(4) D.~~ Application for approval of offerings. An entity shall apply for approval on Form D. prescribed by the Commissioner of Securities. The application form shall include, but not be limited to, the following information and enclosures:

~~(+) 1.~~ name, address, and telephone number of the entity;

~~(2) 2.~~ title of the offering;

~~(3) 3.~~ complete description of all materials to be dis-

# RULES

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tributed to the participants (copies may be submitted in lieu of description);

(4) 4. date and exact location (city, building, room number and seating capacity) of each presentation of the offering;

(5) 5. duration and time of offering;

(6) 6. a comprehensive, detailed outline of the subject matter together with the time sequence of each segment, faculty for each segment, teaching technique used in each segment;

(7) 7. sample of any proposed advertising used for promotional purposes;

(8) 8. the method of evaluation of the program (e.g., participant critique, independent evaluator, etc.);

(9) 9. procedure for measuring attendance;

(10) 10. bibliography sketch on the faculty, including name, professional educational background, and practical or teaching experience or a completed resume (Form C.);

(11) 11. if applicable, Services of Process Form D-11 (for out of state offerings only);

(12) 12. written evidence that the entity seeking approval is:

(a) a. if applicable, registered and approved to legally do business in the State of Minnesota;

(b) b. if applicable, that the school is licensed or has been determined to be exempt from Minn. Stat. ch. 141.

(E) E. Material change. The entity's coordinator of each approved real estate offering shall immediately notify the commissioner of any material changes contained in the application for approval or the attached exhibits. Such changes shall be deemed acceptable by the commissioner if no action has been taken after seven (7) days from the date received by the commissioner.

(F) F. Application for post course approval. An entity or person may seek approval of a course subsequent to a course offering by submitting all information requested on Form D.

(G) G. Suspension, revocation or denial of course approval. The commissioner may deny, suspend or revoke

approval of a real estate course offering coordinator or instructor if it is determined that they are not in compliance with the law and rules. If disciplinary action is taken a written order of suspension, revocation or denial of approval will be issued.

(H) H. Substantively identical offerings. Credits for a substantively identical offering may be given only once to any individual during any reporting period.

(I) I. Credit for teaching. ~~Credit for teaching in an approved offering shall be awarded on the basis of two hours credit for each one hour of actual teaching in the approved offerings.~~ Credit shall be awarded for teaching in an approved offering. Credit for the first instruction of a subject shall be awarded on the basis of ten hours credit for each one hour of actual teaching. Credit for any repeated instruction of the same subject shall be awarded on the basis of two hours credit for each one hour of actual teaching. Record of credit must be submitted on Form I.

(J) J. Conditions for extensions. The commissioner may grant an extension to any person who evidences bona fide hardship, financial or medical, which prevented completion of the continuing education requirements. The person shall file the appropriate license fee with the renewal application along with the evidence showing hardship and a written request for a specific extension of time.

(K) K. Advertising. No advertisement, pamphlet, circular or other advertising material pertaining to an approved offering may be circulated or distributed unless it is first approved by the commissioner. All such advertisements, pamphlets, circulars, etc., shall contain the following language prominently displayed on the front:

"This Offering Has Been Approved by the Commissioner of Securities Pursuant to Minn. Stat., Section 82.22, subd. 13, Relating to Continuing Real Estate Education."

The preceding language need not be prominently displayed on the front of any out of state offering advertisement; however, it is the responsibility of the entity to show evidence of an approval letter from the Commissioner of Securities approving the course pursuant to Minn. Stat. § 82.22, subd. 13. This approval letter must be maintained in the entity's records evidencing that the course is approved.

(L) L. Notice. At the beginning of each offering, it shall

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be the responsibility of the entity's coordinator or representative to read the following notice to the students:

"This real estate educational offering of study is recognized by the Commissioner of Securities as applying in satisfaction of \_\_\_\_\_ hours of credit toward continuing real estate education requirements for real estate licensees pursuant to the 'Real Estate License Law.' Since it is the concern of the commissioner that students receive a quality education, the comments of each student would be appreciated. If you have any comments about this real estate offering of study, your comments should be sent to the Commissioner of Securities, 500 Metro Square Building, St. Paul, Minnesota 55101."

(m) M. Facilities. Each course offering shall have such classrooms and other facilities and supportive personnel as is necessary to adequately implement the offerings. ~~Courses operating under the approval of the Com-~~

~~missioner may not be presented in real estate brokers' offices-~~

(n) N. Auditing. The Commissioner of Securities, or his designee, reserves the right to audit subject offerings.

(o) CLASS OFFERINGS — enrollment- that professional quality standards are met, each class should have a maximum of fifty (50) students. However, if a lecture is given in a proper environment the maximum could be four hundred (400), provided that each hour of lecture the student obtains one hour of classroom discussion with a maximum of fifty (50) students.

