



STATE REGISTER

STATE OF MINNESOTA

EXECUTIVE ORDERS

RULES

PROPOSED RULES

SUPREME COURT

STATE CONTRACTS

OFFICIAL NOTICES

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VOLUME 3, NUMBER 22

December 4, 1978

Pages 1181-1208

STATE REGISTER

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			
23	Monday Nov 27	Monday Dec 4	Monday Dec 11
24	Monday Dec 4	Monday Dec 11	Monday Dec 18
25	Monday Dec 11	Friday Dec 15	Monday Dec 25
26	Monday Dec 18	Friday Dec 22	Monday Jan 1
27	Friday Dec 22	Friday Dec 29	Monday Jan 8

*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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MCAR AMENDMENTS AND ADDITIONS

The following is a listing of all proposed and adopted rules published in this issue of the *State Register*. The listing is arranged in the same order as the table of contents of the *Minnesota Code of Agency Rules* (MCAR). All adopted rules published in the *State Register* and listed below amend the rules contained in the MCAR set. Both proposed temporary and adopted temporary rules are listed here although they are not printed in the MCAR due to the short term nature of their legal effectiveness. During the term of their legal effectiveness, however, adopted temporary rules do amend the MCAR. A cumulative listing of all proposed and adopted rules in Volume 3 of the *State Register* will be published on a quarterly basis and at the end of the volume year.

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EXECUTIVE ORDERS

Executive Order No. 183 Restricting State Hiring and Contracts

I, Rudy Perpich, Governor of the State of Minnesota, by virtue of the authority vested in me by the Constitution and applicable statutes, do hereby issue this Executive Order:

Whereas, a major theme of this Administration has been the reduction of state government expenditures through a decrease in the size of the state work force, the elimination of waste and mismanagement, and other cost-cutting efforts; and,

Whereas, it is the goal of this Administration to continue with these efforts while facilitating the transition to the new Administration; and,

Whereas, the transition process will be assisted by restrictions on new hiring and consultant contracts in state government;

Now, therefore, I order:

1. No appointing authority in the Executive Branch of state government shall employ any person to fill a vacant position in the classified or unclassified civil service during the pendency of this Order except as provided in paragraph 2.

2. This prohibition on hiring shall not extend to positions to be filled by persons who:

- a. Will be providing direct care to patients at state institutions;
- b. Will be providing direct supervision of inmates at correctional facilities;
- c. Are on leave from a state position and who elect to continue employment with the state; or
- d. Will be performing services essential to the maintenance of the public safety or welfare as determined by the Commissioner of Personnel.

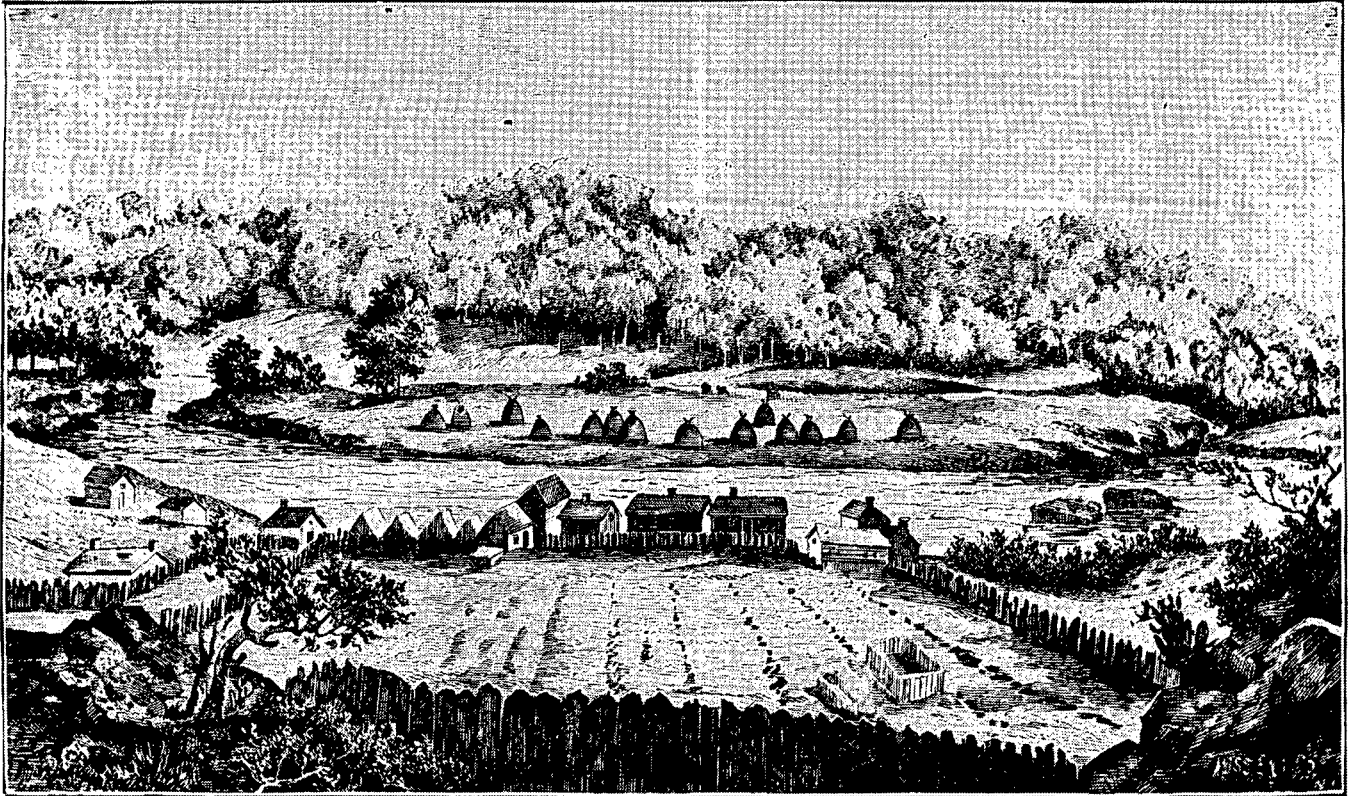
3. No person in the Executive Branch shall execute on behalf of any state agency during the pendency of this Order a contract for the performance of consultant services as defined in Minn. Stat. § 16.098 unless the Commissioner of Administration determines that performance under the contract is essential to the maintenance of the public safety or welfare.

4. Because of the need to take immediate action, this Order shall be deemed an Emergency Executive Order effective at 12:01 p.m., November 15, 1978.

5. This order shall expire January 1, 1979.

In testimony whereof, I hereunto set my hand on this 15th day of November, 1978.





American Fur Company's trading post at Fond Du Lac, Minnesota as it appeared in 1827. Reprinted from Thomas L. McKenney's *Tour to the Lakes* published that year. (Courtesy of Minnesota Historical Society)

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 Commerce Banking Division

Repeal of Rules BD 226 and 227 Governing Definitions and Eligibility Requirements for Conventional Home Loans

The adopted rules published at *State Register*, Volume 1, Number 24, pp. 933-952, December 20, 1976 (1 S. R. 933-952) and proposed for repeal at *State Register* Volume 2, Number 5, p. 177, are now repealed.

Board of Dentistry

Adopted Rules Relating to Fees

Pursuant to a resolution adopted by the Minnesota Board of Dentistry at its duly authorized meeting of September 22, 1978, and pursuant to approval of these rules according to

RULES

all relevant statutory provisions, the Board hereby gives notice that it has adopted the proposed rules referenced above in the same language and form as they appeared at *State Register*, Volume 2, Number 52, pp. 2351-2352, July 3, 1977 (2 S.R. 2351).

