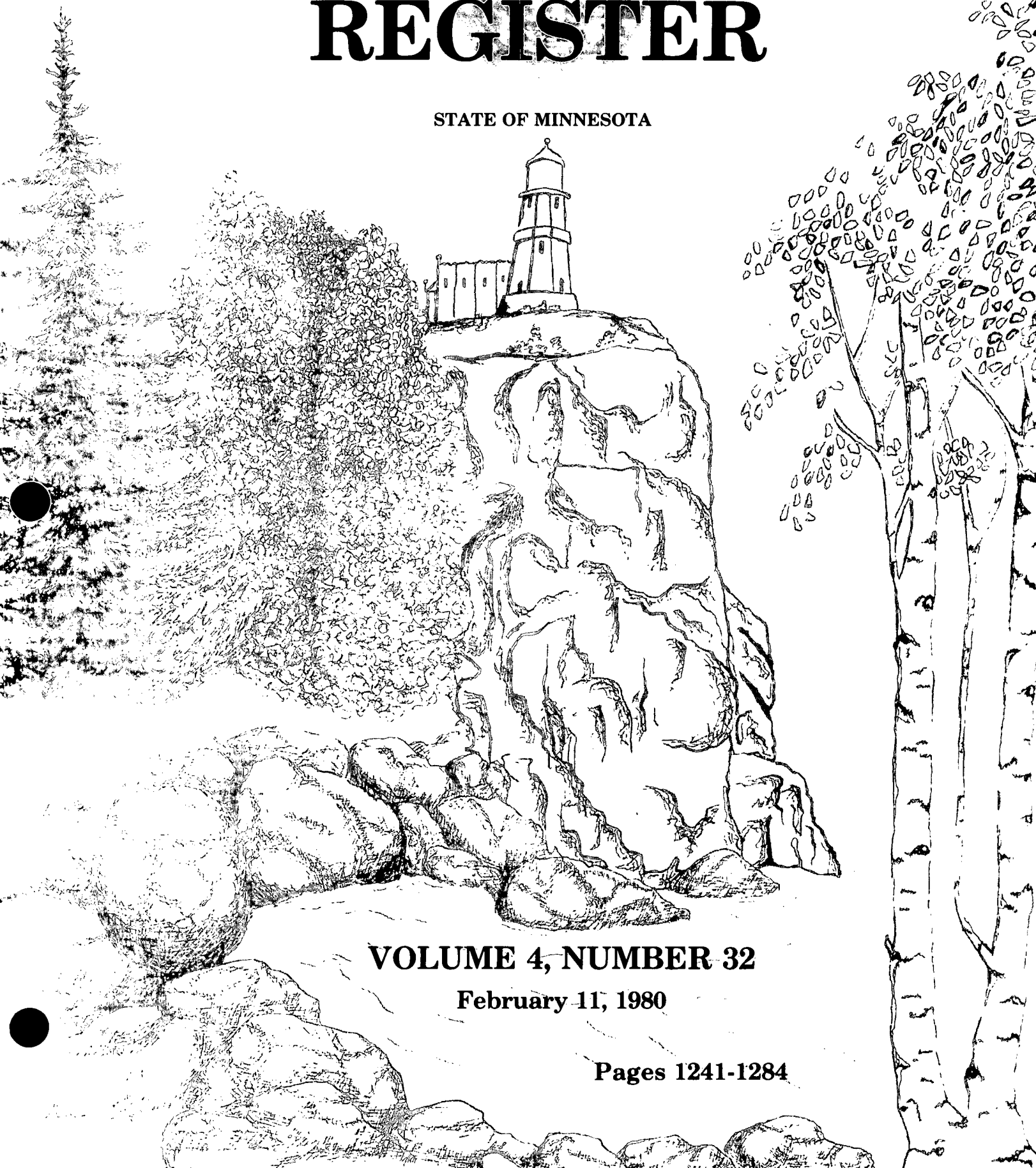


P182

STATE REGISTER

STATE OF MINNESOTA



VOLUME 4, NUMBER 32

February 11, 1980

Pages 1241-1284



Volume 4 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 4 | | | |
| 33 | Monday Feb 4 | Monday Feb 11 | Monday Feb 18 |
| 34 | Monday Feb 11 | Friday Feb 15 | Monday Feb 25 |
| 35 | Friday Feb 15 | Monday Feb 25 | Monday Mar 3 |
| 36 | Monday Feb 25 | Monday Mar 3 | Monday Mar 10 |

*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.