(p) O. Offering completion certification — license renewal procedures. Applicants for relicensure must itemize all continuing education courses and the hours of attendance on the form prescribed by the commissioner and attach this form to the license renewal form showing a total of no less than ~~forty-five (45)~~ the required clock hours (Form P O).

### FORM P O

State of Minnesota

Securities Division

Affidavit of Attendance at Approved  
Continuing Real Estate Education Courses

Pursuant to Minnesota Statutes, Section 82.22, Subdivision 13,  
Relating to Continuing Real Estate Education (P)

1. Name and address of person seeking credit (licensee) \_\_\_\_\_  
\_\_\_\_\_
2. Name of licensee's real estate company \_\_\_\_\_  
\_\_\_\_\_
3. Approved courses attended during 3 year period.

Sponsoring Entity:	Name of Course:	Date of Attendance:	No. of Hours Actually Attended:
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I swear or affirm that the information hereon is, to the best of my knowledge, complete and accurate and that I did in fact attend, for the number of hours indicated, the courses listed.

Applicants for relicensure must itemize all continuing education courses and the hours of attendance on this form and attach this form to the license renewal form showing a total of no less than forty-five (45) clock hours.

Note: This completed form must be attached to your license renewal form for credit toward Real Estate Continuing Education Requirements and sent to:

Licensing Section  
500 Metro Square Building  
St. Paul, Minnesota 55101

**SDiv 1513**

A. Unclaimed property act. Upon the initial application for a real estate broker's license and upon each annual application for renewal, the applicant or broker shall be required to inform the commissioner of securities that he has complied with the requirements set forth in Minn. Stat. ch. 345 relating to unclaimed property.

**Board of Examiners for  
Nursing Home  
Administrators  
Adopted Rules Relating to  
Application and Hearing  
Procedures**

Pursuant to a resolution adopted by the Minnesota Board of Examiners for Nursing Home Administrators at its duly authorized meeting of April 11, 1978, and pursuant to approval of these rules according to all relevant statutory provisions, the board hereby gives notice that it has adopted the proposed rules referenced above in the same language and form in which they were proposed at *State Register*, Volume 2, Number 31, pp. 1479-1481, February 6, 1978 (2 S.R. 1479).

June 14, 1978

Phillip C. Newberg  
Executive Secretary

**Housing Finance Agency  
Adopted Rules Governing the  
Homeownership Assistance  
Fund Program**

The rules published at *State Register*, Volume 2, Number 33, pp. 1575-1576, February 20, 1978 (2 S.R. 1575) are

adopted and are identical to their proposed form, with the following amendments:

**MHFA 133 Homeownership Assistance Fund — Monthly Assistance.** The agency may provide eligible recipients with interest-free Monthly Assistance loans in the form of monthly payments of a portion of the principal and interest installment due on the Limited-Unit Development Mortgage on qualifying property. Such payments shall not exceed \$75 per month and shall decrease by \$5 per month (or \$60 per year. The maximum amount of Monthly Assistance to which a recipient is originally entitled shall be a function of the recipient's Adjusted Income and shall be determined by a schedule prepared by the Agency and published in the State Register. In preparing the schedule, the Agency shall consider the percentage of income which may reasonably be spent on mortgage payments, the interest rate charged for Limited Unit Development Mortgage Loans, and general housing and construction costs in the State of Minnesota. Revisions of the schedule may be made from time to time and will be effective 30 days after publication in the State Register. be determined by the agency from time to time on the basis of the percentage of income which may reasonably be spent on mortgage payments, the interest rate charged for Limited-Unit Development Mortgage Loans, and general housing and construction costs in the State of Minnesota; provided, however, that the initial maximum Monthly Assistance which the Agency shall determine to be available shall not exceed the following amounts for persons and families within the following Annual Adjusted Income ranges:

<u>Annual Adjusted Income Between</u>	<u>Initial Maximum Monthly Assistance</u>
-11,500	75
10,000-12,000	65
10,500-12,500	55
11,000-13,000	45
11,500-13,500	35
12,000-14,000	25
12,500-16,000	15

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## RULES

### 7 MCAR § 9.002

## Board of Podiatry Adopted Rules Relating to Continuing Education

The proposed rules published at *State Register*, Volume 2, Number 10, pp. 42-43, September 12, 1977 (2 S.R. 442), are adopted as proposed, with the following amendments:

### 7 MCAR § 9.002 Continuing education.

A. Every podiatrist licensed to practice in Minnesota shall obtain 12 hours of continuing education credit each licensure year. The licensure year begins on July 1 and ends on June 30.