November 15, 1978

Dale Forseth
Executive Secretary

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

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

Department of Health Personal Health Services

Proposed Rules Relating to Family Planning Special Project Grants

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 (1977 Supp.), in Room 105, Minnesota Department of Health Building, 717 Delaware Street Southeast, Minneapolis, Minnesota, on Wednesday, January 10, 1979, commencing at 9:30 a.m.

All interested or affected persons will have an opportunity to participate concerning the adoption of the proposed rules 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 Steve Mihalchick, Hearing Examiner, at Room 300, 1745 University Avenue, Saint Paul, Minnesota 55104, telephone (612) 296-8112, either before the hearing or within five (5) working days after the close of the hearing or for a longer period not to exceed 20 calendar days if ordered by the hearing examiner. All such statements will be entered into and become part of the record. Testimony or other evidence to be submitted for consideration should be pertinent to the matter at hand. For those wishing to submit written statements or exhibits, it is requested that at least three (3) copies be furnished. In addition, it is suggested, to save time and avoid duplication, that

those persons, organizations, or associations having a common viewpoint or interest in these proceedings join together where possible and present a single statement in behalf of such interests. The conduct of the hearing shall be governed by the rules of the Office of Hearing Examiners.

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

Copies of the proposed rules are now available and at least one free copy may be obtained by writing to the Supervisor of the Family Planning Unit, Minnesota Department of Health, 717 Delaware Street Southeast, Minneapolis, Minnesota 55440. Additional copies will be available at the door on the date of the hearing.

Notice: The proposed rule is subject to change as a result of the rule hearing process. The Agency therefore strongly urges those who are potentially affected in any manner by the substance of the proposed rule to participate in the rule hearing process.

The statutory authority of the Commissioner of Health to promulgate and adopt these rules is contained in Minn. Laws of 1978, ch. 775, Minn. Stat. §§ 145.918 (1976), 144.05 (1976), 144.12 (1976), and 144.065 (1976).

In addition, please be advised that Minn. Stat. ch. 10A requires each lobbyist to register with the State Ethical Practices Board within five (5) days after he commences lobbying. A lobbyist is defined in Minn. Laws 1978, ch. 463, § 11 as any individual:

(a) Engaged for pay or other consideration, or authorized by another individual or association to spend money, who spends more than five hours in any month or more than \$250, not including his own travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials; or

(b) Who spends more than \$250, not including his own traveling expenses and membership dues, in any year for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials.

The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 41 State Office Building, Saint Paul, Minnesota 55155, telephone (612) 296-5615.

Notice: Any person may request notification of the date on which the hearing examiner's report will be available, after which date the agency may not take any final action on the rules for a period of five working days. Any person may

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request notification of the date on which the hearing record has been submitted (or resubmitted) to the Attorney General by the agency. If you desire to be so notified, you may so indicate at the hearing. After the hearing, you may request notification by sending a written request to the hearing examiner (in the case of the hearing examiner's report), or to the agency (in the case of the agency's submission or resubmission to the Attorney General).

Notice is hereby given that 25 days prior to the hearing, a statement of need and reasonableness will be available for review at the agency and at the Office of Hearing Examiners. This statement of need and reasonableness will include a summary of all of the evidence which will be presented by the agency at the hearing justifying both the need for and the reasonableness of the proposed rule/rules. Copies of the statement of need and reasonableness may be obtained from the Office of Hearing Examiners at a minimal charge.

November 15, 1978

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

Rules as Proposed

Chapter 27 Part II

7 MCAR § 1.457 Family Planning Special Project Grants.

A. Purpose, scope and applicability. The purpose and scope of these Rules is to prescribe requirements applicable to Family Planning Special Project Grants, to establish minimum standards for family planning services supported in whole or in part by family planning special project grant funds, and to provide a criterion for the review of family planning special project grant applications. An applicant is not required to provide all family planning service components to be eligible for funding. The following parts of 7 MCAR §§ 1.451-1.455 and no others also supply to family planning special project grants: 1.451 A., B., C.3., D.; 1.452 A., B., C., D.1. and 2., E.; 1.453 A., B.2.c.e.; 1.454 A., B.1., 5.a., d., e., f., C.; 1.455 B.

B. Definitions.

1. "Approved family planning methods" means agents and devices for the purpose of fertility regulation prescribed by a licensed physician, and other agents and devices for the purpose of fertility regulation including, but not limited to, spermicidal agents, diaphragms, condoms, natural family planning methods, sterilizations, and the diagnosis and treatment of infertility by a licensed physi-

cian, which can be paid for in whole or in part by family planning special project grant funds.

2. "Family planning" means voluntary planning and action by individuals to attain or prevent pregnancy.

3. "Family planning services components" means each of the public information, outreach, counseling, method, referral and follow-up services.

4. "Provide" means to directly supply or render or to pay for in whole or in part.

C. Content of application. In lieu of the items 7 MCAR § 1.452 D.3.a.-h., the application shall identify the geographic area to be served by the applicant and shall address the following information and requirements:

1. An inventory of existing family planning services provider agencies in the geographic area served by the applicant. The inventory shall include for each provider agency at least:

a. names and addresses;

b. the target population served, including total number served if available; if unavailable, estimates will be acceptable;

c. family planning service components provided.

2. An assessment of unmet needs of the geographic area to be served by the applicant including, but not limited to, an identification of unavailable family planning service components and/or unserved or underserved population. A description of the method used in making the assessment shall be provided by the applicant.

3. A description of the family planning service components to be provided by the applicant. Procedures for referral and follow-up shall be incorporated into all family planning services available on an individual basis. Each component to be provided with family planning special project funds must meet the standards for that component described in 7 MCAR § 1.457 D. For each component to be provided, the application must describe:

a. the goals;

b. the population to be served (target population);

c. the specific objectives to be achieved during the funding period;

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d. the methods by which each objective will be achieved;

e. the criteria to be used to evaluate the progress towards each objective;

f. a budget and budget justification;

g. a summary of the training and/or experience relevant to the component(s) to be provided of the person(s) providing the service.

4. A description of the linkages between the applicant and other family planning services in the geographic area including, but not limited to, plans for contracts and/or cooperative agreements with other organizations, agencies or individual providers. All funded projects must establish linkages to facilitate access to outreach, counseling, and other component services for service recipients.

5. A description of fees, if any, to be charged individuals for any family planning services. Proposed fees must be charged in accordance with a sliding fee for services and supplies based on the cost of such services or supplies and on the individual's ability to pay as determined by income, family size and other relevant factors. When applicable, the maximum fee charged shall not exceed the maximum reimbursement available from Title XIX, Medical Assistance. Services shall not be denied based on ability to pay as specified in C.8. herein.

6. Assurance that services will be provided in accordance with state and federal laws and rules.

7. A description of the policies and procedures that will be employed to maximize the use of third-party sources of funding.

8. Assurance that services will be provided without regard to age, sex, race, religion, marital status, income level, residence, parity, or presence or degree of disability except as otherwise required by law.

9. Assurance that arrangements shall be made for communication to take place in a language understood by the family planning service recipient.

10. When the applicant proposes to use family planning special project grant funds to supplant Community Health Services subsidy funds planned and budgeted for family planning services, the amount to be supplanted must be described in the application.

11. Assurance that the privacy of the service recipient will be maintained in accordance with law.

D. Family planning service components, definitions and

minimum standards. All service components shall include information on family planning services available from the applicant. Service components to be provided by the applicant shall be defined as indicated and shall meet or exceed the following standards:

1. "Public information" means specific activities designed to inform the general population about family planning and all family planning services available in the geographic area.