The *State Register* is published 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. Publication is weekly, on Mondays, with an index issue in August. In accordance with expressed legislative intent that the *State Register* be self-supporting, the subscription rate has been established at \$110 per year, postpaid to points in the United States. Second class postage paid at St. Paul, Minnesota. Publication Number 326630. (ISSN 0146-7751) No refunds will be made in the event of subscription cancellation. Single issues may be obtained at \$2.25 per copy.

Subscribers who do not receive a copy of an issue should notify the *State Register* Circulation Manager immediately at (612) 296-0931. Copies of back issues may not be available more than two weeks after publication.

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*.

Albert H. Quie
Governor

Carol Anderson Porter
Editor

James J. Hiniker, Jr.
**Commissioner
Department of Administration**

Paul Hoffman, Robin PanLener, Jean M. Walburg
Editorial Staff

Stephen A. Ordahl
**Manager
Office of the State Register**

Roy Schmidtke
Circulation Manager

David Zunker
Information Officer

Cindy Riehm
Secretarial Staff

CONTENTS

MCAR AMENDMENTS AND ADDITIONS

Inclusive listing for Issues 27-32 1244

PROPOSED RULES

Public Hearings on Agency Rules

February 18-22, 1980 1246

Livestock Sanitary Board

Quarantine of Domestic Animals Imported without Health Certificate: Cattle Mange or Scabies; Eradication of Sheep Scabies; Establishment and Operation of Public Stockyards; Cleaning and Disinfection of Automobiles, Trucks and Other Vehicles; Isolation and Quarantining of Domestic Animals, Including Poultry, for Infections and Dangerous Communicable Diseases 1246

Personnel Department

Band Width Certification Program (temporary rules—proposed repeal) 1253

Transportation Department

Public Transportation Division

Error in Proposed Amendments to Rules Pertaining to Implementation of the Minnesota Rail Service Improvement Program 1255

ADOPTED RULES

Commerce Department

Insurance Division

Self-Insurance for Workers' Compensation (temporary) 1256

Education Department

Board for Vocation Education

Vocational-Technical Division

Post-Secondary Vocation-Technical and Adult Vocational-Technical Education Continued in Effect (temporary, extended) 1261

Natural Resources Department

Office of Planning

Cannon River as Part of the State Wild, Scenic and Recreational Rivers System 1261

Pollution Control Agency

Air Pollution Control Requirements during Air Pollution Episodes 1273

SUPREME COURT

Decision Filed Friday, February 1, 1980 1277

STATE CONTRACTS

Energy Agency

Data and Analysis Division

Documentation of Regional Energy Information System Data and Econometric Energy Supply/Demand Models 1278

State Planning Agency

Environmental Quality Board

Professional Service Contract 1278

OFFICIAL NOTICES

Energy Agency

Fuel Allocation Division

Development of a State Emergency Plan Relating to Gasoline Conservation (Notice of Intent to Solicit Outside Opinion) 1279

Transportation Department

Petition of Chicago and North Western Transportation Co. for Authority to Retire and Remove ICC Track No. 382 at Janesville, MN 1279

ERRATA 1280

NOTICE

How to Follow State Agency Rulemaking Action in the *State Register*

State agencies must publish notice of their rulemaking action in the *State Register*. If an agency seeks outside opinion before promulgating new rules or rule amendments, it must publish a **NOTICE OF INTENT TO SOLICIT OUTSIDE OPINION**. Such notices are published in the **OFFICIAL NOTICES** section. Proposed rules and adopted rules are published in separate sections of the magazine.

The **PROPOSED RULES** section contains:

- Proposed new rules (including Notice of Hearing).
- Proposed amendments to rules already in existence in the Minnesota Code of Agency Rules (MCAR).
- Proposed temporary rules.

The **ADOPTED RULES** section contains:

- Notice of adoption of new rules and rule amendments (those which were adopted without change from the proposed version previously published).
- Adopted amendments to new rules or rule amendments (changes made since the proposed version was published).
- Notice of adoption of temporary rules.
- Adopted amendments to temporary rules (changes made since the proposed version was published).