B. Continuing education credit shall be obtained in the following manner:

1. No less than 9 hours of credit per year shall be received through attendance at scientific podiatry seminars approved by the board under this section.

a. The seminar must be designed solely for the benefit of podiatrists.

b. Any speaker or lecturer must be a licensed podiatrist, health professional or person especially qualified to address a subject of particular interest to podiatrists.

c. The seminar must be of significant intellectual content.

d. To obtain prior approval, a detailed description of the seminar content and the credentials of speakers shall be submitted to the board at least 60 days in advance of the course or meeting. Seminars may be approved at any time by the board if the required submission is made in the same licensure year in which the course or meeting was offered.

e. ~~Seminars which are sponsored by national, state, and regional podiatry societies, specialty groups, or colleges of podiatry need not be approved in advance by the board.~~

2. No more than 3 hours of credit per year may be received through attendance at hospital staff meetings and state group meetings.

C. Proof of attendance at meetings or seminars described in subdivision B. shall be submitted to the board at the time of license renewal in the form of a certificate, descriptive receipt or affidavit.

D. ~~During the first licensure year in which these rules are in effect, the podiatrist may receive credit for any seminar or~~

~~meeting attended since July 1, 1977, provided the seminar or meeting would otherwise qualify for credit under these rules.~~

D. The continuing education requirement shall become effective on July 1, 1978 for the "1978-1979" licensure year.

E. The board may take disciplinary action to suspend, revoke, limit, or refuse to renew the license of any podiatrist failing to comply with these continuing education requirements.

F. Any podiatrist whose license is not renewed by board action in accordance with subdivision E. of this rule shall be entitled to a hearing in accordance with the Minnesota Administrative Procedures Act if he requests one within 30 days of receipt of notice of the board action.

## Department of Public Safety Liquor Control Division Adopted Liquor Rules

The rules published at *State Register*, Volume 1, Number 2, p. 96, July 18, 1977 (2 S.R. 96), are adopted and are identical to their proposed form, with the following amendments:

**Liq 25. Permits and fees.** Any person engaged in the purchase, sale or use for any purpose other than personal consumption of intoxicating alcoholic beverages or ethyl alcohol, or any vehicle used to transport intoxicating alcoholic beverages or ethyl alcohol shall obtain the appropriate regulatory permit and identification card from the commissioner as provided in this rule. The regulatory fee for each permit is \$5.00 and shall be submitted together with the appropriate application form provided by the commissioner. All identification cards and permits shall expire on December 31st of the year issued and are not transferable. The authority to engage in the purchase, sale, use or transport ~~order, sell, purchase, solicit or deliver~~ granted by the card or permit in this section may be revoked by the commissioner upon evidence of a violation by the holder of such a card or permit of any of the provisions of Minn. Stat. ch. 340, or any rule of the commissioner made pursuant to law.

**Liq 38 E.4.** ~~After expiration of the five day period for amendment of the wholesale price schedules, as provided for in subsection 2 herein, any brand owner or wholesaler can meet the competitive price of the same or similar distilled spirits or wine offered for sale to retailers by any other brand owner or wholesaler by filing at any time an amendment to~~

## RULES

its effective price schedule which lowers its net price for that particular brand, type and size container to or above the net price offered for sale to retailers by its competitor. Such amendments shall also designate the offerer, the product, and the competitive price which the amendment is intended to meet. If any brand owner or wholesaler elects to file amended prices during the five-day period as provided for in subparagraph 2, he may not file a new price that is lower than the lowest net price filed on the first of the month for the same or similar product by any wholesaler. For the purposes of this section "net price" shall mean the wholesale price, including all allowances, discounts (including varying volume discounts) or terms of any nature (including promptness of payment terms) which affect the wholesale price in any manner. A credit term filed to meet competition may not be filed on a basis more favorable than the terms of the competitive schedule or reduce the net price of the brand, type or size container below the net price of the competitive schedule for the same quantity.

**Liq 38 E.7.** No wholesale price schedule or amendment thereto shall list brands of distilled liquor or wine which are not in stock or on bona fide accepted order at the time such schedule is filed with the department.

**Liq 38 E.9.** (former paragraph (8) ) No wholesaler of distilled spirits or wine shall file a wholesale price schedule or an amendment on which is shown a selling price per case at less than the cost thereof to such wholesaler. Cost shall include FOB price from importer, freight, state and federal taxes and duty on imported merchandise.

**Liq 38 E.10.** (former paragraph (9)). An amended wholesale price schedule may be filed at below the wholesaler's cost when such prices are filed to meet, in good faith, prices filed with the department on similar distilled spirits and wine by a competing wholesaler.

**Liq 38 E.11.** Wine or other commodities may not be offered on original or assorted cases with distilled spirits or vice versa, and any quantity discount may not exceed 300 bottles of quarts or smaller bottles, or the equivalent of any authorized standard of fill not to exceed 25 cases. ~~In addition, no manufacturer, wholesaler or importer of distilled spirits or wine may sell or offer to sell to any retailer any brand or brands of intoxicating liquor under circumstances where in the purchase of any quantity thereof entitles the retailer to a discount on the purchase price of any other brand or brands of intoxicating liquor.~~

**Liquor 38 E.12.** Any filing licensee who publishes,

**Liq 73**  
mails, delivers, distributes, advertises or in any other way directly or indirectly disseminates written price information for distilled spirits and or wine information on its wholesale price schedule or amendments thereto, shall, in any such material, include all such allowances, discounts or terms, and shall disseminate such information to all retailers served by it.