2. "Outreach" means specific activities designed to inform members of the target population about family planning and all the family planning services available in the geographic area. Outreach activities shall include, but not be limited to, one-to-one or small group contacts with the target population.

Outreach shall be conducted at times and places convenient to the target population. Persons conducting outreach shall have training and/or experience in family planning services.

3. "Counseling" means utilization of non-directive interview techniques which enable individuals to voluntarily determine their participation in family planning services and their family planning method of choice, if any. When individuals are seeking to prevent pregnancy, counseling shall include the provision and explanation of factual information on all approved family planning pregnancy prevention methods. When individuals are seeking to attain pregnancy, counseling shall include the provision and explanation of factual information on infertility diagnosis and treatment and services for pregnant women available in the geographic area.

Counseling shall be available to any individual in the target population and shall be conducted at times and places convenient to the target population. Counseling shall include documentation that information required in Subd. 7 of Minn. Laws of 1978, ch. 775 has been provided. Counseling shall be conducted by persons with training and/or experience in counseling and family planning services.

4. "Method" means the provision to a service recipient of her/his approved family planning method of choice. Provision of any approved family planning method shall include, but not be limited to:

a. Procedures which document that the service recipient participated in counseling prior to selecting a family planning method to prevent pregnancy;

b. Voluntary selection of the approved family planning method by the service recipient;

c. Information on the advisability of females ob-

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taining a gynecological examination with Pap smear prior to initiating any family planning method;

d. Education on the use of the selected family planning method, including the risks and benefits of the method;

e. Medical/laboratory services prior to the provision of a family planning method when the selected method requires medical intervention for prescription, fitting, insertion or for surgical or diagnostic procedures. When the selected method does not require medical intervention, as described herein, the applicant shall encourage service recipients to obtain medical/laboratory services, but provision by the applicant is not required. Medical/laboratory services shall include:

- (1) Social and medical/surgical history with emphasis on the reproductive system;
- (2) Height, weight, and blood pressure measures;
- (3) Bimanual pelvic examination for females;
- (4) Breast examination and instruction on self-examination for females;
- (5) Hemoglobin or hematocrit;
- (6) Urinalysis for sugar and protein;
- (7) Pap smear.

In addition, when indicated by history or symptoms, the medical services shall include for both male and female as appropriate:

- (8) Diagnosis and treatment of venereal disease;
- (9) Diagnosis and treatment of vaginitis;
- (10) Diagnosis of pregnancy.

Medical services shall be rendered by licensed physicians, or professional nurses with documentable training in gynecological care conducted under the supervision of a licensed physician, or nurse midwives certified by the American College of Nurse Midwifery, under the supervision of a physician. Laboratory tests shall be conducted by personnel trained to conduct such tests.

5. "Referral" means to provide, in writing, information to service recipients which enables them to participate in family planning.

6. "Follow-up" means specific procedures of continuing care designed to encourage safe and consistent family planning and utilization of other needed services.

E. Criteria for award of Family Planning Special Project Grants. Application which meets the requirements of law and these Rules shall be funded in accordance with the notice of availability as specified in 7 MCAR § 1.452 A. and the following criteria:

1. Applications proposing to provide all family planning service components in counties with no in-county subsidized family planning service as of December 31, 1978, will be given priority above all other applications.

2. Quality and content. In addition to 7 MCAR § 1.453 B.2.c. and e., applications will be evaluated on the basis of:

a. The extent the funds will be used to meet unmet needs in the geographic area as identified in the application;

b. The extent the application proposes an identifiable expansion in the capacity of the family planning service system in the geographic area to be served by the applicant;

c. The extent the application proposes to coordinate family planning services with organizations, agencies and individual providers in the geographic area to be served.

3. Agency. When equivalent and competing applications are submitted for a geographic area, funding priorities will be in accordance with the following:

a. First priority will be given to local Boards of Health;

b. Second priority will be given to eligible non-profit corporations. Prior to submission to the Commissioner, the applicant shall submit the proposal to the local Board of Health for review and comment. Any comments of a local Board of Health shall be submitted to the Commissioner within 20 days of the date the proposal was mailed to the local Board.

When requests for family planning special project grant funds from eligible applicants exceeds the amount of such funds available, applications will be funded in accordance with the following:

1. Applications proposing to provide service in coun-

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ties with no in-county family planning service as of December 31, 1978, will receive first priority. If the total of funding requests in these applications exceed funds available, all first priority requests will be multiplied by a ratio of total available funds to total funds requested under this priority.

2. Applications requesting funding of \$20,000 or less will be given second priority. If the total funding requests in these applications exceeds the funds available for distribution, all second priority requests will be multiplied by the ratio of funds available minus funds awarded under priority one to funds requested minus funds available under priority one.

3. Remaining applications will be given third priority and receive an amount equal to their request multiplied by the ratio of total available funds minus funds awarded under priorities one and two to total requested funds minus funds awarded under priorities one and two.*

F. Use of state funds available for Family Planning Special Project Grants.

1. Family planning special project grant funds awarded to applicant may be used to supplant Community Health Services subsidy funds planned and budgeted for family planning services in the 1978 or 1979 Community Health Services Plan.

2. Family planning special project grant funds may not be used to supplant any existing federal or local funds for family planning information or services.

3. Applicants are not required to match funds available under family planning special project grants.

*Example of funding award under priority three:

Applicant's family planning special project funds request	\$ 100,000
Total funds available for distribution	1,000,000
Total funds requested	1,500,000
Total funds distributed under priorities one and two	250,000

$$\text{Funds awarded to applicant} = \$100,000 \left(\frac{1,000,000 - 250,000}{1,500,000 - 250,000} \right)$$

State Board of Electricity Proposed Rule Regarding Contractors Licenses, Definition of On-the-job Supervision, License Examination and Renewal Fees, Apprentice Electrician Registration and Reinstatement of Contractors Licenses

Notice of Hearing

Notice is hereby given that a public hearing in the above-entitled matter will be held in room 300 at 1745 University Avenue, St. Paul, Minnesota, on January 17, 1979 at 9:30 a.m. and continuing until all representatives of associations or interested groups or persons have had an opportunity to be heard concerning the adoption of the proposed rules captioned above by submitting either oral or written data, statements or arguments. Statements may be made orally and written materials may be submitted at the hearing. In addition, written materials may be submitted by mail to George Beck, Office of Hearing Examiners, 1745 University Avenue, Room 300, St. Paul, Minnesota 55104 (612) 296-8108, the Hearing Examiner appointed to hear this matter either before the hearing or within five (5) working days after the close of the hearing. The Hearing Examiner may extend the time for receipt of written comments for a period not to exceed twenty (20) calendar days from the date of the hearing.

The rule proposed for adoption, if adopted, would:

1. limit a Master from being employed by more than one electrical contractor at the same time.
2. Require additional business information before contractor's license is issued.
3. Define personal on-the-job supervision.
4. Set examination and renewal fees for all classes of licenses.
5. Establish an Apprentice Electrician Registration.
6. Set a reinstatement cost for electrical contractors who let license lapse for statutory deficiencies.

The proposed rule and amendments are attached hereto. One free copy of the proposed rules in their entirety may be obtained by writing to Mr. C. B. Joriman, Executive Secretary, State Board of Electricity, 1954 University Avenue, St. Paul, Minnesota 55104. Additional copies of the rules will be available at the door on the day of the hearing.

The rule and amendments are proposed pursuant to the authority vested in the Board of Electricity by the provisions of Minn. Stat. § 326.241.