**Renumber Liq 38 E.11. through 17. to Liq 38 E.13. through 19., respectively.**

**Liq 39 B.** No importer shall offer any intoxicating liquor for sale to any Minnesota wholesaler or manufacturer without first filing with the department and mailing a copy of such itemized price list to all Minnesota manufacturers and wholesalers, on a form approved by the commissioner, an itemized list specifying the price, brand, type, container size, proof and age of the liquor so offered. These prices must be filed on the ~~15th~~ first day of the month and shall become effective on the first day of the next calendar month next succeeding the first full month after the date of filing and shall remain in effect for a period of not less than 30 days ~~and~~ until changed by a subsequent price filing which shall take effect in like manner.

**Liq 67 A.1.** Any illustration of a female person which is not dignified, modest, or in good taste, or depicts a female person in provocative dress or consuming a drink. Any family scene in which is portrayed a child or objects (such as toys) suggestive of the presence of a child, or in any manner portrays the likeness of a child, or contains any matter to appeal to immature persons.

**Liq 72 Brand label ownership.** The brand label will not be registered unless it is ascertained that the proposed registrant is the owner of the label, or has been assigned the brand label registration permission in writing by the brand owner pursuant to federal and state laws.

**Liq 73 F.** A verified statement by the brand owner or his authorized representative declaring ownership of the label and identifying the United States distributor, if other than the brand owner.

**Renumber Liq 72 through 77 as Liq 73 through 78.**

**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."

DPW 49

**Department of Public  
Welfare  
Executive Division  
Adopted Temporary Rules  
Governing Nursing Home  
Providers' Rates**

The proposed temporary rule of the Department of Public Welfare, DPW 49A, governing the administration of Regulations for Determining Welfare Per Diem Rates for Nursing Home Providers Under the Title XIX Medical Assistance Program, published at *State Register*, Volume 2, Number 34, p. 1596, February 27, 1978 (2 S.R. 1596), was adopted on May 31, 1978, identical to and without change from its proposed form.

The proposed temporary rule of the Department of Public Welfare, DPW 49B, governing the administration of Regulations for Determining Welfare Per Diem Rates for Nursing Home Providers Under the Title XIX Medical Assistance Program, published at *State Register*, Volume 2, Number 39, p. 1825, April 3, 1978 (2 S.R. 1825), was adopted on

May 31, 1978, identical to its proposed form with the following amendment:

**Temporary Rule as Adopted**

**DPW 49 B.1.b.(2)** Per diem rates for non-proprietary facilities may include an efficiency allowance. If the facility's allowable historical cost per patient per day for the most recently completed fiscal year is less than the allowable welfare rate exclusive of Sections B.4.a. and b. and as adjusted for the lack of implementation of known cost changes, an efficiency allowance will be granted equal to the difference between the allowable historical cost and the allowable welfare rate subject to a maximum efficiency allowance of 60 cents per patient per day. For each year after the year in which the non-proprietary facility was originally purchased and there is no transfer of ownership of the facility, the efficiency allowance maximum will be increased one cent per patient per day subject to a maximum of an additional 25 cents per patient per day after 25 years. If a non-proprietary facility is operated on a lease basis, there shall not be recognized as an allowable cost for the operator any rental fee in excess of the total amount allowed for depreciation and pursuant to B.1.b.(2).

This provision of the rule will be effective for rates paid non-proprietary facilities on January 1, 1978 and subsequent provided this provision of the rule is approved by HEW.

# 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.

## Board of Dentistry Proposed Amendments to Rule Relating to Fees

### Notice of Hearing

Notice is hereby given that a public hearing in the above-entitled matter will be held pursuant to Minn. Stat. § 15.0412, subd. 4 (1976), in the Board Room, Minnesota Department of Health Building, 717 Delaware Street Southeast, Minneapolis, Minnesota, on August 7, 1978, commencing at 9:30 a.m.

All interested or affected persons will have an opportunity to participate concerning the adoption of the proposed amendments to 7 MCAR § 3.005 (DE 5) captioned above. Statements may be made orally and written material may be submitted. In addition, whether or not an appearance is made at the hearing, written statements or material may be submitted by mail to Harry Crump, Hearing Examiner, at Room 300, 1745 University Avenue, St. Paul, Minnesota 55104, (612) 296-8111, either before the hearing or within five (5) days after the close of the hearing. 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 amendments is attached hereto and made a part hereof.

Copies of the proposed amendments are now available and at least one free copy may be obtained by writing to the Minnesota Board of Dentistry, 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 Dentistry's position relative to the necessity for the proposed amendments and a Statement of Evidence outlining the testimony and evidence which will be introduced by the board in support of the proposed amendments 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 Dentistry to promulgate and adopt these rules is referenced in the Statement of Need.