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It is not anticipated that adoption of the proposed rule and amendments will result in the expenditure of public moneys by local public bodies.

Any person may request notification of the date on which the Hearing Examiner's report will be available, after which date the Board may not take any final action on the rules for a period of five (5) working days. Any person may request notification of the date on which the hearing record has been submitted (or resubmitted) to the Attorney General by the Board. If you desire to be so notified, you may so indicate at the hearing. After the hearing, you may request notification by sending a written request to the Hearing Examiner (in the case of the Hearing Examiner's report), or to the Board (in the case of the Board's submission or resubmission to the Attorney General.).

Notice is hereby given that 25 days prior to the hearing, a Statement of Need and Reasonableness will be available for review at the Board's office and at the Office of Hearing Examiners. This Statement of Need and Reasonableness will include a summary of all the evidence which will be presented by the Board at the hearing justifying both the need for and the reasonableness of the proposed rule and amendments. Copies of the Statement of Need and Reasonableness may be obtained from the Office of Hearing Examiners at a minimal charge.

Minn. Stat. §§ 10A.01-10A.34 requires each lobbyist to register with the Ethical Practices Board within five (5) days after commencing lobbying. Lobbying includes attempting to influence rulemaking by communicating or urging others to communicate with public officials. A lobbyist is defined in Minn. Stat. § 10A.01, subd. 11, as any individual:

(a) Engaged for pay or other consideration, or authorized by another individual or association to spend money, who spends more than five hours in any month or more than \$250, not including his own travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials; or

(b) Who spends more than \$250, not including his own traveling expenses and membership dues, in any year for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials.

"Lobbyist" does not include any:

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(a) Public official or employee of the state or any of its political subdivisions or public bodies acting in his official capacity;

(b) Party or his representative appearing in a proceeding before a state board, commission or agency of the executive branch unless the board, commission or agency is taking administrative action;

(c) Individual while engaged in selling goods or services to be paid for by public funds;

(d) News media or their employees or agents while engaged in the publishing or broadcasting of news items, editorial comments or paid advertisements which directly or indirectly urge official action;

(e) Paid expert witness whose testimony is requested by the body before which he is appearing, but only to the extent of preparing or delivering testimony; or

(f) Stockholder of a family farm corporation as defined in § 500.24, subd. 1, who does not spend over \$250, excluding his own travel expenses, in any year in communicating with public officials.

Questions regarding the registration of lobbyists should be directed to the Ethical Practices Board, 41 State Office Building, St. Paul, Minnesota 55155, phone number (612) 296-5616

November 14, 1978

C. B. Joriman
Executive Secretary

Rules as Proposed (All New Material)

4 MCAR § 11.030 Requirements for securing an electrical contractors license. Definitions of responsibility of performance for Class "A" or Class "B" Master license holders who are employed by an electrical contractor to satisfy Minn. Stat. § 326.242, subd. 6.

A. Each contractor shall designate the responsible electrician employed by him on his application for an electrical contractor's license. The Board shall not grant a new contractor's license if it appears that the responsible electrician so designated is also employed in the same capacity by any other electrical contractor. In the event that more than one previously licensed electrical contractor has designated the same responsible electrician on his application for a license

PROPOSED RULES

renewal, the Board shall return the application to the contractors who shall have 15 days to resubmit their applications. If, upon resubmission of the license application, it still appears that the same responsible electrician has been designated by more than one contractor, the Board shall institute proceedings pursuant to subd. 9 of this section, for non-renewal of the applications of each contractor by whom the same responsible electrician is employed.

B. In addition to all other requirements of Minn. Stat. § 326.242, subd. 6, the applicant for an electrical contractor's license shall supply the following information before a contractor's license is issued:

1. Employer's social security account number.
2. Workers compensation insurance account number.
3. Unemployment insurance account number.
4. State Withholding tax account number.
5. Federal Withholding tax account number.
6. The name and address of:
 - a. Each partner or venturer, if the applicant is a partnership or joint venture.
 - b. The owner, if the applicant is an individual proprietorship.
 - c. The corporate officers if the applicant is a corporation.

4 MCAR § 11.031 Definitions of personal "On-the-job" supervision as applied to Minn. Stat. § 326.242, subd. 5, Apprentices. Personal on-the-job supervision shall require that the unlicensed person will have a licensed person present on the job and providing supervision the entire working day.

4 MCAR § 11.032 Licenses, examination and renewal fees.

A. All licenses issued hereunder shall expire one year from the date of issuance.

B. The following fees shall be payable for examination, issuance and renewal:

1. For examination
 - a. Class "A" Master — \$35.00
 - b. Class "B" Master — \$20.00
 - c. Class "A" Journeyman, Class "B" Journeyman, Installer or Special Electrician — \$10.00
2. For issuance or original license and renewal.
 - a. Class "A" Master — \$35.00
 - b. Class "B" Master — \$20.00
 - c. Class "A" Journeyman, Class "B" Journeyman, Installer or Special Electrician — \$7.50
 - d. Electrical Contractor's licenses shall be renewed on September 1st of each year. Original and renewal fee \$10.00

C. Apprentice electrician registration. An apprentice electrician shall register with the State Electrical Board after three months of employment and shall pay an annual registration fee of five dollars. He shall not be allowed to work on installations without personal on-the-job supervision of a licensed electrician.

D. Any Electrical Contractor's license that is reissued after being revoked or suspended for statutory deficiencies described in Elec. 26, Revocation, shall pay a reinstatement cost of \$100.00 before the license is reinstated by the Board.

SUPREME COURT

**Decisions Filed Friday,
November 24, 1978**

Compiled by John McCarthy, Clerk

48461/266 Minnesota Medical Association, et al, Appellants vs. State of Minnesota, Minnesota Department of Public Welfare, and Its Commissioner, Minnesota Department of Administration and Its Commissioner, and Catholic Bulletin Publishing Co., et al., intervenors. Ramsey County.

Data concerning payments to medical assistance vendors which are stored on computer tapes of the Department of Public Welfare are public records accessible to the public under Minn. St. § 15.17.

Balancing of competing statutory interests is a legislative function and the court will not interfere with an evident determination that the public's right to information outweighs the possible adverse effects of the disclosure of information on medical assistance patients' choice of a physician and the effectiveness of the medical assistance program.

The failure of the commissioner of administration to adopt rules to implement administration and enforcement of the Data Privacy Act does affect the public's right of access to public records.

Appellants have failed to establish a probability that disclosure of the data sought by the intervenors will infringe medical assistance patients' constitutional right to privacy or physicians' property rights.

The disclosure of the information sought by the intervenors will not invade any fundamental personal right of physicians whose names are disclosed.

Affirmed. Sheran, C. J. Dissenting, Otis, Todd, and Wahl, JJ.

48031/299 Richard C. Lines, Appellant vs. Michael Ryan and Sondra Jones vs. Michael Ryan and Richard C. Lines. Hennepin County.

Rule 28, Special Rules for the Fourth Judicial District, requires that statements of the parties' versions of a case be filed with the court before the case is given a "ready-for-trial" status. Such statements are mainly for the convenience of the court, and the absence of all the details of an accident therein should not preclude a party from testifying in any way.

The manner in which evidence is received is within the

sound discretion of the trial court and this court will uphold such an evidentiary ruling unless a clear abuse of discretion is shown. A statement of the case should not be admitted into evidence except to correct a clear injustice which would otherwise result.

When apportioning negligence, a jury must have the opportunity to consider the negligence of all parties to the transaction whether or not they be parties to the lawsuit and whether or not they can be liable to other tortfeasors because of a prior release.

Where a settlement with an insured does not completely compensate him for his damages, he retains an interest in the action and a lawsuit may be brought in his name.

Where said settlement agreement clearly authorizes that an action may be commenced in the policyholder's name, a claim to the contrary is without merit.

Where there is no showing that a case was not presented fairly to the jury, a claim by one party of collusion between the other parties to the action will not stand.

Where there is no claim of error in consolidating two causes of action until after the verdict, such an issue is not properly raised.

Affirmed. Scott, J.

48214/333 Neil P. Flynn and Lucia Flynn vs. Robert T. Sawyer and Violette I. Sawyer, Appellants. Sibley County.

Parol evidence is admissible when a written agreement is incomplete or ambiguous, not to vary the agreement but to explain the meaning of its terms and to explain the parties' conduct subsequent thereto, to give meaning to the contract and show the intent of the parties.

Although an action is not commenced within six months as provided for by a contract of deed, a court sitting in equity can refuse to enforce such a clause when to do so would be unconscionable.

When there is no finding by the trial court of "unclean hands" and such a finding was unnecessary for its decision, there is no basis upon which we can so hold.

In the absence of abandonment by vendees or resort to litigation by vendors, Minn. St. § 559.21 provides the exclusive means by which a vendor can cancel a vendee's interest in real estate. The vendees' interest has not been terminated in this case, since none of these requirements, including the statutory criteria, have been met.

Affirmed. Scott, J. Took no part, Otis, J.

SUPREME COURT

48076/337 State of Minnesota vs. Rasheed Adeshina Idowu, Appellant. Hennepin County.

The crimes of aggravated forgery — uttering and theft by check aggregating over \$100 are distinct crimes for double-jeopardy purposes, neither offense being necessarily included in the other.

Nonetheless, it was error to sentence defendant to two concurrent terms, since concurrent sentences constitute multiple sentences within meaning of Minn. St. § 609.035, which prohibits punishment of a defendant for more than one or two or more offenses arising from a single behavioral incident. This statute applies here because the two offenses arose from the same behavioral incident.

Remanded for vacation of one of the concurrent sentences. Per Curiam.

48055/339 State of Minnesota vs. Gail Ann Domabyl, Appellant. Houston County.

The trial court did not clearly err in finding that defendant was given a Miranda warning and that she waived voluntarily her Miranda rights.

Where defendant's claim that one or more of the jurors misunderstood the jury instructions was based on a postverdict affidavit of the foreman of the jury, the trial court did not err in denying defendant's request for a Schwartz hearing because the cases do not make an exception in situations such as this one to the general rule against permitting jurors to testify in impeachment of the jury verdict.

Affirmed. Per Curiam.

Order Filed November 17, 1978

48283/446 State of Minnesota, Appellant vs. Diane Kay Onken. Scott County.

It is hereby ordered that the order of the Scott County District Court, entered on August 17, 1978, granting defendant's motion to suppress evidence be, and the same is, affirmed.

Affirmed. Sheran, C. J.

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 Education School Management Services Division

Notice of Request for Proposals for Developing Training Materials for Use in Statewide Implementation of Uniform Financial Accounting and Reporting Standards (UFARS)

The Minnesota Department of Education, Division of School Management Services, is seeking proposals from a qualified person or firm to develop training materials for a course of instruction in modified accrual accounting techniques consistent with Uniform Financial Accounting and Reporting Standards.

The estimated amount of the contract is \$20,000.

The deadline for submitting proposals for the contract is December 26, 1978.

Inquiries should be directed to:

Stan Tikkanen
Minnesota Department of Education
Room 807, Capitol Square Building
550 Cedar Street
St. Paul, Minnesota 55101
(612) 296-8640

Notice of Request for Proposals for Evaluation of Financial Reporting of Minnesota School Districts in Compliance to Minnesota Statutes, Minnesota State Agency Rules and Accounting Manuals

The Minnesota Department of Education, Division of School Management Services, is seeking proposals from a qualified person or firm for the evaluation and documentation of financial reporting of its various classes of reporting units to establish significant areas of noncompliance, misunderstanding or reporting inconsistencies. The evaluation is to include the following separate areas: The annual audit of the reporting units' financial statements, the reporting units' annual financial reports, the Minnesota State Agency Rules, and the Manual of Instructions for Uniform Financial Accounting for Minnesota School Districts. A written report of the findings and recommendations are required. Additionally, an Orientation of selected Regional Accounting Coordinators who are responsible for assisting districts in the establishment of accounting standards is required.

The estimated amount of the Contract is \$19,000.

The deadline for submitting proposals for the contract is December 26, 1978.

Inquiries should be directed to:

Stan Tikkanen
Minnesota Department of Education
Room 807, Capitol Square Building
550 Cedar Street
St. Paul, Minnesota 55101
(612) 296-8640

Department of Transportation Duluth Operations Division

Notice of Request for Proposals for Duluth Employee Assistance Program

The Minnesota Department of Transportation (Mn/DOT) is seeking the services of a licensed professional counselor to provide professional counseling and diagnostic and referral services to District One employees. The service will be

STATE CONTRACTS

provided to employees within an 80-mile radius of Duluth for the purpose of resolving problems adversely affecting the ability of the employees to perform in a proficient and productive manner. These services shall include:

1. The conducting of personal counseling sessions with employees upon supervisory or self-referral.
2. Referral of certain employees with personal problems to an appropriate community agency or private practitioner.
3. Referral of employees needing medical care to competent medical authorities.
4. Advising supervisors and managers in appropriate techniques of dealing with problem employees.

It is further required that the contractor file a monthly written report of activities and progress with the Mn/DOT District Business Manager at the time of invoice submittal. This report shall include:

1. For each employee counseled, the dates and lengths of the counseling sessions conducted, categorization of problems dealt with and summaries of problem resolutions where there have been supervisor and/or Personnel Office involvement.
2. Summaries of training sessions conducted.
3. Program evaluation.

To meet the Employee Assistance needs of Mn/DOT, the contractor must possess:

1. A Masters degree in Psychology, Sociology or Counseling.
2. Considerable experience in the practice of clinical counseling.
3. A minimum of five years practice in the area of clinical counseling.
4. Experience as a professional counselor with an employer of 1,000 plus personnel ranging from managers and professionals to trades persons, technicians and clerks.
5. Transportation to meet with employees within this geographical area. Travel expenses shall be borne by the counselor.
6. Reasonable office space, shall be available during normal work hours, and shall return calls within several hours.

A contract for the requested services will commence January 1, 1979 and terminate on June 30, 1979. The compensation limit during the contract period is \$20/hr, with payment not to exceed \$250.00 per month. Payments will be made monthly for the hours listed on the monthly reports. Services are to be provided to Mn/DOT employees at least 3 days in each work week. It will be required that the same counselor will personally service all the employees within an 80 mile radius of Duluth (approximately 200 employees). The only exception to this 80 mile radius is Grand Marais, which will also be covered by the contract.

Qualified professionals should submit their resumes and work plan proposals to Jim Laumeyer, District Business Manager, Minnesota Department of Transportation, 1123 Mesaba Avenue, Duluth, Minnesota 55811, not later than December 11, 1978.