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, St. Paul, Minnesota 55155, telephone (612) 296-5615.

June 19, 1978

Dale J. Forseth  
Executive Secretary

### Rule as Proposed

#### 7 MCAR § 3.005 (DE5) Fees.

A. ~~Examination~~ Application fees. Each applicant for licensure as a dentist or dental hygienist or for registration as a registered dental assistant shall submit with his license

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## PROPOSED RULES

### 7 MCAR § 3.005

or registration ~~examination~~ application a fee in the following amounts:

1. Dentist applicant — ~~\$50.00~~ \$70.00.
2. Dental hygienist applicant — ~~\$20.00~~ \$25.00.
3. Registered ~~d~~Dental assistant applicant — \$15.00.

~~B. Initial registration renewal fee. Each registrant who is registered by the Board as of the effective date of this rule shall submit with his initial registration renewal application as prescribed in DE 13 a fee in the amount of \$15.00. The fee for a subsequent registration renewal shall be as prescribed in section C. of this rule.~~

~~C. B. Annual license or registration fees. Each dentist, hygienist and registered dental assistant shall submit with his annual license or registration renewal application a fee in the following amounts:~~

1. Dentist — ~~\$28.00~~ \$38.00.
2. Hygienist — ~~\$12.00~~ \$15.00.
3. Registered dental assistant — ~~\$8.00~~ \$10.00.

~~D. C. Licensure by credentials approval. Each applicant for licensure as a dentist or dental hygienist by credentials approval pursuant to § 150A.16, subd. 4, (reciprocity) of the Act and DE 22 C. and 26 B. shall submit with his license application a fee in the following amounts:~~

1. Dentist — ~~\$50.00~~ \$250.00.
2. Dental hygienist — ~~\$20.00~~ \$75.00.

D. Annual license or registration late fee. Applications for renewal of any license or registration must either be reviewed by the board or postmarked no later than January 1 of each calendar year. Applications received subsequent to that date are subject to a late fee equal to 50 percent of the annual renewal fee.

E. Duplicate license or registration fee. Each licensee or registrant shall submit with his request for issuance of a duplicate of his original license or registration or of his annual renewal thereof a fee in the amount of \$5.00.

F. Reinstatement fee. No dentist, hygienist, or registered dental assistant whose license or registration has been suspended or revoked shall have his license or registration reinstated or a new license or registration issued until he has submitted to the board a fee in the following amount:

1. Dentist — ~~\$150.00~~ \$70.00.
2. Hygienist — ~~\$20.00~~ \$25.00.
3. Dental assistant — \$15.00.

G. No fee shall be refunded for any reason except in those cases where the applicant for licensure or registration is found to be ineligible to take the examination.

## Department of Revenue Sales and Use Tax Division Proposed Rules Governing Exemption for Residential Heating Fuels

### Notice of Hearing

Notice is hereby given that a public hearing in the above-entitled matter will be held in Conference Room A, First Floor, Capitol Square Building, 550 Cedar Street, St. Paul, Minnesota 55101, on August 7, 1978, commencing at 8:30 a.m. and continuing until all persons have had an opportunity to be heard.

All interested or affected persons will have an opportunity to participate. Statements may be made orally and written materials may be submitted at the hearing. In addition, written materials may be submitted by mail to Allan Klein, Office of Hearing Examiner, Room 300, 1745 University Avenue, St. Paul, Minnesota, 55104, (612) 296-6910, either before the hearing or within five days after the close of the hearing.

The proposed rules, if adopted, would outline the exemption provided by the 1978 Legislature for residential heating fuels and explain when and under what conditions the exemption is available to guide vendors in the administration of the new law. Copies of the proposed rules are now available and one free copy may be obtained by writing to Donald Mundahl, Director, Sales and Use Tax Division, 9th Floor, Capitol Square Building, 550 Cedar Street, St. Paul, Minnesota, 55101, (612) 296-2896. Additional copies will be available at the door on the date of the hearing. The agency's authority to promulgate the proposed rules is contained in Minn. Stat. § 297A.29. A Statement of Need explaining why the agency feels the rules are necessary and a Statement of Evidence outlining the testimony they will be introducing will be filed with the hearing examiners office at least 25 days prior to the hearing and will be available there for public inspection.

Minn. Stat., ch. 10A requires each lobbyist to register

# PROPOSED RULES

with the Ethical Practices Board within five days after commencing 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 per year or five hours per month at lobbying. The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 41 State Office Building, St. Paul, Minnesota 55155, (612) 296-5615.