OFFICIAL NOTICES

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

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

Board of Architecture, Engineering, Land Surveying and Landscape Architecture

Notice of Rescheduling of Hearing Relating to Classes of Buildings with Respect to Which Persons Performing Architectural and Professional Engineering Services May be Exempt from Licensure Requirements and Proposed Amendments to Rule Relating to Licensure Requirements for Professional Engineers

Notice is hereby given that a public hearing in the above-entitled matter, originally scheduled to be held on December 6, 1978, has been rescheduled and will be held in the Department of Commerce Hearing Room at 500 Metro Square Building, Seventh and Robert Streets, Saint Paul, Minnesota on January 24, 1979 at 9:30 a.m. A complete, amended Notice of Hearing will be published in a future issue of the *State Register*.



Pierce Butler (1886-1939), a native of Dakota County, displayed his intellectual excellence by becoming a schoolteacher at the age of 15. After graduation from Carleton College in 1887, he became a nationally known railroad and corporate attorney with a practice in St. Paul. A staunch conservative, Butler was appointed Associate Justice to the U.S. Supreme Court in 1923 during the Harding administration.

Energy Agency

Minnesota Power & Light Company and United Power Association Application for a Certificate of Need for a Large Electric Generating Facility

Notice of Postponement of Public Hearings

Notice is hereby given that the public hearings in the rehearing concerning the above-entitled matter have been postponed until late in January 1979. By my Order of October 10, 1978, the contested case hearing had been scheduled to reconvene at 9:30 a.m. on December 11, 1978, in Courtroom No. 2, Fourth Floor, Federal Building, 515 West First Street, Duluth, Minnesota.

OFFICIAL NOTICES

A specific time and place for beginning the postponed hearings will be announced in a separate order.

November 24, 1978

John P. Millhone
Director

Energy Agency Current and Projected Residential Energy Costs, By Region and State

In fulfillment of Minnesota Statutes, Chapter 116H, Section 129, Subdivision 1, the Director of the Energy Agency hereby certifies the following current and projected average residential energy costs. For any residence, the evaluator may use the actual unit energy price for that residence, as documented by the most recent bill, in lieu of these average costs.

Current Average Residential Energy Prices, By Region and State
Summer 1978

Region	Natural Gas \$/1000 cubic feet	Electricity ¢/kilowatt hour		Fuel Oil ¢/gallon	Propane ¢/gallon
		Non-Space Heating	Space Heating		
1	\$3.26	4.52¢	2.57¢	44.9¢	39.4¢
2	\$3.21	5.30¢	2.97¢	46.5¢	39.8¢
3	\$2.57	5.80¢	3.91¢	47.4¢	43.6¢
4	\$3.25	4.07¢	2.39¢	45.6¢	42.4¢
5	\$2.85	5.95¢	4.05¢	45.8¢	41.7¢
6E	\$2.87	4.41¢	2.90¢	45.1¢	41.6¢
6W	\$2.52	4.42¢	2.51¢	44.7¢	39.8¢
7E	\$2.39	4.60¢	3.12¢	45.0¢	41.8¢
7W	\$2.56	4.28¢	2.74¢	45.0¢	39.6¢
8	\$2.33	4.22¢	2.54¢	44.6¢	37.2¢
9	\$2.80	4.39¢	2.62¢	45.1¢	38.3¢
10	\$1.96	4.33¢	2.85¢	44.7¢	38.9¢
11	\$2.63	4.47¢	2.53¢	46.1¢	42.9¢
State	\$2.60	4.67¢	2.90¢	45.4¢	40.6¢

The above average prices were estimated from a statistically designed sample of energy suppliers. Details of the procedures used to determine these prices are presented in the publication, "Residential Energy Prices in Minnesota, Summer 1978", which can be obtained by calling the Energy Information Center (Twin Cities Metropolitan Area 296-5175, Instate Toll Free 800-652-9028).

Projected Residential Electricity Prices, By Region
Excluding Inflation

	Actual Electric Prices ¢/kwh	Projected Electric Prices ¢/kwh				
		1978	1979	1980	1981	1982
Region 1 Non-Space Heating	4.5	4.4	4.7	4.9	5.2	5.5
Space Heating	2.6	2.6	2.8	3.1	3.4	3.7

Region 2 Non-Space Heating	5.3	5.3	5.5	5.7	6.0	6.2
Space Heating	3.0	3.0	3.4	3.6	3.8	4.0
Region 3 Non-Space Heating	5.8	5.9	6.4	6.5	6.7	7.1
Space Heating	3.9	4.1	4.6	4.7	5.0	5.3
Region 4 Non-Space Heating	4.1	3.9	4.2	4.4	4.6	4.8
Space Heating	2.4	2.4	2.6	2.8	3.1	3.3
Region 5 Non-Space Heating	5.9	6.4	7.0	7.1	7.3	7.6
Space Heating	4.0	4.6	5.2	5.3	5.5	5.8
Region 6E Non-Space Heating	4.4	4.7	5.1	5.5	5.7	5.9
Space Heating	2.9	3.3	3.7	4.0	4.3	4.5
Region 6W Non-Space Heating	4.4	4.4	4.8	5.0	5.2	5.5
Space Heating	2.5	2.6	3.0	3.2	3.5	3.7
Region 7E Non-Space Heating	4.6	5.0	5.4	5.5	5.8	6.1
Space Heating	3.1	3.6	3.9	4.2	4.4	4.7
Region 7W Non-Space Heating	4.3	4.6	5.0	5.3	5.5	5.7
Space Heating	2.7	3.2	3.5	3.9	4.0	4.4
Region 8 Non-Space Heating	4.2	4.2	4.4	4.6	4.8	5.1
Space Heating	2.5	2.6	2.8	3.1	3.4	3.6
Region 9 Non-Space Heating	4.4	4.3	4.5	4.7	4.9	5.1
Space Heating	2.6	2.6	2.8	3.0	3.2	3.4
Region 10 Non-Space Heating	4.3	4.3	4.5	4.8	5.1	5.4
Space Heating	2.8	2.9	3.1	3.4	3.7	3.9
Region 11 Non-Space Heating	4.5	4.4	4.5	4.7	4.9	5.1
Space Heating	2.5	2.6	2.7	2.9	3.1	3.3

Prepared by the Minnesota Energy Agency, Policy Analysis Activity, based on information from individual utilities. Price projections include increased costs from additional capacity and new facilities planned to come on line in 1979-1983. Since some capital costs remain fixed for several years and some contracts and purchase agreements are made a year or more in advance, the prices cannot be directly related to the rate of inflation. Inflation was included where applicable. Then the projections derived were deflated 6% to estimate real price projections. It was assumed that the allocation of costs to rate classes remains unchanged.

Projected Residential Prices for
Fuel Oil, Propane and Natural Gas
Excluding Inflation
1979-1983

	Statewide Average Price	Real Price Projections (Do Not Include Inflation)				
		1978	1979	1980	1981	1982
Fuel Oil ^a	45.4¢	46.4¢	47.3¢	48.3¢	49.3¢	50.4¢
Propane ^b	40.6¢	41.9¢	43.3¢	44.8¢	46.2¢	47.8¢
Natural Gas						
Domestic ^c	\$2.58	\$2.70	\$2.83	\$2.96	\$3.10	\$3.25
Canadian ^d	\$3.55	\$3.55	\$3.55	\$3.55	\$3.55	\$3.55

- ^a Based on an annual real price growth rate of 2.1%
- ^b Based on an annual real price growth rate of 3.3%
- ^c Based on an annual real price growth rate of 4.7%
- ^d Based on a constant real price

Annual real price growth rates are from the U.S. Department of Energy, Energy Information Administration, *Annual Report to Congress*, Volume II, 1977, pp. 64, 96, Projection Series C.