July 3, 1976

George W. Winter  
Deputy Commissioner of Revenue

## 13 MCAR § 1.5423 (Tax S & U 423) Residential heating fuels.

A. In general, Minn. Stat. 297A.25, subd. 1(x) exempts from sales and use tax, "the gross receipts from the sale of residential heating fuels in the following manner: 1. all fuel oil, coal, wood, steam, propane gas, and L.P. gas sold to residential customers for residential use; 2. natural gas sold for residential use to customers who are metered and billed as residential users and who use natural gas for their primary source of residential heat, for the billing months of November, December, January, February, March and April; 3. electricity sold for residential use to customers who are metered and billed as residential users and who use electricity for their primary source of residential heat, for the billing months of November, December, January, February, March and April."

Natural gas or electricity sold for residential use to customers, who are metered and billed as residential users and who use natural gas or electricity for their primary source of residential heat, is exempt from the sales and use tax for the billing months of November, December, January, February, March and April after March 31, 1978. When gas or electricity is exempt as a heating fuel, all other gas or electricity used through the same meter shall also be exempt for the six month period.

All sales of fuel oil, coal, steam, propane gas and L.P. gas sold to residential customers for residential heating after March 31, 1978 are exempt from the sales and use tax. This exemption applies on a year-round basis. These fuels must be delivered to the residence in order to be exempt. All fuel oil, coal, steam, propane gas and L.P. gas delivered to a residence is assumed to be used for residential heating and

## 13 MCAR § 1.5423

exempt. All fuel oil, coal, propane gas and L.P. gas that is not delivered to a residence is taxable. Sales of firewood are exempt as residential heating fuel whether delivered or picked up by the customer. Sales of artificial fireplace logs are not exempt from the sales and use tax.

No exemption certificate shall be required to qualify for the residential heating fuel exemption.

B. Description of terms. For purposes of this exemption, the following definitions shall be applicable.

1. "Residential use" means use for general household purposes including cooking and water heating. It does not include use in travel trailers, motor homes or other recreational vehicles. The use of fuel to heat fish houses is taxable since these are not regarded as residences.

Where a building, which houses both residential quarters and a commercial operation, contains one central heating plant for the entire building, heating fuels supplied to or for such heating plant shall not be regarded as used for residential use. No provision is made for allocating a portion of the total usage.

2. "Residential customers" and "residential users" shall include persons billed for sales of residential heating fuel for apartment buildings containing less than five units, fraternity houses, sorority houses and rooming houses. These terms shall include persons residing in multiple dwelling units containing more than four dwelling units, who are billed for fuel usage measured by separate meters, even though the multiple dwelling unit may contain more than four such units. These terms shall not include persons billed for sales of residential heating fuels for multiple dwelling units such as apartment buildings, co-op apartments, condominiums with more than four dwelling units and having one central heating plant.

3. The "billing month" for natural gas or electricity is the month the bill is dated regardless of when the service was rendered. Bills dated April, 1978 will qualify for the exemption. "Billing month" is the meter reading date if there is no date on the bill.

C. Taxable transactions. The following are examples where a residence has more than one source of heat or where the residence is also used as commercial property.

Example 1: A. owns a building with a restaurant on the first floor, which he operates. A. lives in an apartment on

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## PROPOSED RULES

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### 13 MCAR § 1.5423

the second floor. A. also has available for rent an additional apartment on the second floor. There is one central heating plant for the entire building, and the primary source of heat is natural gas. Since a portion of the natural gas is used for commercial purposes, there is no exemption. No provision is made for allocating a portion of the total usage.

Example 2: B. heats his home with natural gas. B. adds an addition to his home, which is heated with electricity. Since only that fuel which provides the primary source of heat for the entire residence qualifies for the exemption, both fuels cannot be exempt. Here the electricity is taxable and the natural gas exempt because the primary source of heat for the entire residence is natural gas.

Example 3: C. owns and operates a resort. He has a home and four cabins which are heated by L.P. gas from one L.P. gas tank. The home is considered as one unit and since more than four units are being heated, all fuel is taxable. C. is not a residential user.

Example 4: D. is a dentist, who has his dental office in his home. D.'s home is heated with fuel oil. The fuel is taxable since D. is not a residential user.

Example 5: A person uses fuel oil to heat his home, but uses electricity to provide additional heat in the basement.

What is exempt? All fuel oil delivered to the residence is exempt starting April 1, 1978, but as the electricity is not the primary source of heating the residence, it is taxable.

Example 6: L.P. gas dealer delivers gas to individual homes at a mobile home park. How can he determine if the L.P. gas is used for heating? L.P. gas delivered to a residential customer is deemed to be for heating purposes and exempt.

Example 7: Customer heats his residence with natural gas and is on a budget plan with a local utility. Will his budget payments be less for the months of November through April? No, the utility does not pay the sales tax on the monthly payments, but they pay it on actual consumption. Your monthly payments would remain the same, but you would not be paying a sales tax on gas during the six month period.