Environmental Quality Board Power Plant Siting

Notice of Public Hearing on Cooperative Power Association and United Power Association Application for Minor Alteration in Construction Permit Issued for Dickinson to Wilmarth 345 kilovolt Transmission Line

A hearing on the above entitled matter will be held on Monday, December 11, 1978, 7:00 p.m., at the LeSueur Community Center, 821 East Ferry Street, LeSueur, Minnesota. (The hearing will continue as necessary.)

General Information:

The Minnesota Environmental Quality Board will hold a public hearing on the Application for a Minor Alteration in the Construction Permit issued to Cooperative Power Association and United Power Association (CPA/UPA) for a 345 kilovolt transmission line between Mankato and Delano. The application was filed on November 16, 1978.

The alteration requested by CPA/UPA would affect the location of the designated corridor/route boundary in Sharon and Tyrone Townships in LeSueur County. (See attached map.) Three specific changes will be considered:

1. Relocation of the designated corridor/route boundary as follows: commencing at a point on the north line of Section 7, Township 111 North, Range 25 West (Sharon Township, LeSueur County), which point is 40 feet west of the northeast corner of said Section 7; thence southerly along a line which is 40 feet west of and parallel with the east line of said Section 7 and 18, to a point on the south line of said Section 18, which point is 40 feet west of the southeast corner of said Section 18 and there terminating.

2. Relocation of the designated corridor/route boundary as follows: commencing at a point on the east line of Section 33, Township 112 North, Range 25 West (Tyrone Township, LeSueur County), which point is 40 feet north of the east quarter corner of said Section 33; thence westerly along a line which is 40 feet north of and parallel with the east-west quarter line of said Sections 33 and 32, to a point which is 40 feet north of the center of said Section 32 and there terminating.

3. Relocation of the designated corridor/route bound-

ary as follows: commencing at a point which is 80 feet west of the east line of Section 21, Township 112 North, Range 25 West, (Tyrone Township, LeSueur County) and 409.0 feet north of the south line of said Section 21; thence southerly along a line which is 80 feet west of and parallel to the east lines of Sections 21, 28 and 33, to a point which is 80 feet west of the east quarter corner of said Section 33 and there terminating.

Authority:

The Environmental Quality Board is authorized by the "Rules for Routing High Voltage Transmission Lines and Siting Large Electric Power Generating Plants," 6 MCAR § 3.079 B., to consider minor alterations in a construction permit for a high voltage transmission line and to determine whether granting the application would be consistent with 6 MCAR § 3.073 H., Criteria for the Evaluation of Routes.

Hearing Examiner:

The public hearing will be conducted by Mr. William Seltzer, an independent hearing examiner from the Minnesota Office of Hearing Examiners, Room 300, 1745 University Ave., St. Paul, Minnesota 55104; 612/296-8105.

Conduct of Hearing, Rules:

The public hearing will be conducted in accord with "Rules of the Hearing Examiner relating to Procedures for Power Plant Siting or High Voltage Transmission Line Routing," 9 MCAR § 2.401 *et seq.*, and "Rules of the Environmental Quality Board for Routing High Voltage Transmission Lines," particularly EQB Rules 6 MCAR §§ 3.073 and 3.078 (1978). Copies of the above rules may be obtained from: Documents Section, Department of Administration, Room 140, Centennial Bldg., St. Paul, Minnesota 55155; (612) 296-2874. There is a charge for copies. Copies are also available for public review at libraries as described below.

Conduct of Hearing:

Direct testimony will be presented by parties as described below, and be subject to cross-examination and questioning. All other interested persons may offer testimony and question any witness of any party. Witnesses for parties will be available for questioning.

Conduct of Hearing, Recesses, Additional Hearings:

The hearing may be recessed and reconvened by the hearing examiner and additional hearing dates may be established by the hearing examiner in accord with Hearing Examiners Rule HE 413. (9 MCAR § 2.413; copies of rule available as described above).

OFFICIAL NOTICES

Conduct of Hearing, Public Participation, Intervention:

Any person, whether a party in the proceeding or not, may present testimony, question any witness and present exhibits. Any person who wishes to intervene as a party must comply with Hearing Examiners Rule HE 408 (9 MCAR § 2.408, copies available as described above) by, among other things, serving a petition to intervene on the hearing examiner and all other parties. The petition must show how the person will be affected by the proceedings. The hearing examiner will determine if the petition has been properly filed and will either grant or deny the petition. If intervention is allowed, the intervenor is subject to all responsibilities of a party including the obligation to prefile testimony and make witnesses available for each and every day of hearings. The intervenor also has the rights of a party including the right to present argument to the Environmental Quality Board after it receives the Hearing Examiner's findings, conclusions, and recommendations. Under Minnesota Statute, section 15.0421 (1976 Edition) only parties are guaranteed the right to present a final argument to the Board. This is not a complete list of rights and obligations of intervenors. It is meant only to provide a general understanding of the difference between those who intervene and those who do not.

Conduct of Hearing, Legal Counsel:

Any person may be represented by legal counsel but such representation is not required.

Parties:

Cooperative Power Association 3316 West 66th Street Edina, Minnesota John Drawz, Attorney	United Power Association Elk River, Minnesota Roger Miller, Attorney
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Inquiries, Public Advisor:

A public advisor has been appointed to assist and advise persons interested in taking part in the proceedings. He does not provide legal advice. He is William Green, 100 Capitol Square Building, 550 Cedar Street, St. Paul, Minnesota 55101. (612) 296-9923.

Inquiries, Power Plant Siting Staff:

The project manager for the Environmental Quality Board in this proceeding is George Durfee, telephone number (612) 296-2878. (address above)

Inquiries, Attorney General's Office:

You may contact William Dorigan, Special Assistant Attorney General on matters dealing with the Environmental Quality Board procedures. Address: Room 303 Capitol Square Building, 550 Cedar Street, St. Paul, Minnesota 55101. (612) 296-3304.

Information Available for Review, Libraries:

Copies of the CPA/UPA Application for a Minor Alteration, the Power Plant Siting Act, Hearing Examiners Rules and EQB rules are available for inspection and study at the public library in LeSueur, the LeSueur County Planning and Zoning Office in LeCenter and the EQB office in St. Paul. Copies of the transcript of the hearing, hearing examiners findings and recommendations and EQB decision will also be deposited there when available.

Dated this 22nd day of November, 1978.

Mary Sullivan, Administrator
Environmental Quality Board

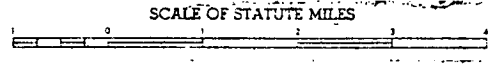
OFFICIAL NOTICES

Application from Cooperative Power Association and United Power Association for a Minor Alteration in the Construction Permit for a 345 kilovolt transmission line between the Wilmarth and Dickinson Substations (Mankato to Delano).
CU-TR-2, MA-2

1977 in Sharon and Tyrone Townships of LeSueur County and the areas where alterations are being considered. The map has been prepared as accurately as possible at this scale. More detailed maps are available at the LeSueur Public Library, the LeSueur County Planning and Zoning Office in LeCenter and the EQB office in St. Paul.