Example 8: Resort uses L.P. gas to heat the owner's residence and five rental units from the same tank. At the end of the season, the rental units are closed down and only the owner's residence consumes L.P. gas. Should the rental units which are not operational during the winter be included in the number of units used in determining if the customer is a residential user? Yes. No provision for allocating is being made. Therefore, all of the L.P. gas purchased is taxable.

# STATE CONTRACTS

Pursuant to the provisions of Laws of 1978, ch. 480, an agency must make reasonable effort to publicize the availability of any consultant services contract or professional and technical services contract which has an estimated cost of over \$2,000.

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

## **Department of Corrections Personnel/Training Division Notice of Availability of Contract to Provide Consultation and Technical Assistance to Community Corrections Act Counties in the Area of Training and Staff Development**

This Contract requires the services of an agency that has expertise and knowledge of Community Corrections Act counties. The contractor will be responsible for providing consultant services to the Department of Corrections for a program of staff development for community corrections personnel throughout the state. The contractor must also provide the necessary personnel facilities, equipment and materials to plan and organize resources for staff development and staff development sessions. This program will be original in character since Correctional Service of Minnesota is the only organization that has handled a contract of this nature. The estimated cost of this contract is \$34,000. For further information contact:

Julie Chamberlain  
Minnesota Department of Corrections  
404 Metro Square Building  
7th and Robert  
St. Paul, Minnesota 55101  
(612) 296-3520

The final submission date is July 14, 1978.

## **Pollution Control Agency Air Quality Division**

### **Notice of Request for Proposals for Professional Services for Public Elected Officials Consultation for State Implementation Plan Revisions**

The Minnesota Pollution Control Agency, Division of Air Quality, is seeking proposals for a professional services contract for assisting in public elected officials consultation and public information as required by the 1977 Clean Air Act Amendments. Work tasks will include:

a) to arrange to appear at the seven county commissioner board meetings in the Metro Area, approximately fifty city council meetings in the Metro Area, and four major out-state cities, and to make short presentations concerning consultation in regard to State Implementation Plan revisions;

b) establish a working relationship with key contact persons from each of the above jurisdictions for the purpose of maintaining continuous consultation and flow of information;

c) arrange and conduct a conference involving key individuals; and

d) publish a SIP News Letter in conjunction with the MPCA. The contract, not to exceed \$10,000, is for the period 1 August to 31 December 1978.

Proposals and inquiries should be submitted to Keith Ness, Division of Air Quality, MPCA, 1935 West County Road B-2, Roseville, Minnesota 55113, (612) 296-7374. Final proposals must be received by 4:30 p.m. July 19, 1978.

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

### **Notice of Request for Proposals to Provide Diagnostic and Referral Services for the State Employee Assistance Program**

Notice is hereby given that the Chemical Dependency Programs Division, Department of Public Welfare, intends

## STATE CONTRACTS

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to engage the services of a contractor in each of the following areas to provide diagnostic and referral services for state employees: Winona, Rochester, Mankato, Marshall, Willmar, Fergus Falls, Crookston, Bemidji, Brainerd, St. Cloud, Virginia and Duluth.

The estimated amount of the contract in each of these areas will not exceed \$7,000. Responses must be received by July 24, 1978.

Direct inquiries to:

Warren Gahlon

Director

State Employee Assistance Program

Department of Public Welfare

Fourth Floor — Centennial Office Building

St. Paul, Minnesota 55155

(612) 296-8574

# OFFICIAL NOTICES

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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.

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## Department of Commerce Insurance Division

### Notice of Intent to Solicit Outside Information and Opinion Regarding Proposed Rules for Implementation of the Minnesota Comprehensive Health Insurance Act of 1976

Notice is hereby given that the Department of Commerce, Insurance Division, shall solicit nonagency information and opinions in preparation for the adoption of permanent rules for implementation of the Minnesota Comprehensive Health Insurance Act of 1976, Minn. Stat. §§ 62E.01, *et. seq.* (1976).

All interested persons are hereby afforded the opportunity to submit relevant data or views on the subject either in written form or orally. Responses should be directed to:

John T. Ingrassia  
Supervisor, Life & Health Section  
Insurance Division  
Department of Commerce  
500 Metro Square Building  
St. Paul, Minnesota 55101  
(612) 296-2202

June 26, 1978

Thomas L. O'Malley  
Assistant Commissioner of Insurance

## Department of Education Division of Special Services — Office of Public Libraries and Interlibrary Cooperation

### Notice of Intent to Solicit Outside Opinion Regarding Rules for Grants for Public Library Services and Interlibrary Cooperation

The Department of Education, Division of Special Services, Office of Public Libraries and Interlibrary Cooperation is drafting rules to implement Laws of 1978, ch. 546, which permits the State Board of Education to promulgate rules to govern grant programs for public library services and interlibrary cooperation, including application procedures, computation formulas for Establishment Grants and Regional Library Basic System Support Grants, and eligibility criteria for grants.