NOTE: This map shows the route as designated on April 11,

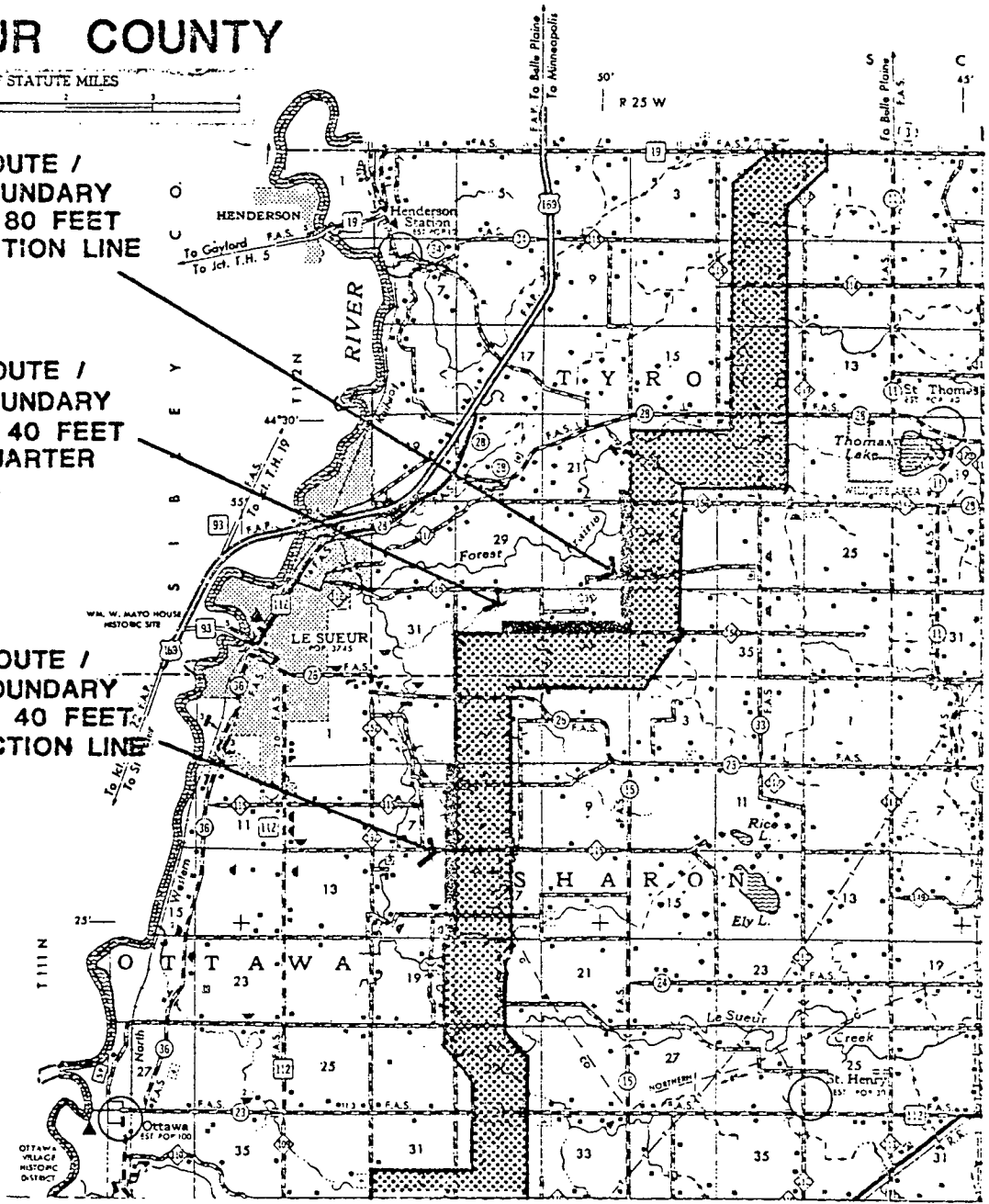
LE SUEUR COUNTY



PROPOSED ROUTE /
CORRIDOR BOUNDARY
WOULD MOVE 80 FEET
WEST OF SECTION LINE

PROPOSED ROUTE /
CORRIDOR BOUNDARY
WOULD MOVE 40 FEET
NORTH OF QUARTER
SECTION LINE

PROPOSED ROUTE /
CORRIDOR BOUNDARY
WOULD MOVE 40 FEET
WEST OF SECTION LINE



Water Resources Board

Notice of Hearing Pertaining to the Coon Creek Watershed District

The Minnesota Water Resources Board gives notice it will hold a hearing on Monday, December 18, 1978, beginning at 9:30 a.m., Central Standard Time, in Room A of the Bunker Prairie Activity Center at 550 Northwest Bunker Lake Blvd., in the City of Andover, Anoka County.

The purpose of the hearing is to receive testimony and evidence bearing upon the contents of the Overall Plan adopted by the managers of the Coon Creek Watershed District, Andover, Minnesota, 55303.

The Board's Notice of Hearing is being published in the Anoka County Union (Anoka County) in their November 24 and December 1, 1978 issues.

ERRATA

1. The Livestock Sanitary Board's Notice of Hearing and Proposed Amendment to Rules Governing Importation of Swine, Eradication of Swine Brucellosis in Minnesota, and Control of Mycoplasma in Poultry, and Promulgation of Rule Governing Control of Pseudorabies, published at *State Register*, Volume 3, Number 18, pp. 970-980, November 6, 1978 (3 S.R. 970) should be corrected as follows:

At 3 S.R. 971, paragraph 3, line 5, change "publisehd" to "published."

At 3 S.R. 975, 3 MCAR § 2.032 (LSB 32) Control of Mycoplasma in poultry., A.8., change "brids" to "birds."

At 3 S.R. 977, 3 MCAR § 2.032 F.1.d., change "hatcheries" to "hatchers." In H.1., change "identify" to "identity."

At 3 S.R. 979, 3 MCAR § 2.024 Control of pseudorabies., B.2., change "of the Board of USDA" to "or the Board of USDA." In C.2.b., change "number" to "numbered."

At 3 S.R. 980 D., change "elegible" to "eligible."

2. The Pollution Control Agency's Adopted Rule Regarding the Administration of the Construction Grants and Loan Program: Minn. Rule WPC 34, published at *State Register*, Volume 3, Number 17, pp. 866-871, October 30, 1978 (3 S.R. 866) should be corrected as follows:

At 3 S.R. 866, heading, change "Loan" to "Loans."

At 3 S.R. 866, rule title should read: "WPC 34 Regulation Rule for the administration of the Minnesota State Water Pollution Control Fund and federal grant funds allotted to Minnesota."

At 3 S.R. 867, change "E.3.c.1.(g)" to "E.3.c.(1)(g)" and change "E.3.c.1.(i)" to "E.3.c.(1)(i)."

At 3 S.R. 868, E.3.d., change "municipality" to "municipality."

At 3 S.R. 870, first line of left column should read: "application ~~may~~ shall be rejected at the discretion of the"

At 3 S.R. 870, F.1.a., change the application form to read as follows:

Minnesota Pollution Control Agency
Division of Water Quality

Application for Disposal System
Planning and/or Construction Loan

To be filled in by
the State
Dated Received
Project Number
Loan Request

Legal Name of Applicant

Address, Zip Code

Hereby Makes Application to the Pollution Control Agency of the State of Minnesota for a Loan of Funds for the Planning and/or Construction of:

Financial Aspects:

Estimated Project Cost	\$ _____
State Loan Funds	_____
Local Funds	_____
Other Funds	_____

Project Schedule:

Project Starting Date	_____
Time to Complete Project	_____

Name and Title of Representative Official
Signature of Representative Official Date _____

3. The Proposed Temporary Rules Governing Minimum Anticipated Loss Ratios promulgated by the Department of Commerce, Insurance Division, and published at *State Register*, Volume 3, Number 21, pp. 1078-1081, November 27, 1978 (3 S.R. 1078) should be corrected as follows:

At 3 S.R. 1081, change title of INS 279 to read: "INS 279 Reasonableness of premiums in relation to benefits: group policies."

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