The Department invites interested persons or groups to provide information, comment and advice on the subject in writing or orally to Mr. William G. Asp, Director, Office of Public Libraries and Interlibrary Cooperation, 301 Hanover Building, 480 Cedar Street, St. Paul, Minnesota 55101.

Written statements will be made part of the public hearing record.

## State Planning Agency Health Planning Division Notice of Availability of State Funds for Health Research

Pursuant to Laws of 1977, ch. 453, § 27, there is made available \$1.5 million of state funds for a Health Research Program (HRP). This program will help to maintain biomedical research in Minnesota and will strengthen the state's ability to produce health services research, nonmedical health research, and health policy research and analysis. As mandated by the Minnesota Legislature, the disbursement of these funds is to be directed by the Minnesota Statewide Health Coordinating Council (SHCC).

Three categories of research grants are established, with the total funds to be divided among them as follows:

## OFFICIAL NOTICES

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(1) Merit Fellowship Grants	\$1,000,000
(2) Non-Medical and Health Services Research Grants	300,000
(3) Health Policy Study Grants	200,000

In reviewing applications for HRP grants, the SHCC will evaluate the proposed subject for study in light of the following priority considerations:

The provision of primary care services for medically underserved populations located in rural or economically depressed areas.

The development of multi-institutional systems for coordinating or consolidating institutional health services, including obstetric, pediatric, emergency medical, intensive and coronary care, radiation therapy, and mental health services.

The development of multi-institutional arrangements for the sharing of support services necessary to all health service institutions.

The development of medical group practices (especially those whose services are appropriately coordinated or integrated with institutional health services), health maintenance organizations, and other organized systems for the provision of health care.

The training and increased utilization of physician extenders, especially nurse clinicians.

The promotion of activities to achieve needed improvements in the quality of health services.

The development by health service institutions of the capacity to provide various levels of care (including intensive care, acute general care, and extended care) on a geographically integrated basis.

The promotion of activities for the prevention of disease, including studies of nutritional and environmental factors affecting health and the provision of preventive health care services.

The development of effective methods of educating the general public concerning proper personal (including preventive) health care and methods for effective use of available health services.

Basic biomedical research into the causes of diseases and disability, and the development of methods to reduce their incidence and prevalence in Minnesota.

The development of improved methodologies for health planning.

**All applications for HRP grants must be submitted using a standard State Planning Agency form. Application forms may be obtained by writing the State Health Planning and Development Agency, 101 Capitol Square Building, 550 Cedar Street, St. Paul, Minnesota 55101.**

**All requests for application forms must be submitted in writing. No telephone requests will be accepted.**

All applicants for HRP funds will be required to submit, at a minimum, the following information:

1. the type of grant being applied for (i.e., whether Merit Fellowship, Nonmedical and Health Services Research, or Health Policy Study);
2. scope of the project;
3. project goal and objectives;
4. project tasks to be completed (work program);
5. a description of the project, including:
  - a. a restatement of the objectives showing or demonstrating the applicant's review of the nature of the proposed research;
  - b. identification and description of the products to be delivered by the applicant;
  - c. a description of the applicant's background and experience in health-related research;
  - d. identification of the personnel who will conduct the research and a detailed description of their training and research experience; no change in professional research personnel assigned to the project will be permitted without the approval of the SHCC;
  - e. a detailed, line-item budget of project costs delineating proposed expenses; no general overhead rate will be allowed in the budget calculation;
  - f. a project completion date indicating the anticipated termination of the proposed research activity;
  - g. an indication of any other sources of funding, already available or applied for, which would be used to support the proposed research project.

Further details required will be specified in the application form.

**All applications must be submitted to the State Health Planning and Development Agency, 101 Capitol Square**

## OFFICIAL NOTICES

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**Building, 550 Cedar Street, St. Paul, Minnesota 55101.  
Applications will be accepted beginning July 17, 1978.**

**ALL APPLICATIONS MUST BE IN THE OFFICES (NOT POSTMARKED) OF THE STATE HEALTH PLANNING AND DEVELOPMENT AGENCY BY 4:30 P.M. ON AUGUST 18, 1978. APPLICATIONS RECEIVED AFTER THAT TIME AND DATE WILL NOT BE ACCEPTED. Each applicant will be required to submit five copies of the application.**

The decision of the SHCC concerning the award of HRP grants will be announced on or about October 18, 1978.

Applicants will be notified by mail as to the disposition of their application.

Definitions of the types of health research to be funded under this program (biomedical, health services, nonmedical, and health policy), the types of grant categories (Merit Fellowship, Nonmedical and Health Services, and Health Policy), and other details of the HRP may be found in State Planning Agency Rules 10 MCAR § 1.305-1.310, published in the *State Register* on June 26, 1978. Interested parties may obtain a copy of those rules by writing the State Health Planning and Development Agency, 101 Capitol Square Building, 550 Cedar Street, St. Paul, Minnesota 55101.

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