All **ADOPTED RULES** and **ADOPTED AMENDMENTS TO EXISTING RULES** published in the *State Register* will be published in the Minnesota Code of Agency Rules (MCAR). Proposed and adopted **TEMPORARY RULES** appear in the *State Register* but are not published in the MCAR due to the short-term nature of their legal effectiveness.

The *State Register* publishes partial and cumulative listings of rule action in the MCAR **AMENDMENTS AND ADDITIONS** list on the following schedule:

| | |
|-------------------------------|-------------------------------|
| Issues 1-13, inclusive | Issue 39, cumulative for 1-39 |
| Issues 14-25, inclusive | Issues 40-51, inclusive |
| Issue 26, cumulative for 1-26 | Issue 52, cumulative for 1-52 |
| Issue 27-38, inclusive | |

The listings are arranged in the same order as the table of contents of the MCAR.

MCAR AMENDMENTS AND ADDITIONS

TITLE 2 ADMINISTRATION

Part 1 Administration Department

2 MCAR § 1.10111 (proposed) 1149

Part 2 Personnel Department

2 MCAR §§ 2.300-2.305 (proposed) 1253

TITLE 3 AGRICULTURE

Part 1 Agriculture Department

3 MCAR §§ 1.0190-1.0192, Agr 190-192 (proposed) 1125

3 MCAR §§ 1.4801-1.4804 (adopted) 1204

Part 2 Livestock Sanitary Board

LSB 7, LSB 18, LSB 20, LSB 52, LSB 61,

3 MCAR §§ 2.007, 2.009, 2.018, 2.044, 2.052, 2.061 (proposed) ... 1246

TITLE 4 COMMERCE

Part 1 Commerce Department

4 MCAR §§ 1.9285-1.9299 (adopted temporary) 1256

Part 3 Public Service Department

4 MCAR §§ 3.0230-3.0233 (proposed) 1091

4 MCAR § 3.0299 (PSC 299) (adopted) 1227

TITLE 5 EDUCATION

Part 1 Education Department

5 MCAR §§ 1.0100-1.0105, 1.01051, 1.0106-1.0118,

1.01101-1.01102 (extended temporary) 1261

5 MCAR §§ 1.0800, 1.0805 (adopted temporary) 1133

TITLE 6 ENVIRONMENT

Part 1 Natural Resources

6 MCAR § 1.2420 (adopted) 1227

6 MCAR §§ 1.2900, 1.2910, 1.2920 (adopted) 1261

Part 4 Pollution Control Agency

6 MCAR § 4.0039 (adopted) 1273

TITLE 7 HEALTH

Part 1 Health Department

7 MCAR §§ 1.238, 1.249-1.250 (adopted) 1205

7 MCAR §§ 1.239, 1.250, 1.260, 1.269, 1.314 (adopted) 1204

TITLE 11 PUBLIC SAFETY

Part 1 Public Safety Department

11 MCAR § 1.2093 (adopted) 1205

11 MCAR §§ 1.2094, 1.2116, 1.2140 (adopted) 1204

11 MCAR §§ 1.4081-1.4090 (Driv Lic 81-90) (adopted) 1204

Part 2 Corrections Department

11 MCAR §§ 2.401-2.404, 2.408, 2.412, 2.416, 2.418, 2.420,

2.424, 2.428, 2.432, 2.436, 2.440, 2.444-2.446, 2.456, 2.460,

2.464, 2.470, 2.474, 2.478, 2.482, 2.486, 2.490 (adopted) 1104

TITLE 12 SOCIAL SERVICES

Part 2 Public Welfare Department

12 MCAR § 2.014 (adopted temporary) 1174

12 MCAR § 2.052 (proposed) 1097

12 MCAR § 2.163 (proposed) 1128

12 MCAR § 2.200 (proposed temporary) 1164

12 MCAR §§ 2.490-2.491 (proposed) 1095

12 MCAR §§ 2.493, 2.503-2.504, 2.581, 2.586, 2.588,

2.592-2.593, 2.621-2.625, 2.640, 2.646, 2.654, 2.840 (adopted) . 1205

12 MCAR §§ 2.494, 2.516, 2.578-2.579, 2.619, 2.655-2.656,

2.693, 2.840 (adopted) 1204

Part 3 Housing Finance Agency

12 MCAR §§ 3.152-3.153, 3.156 (proposed temporary) 1089

TITLE 13 TAXATION

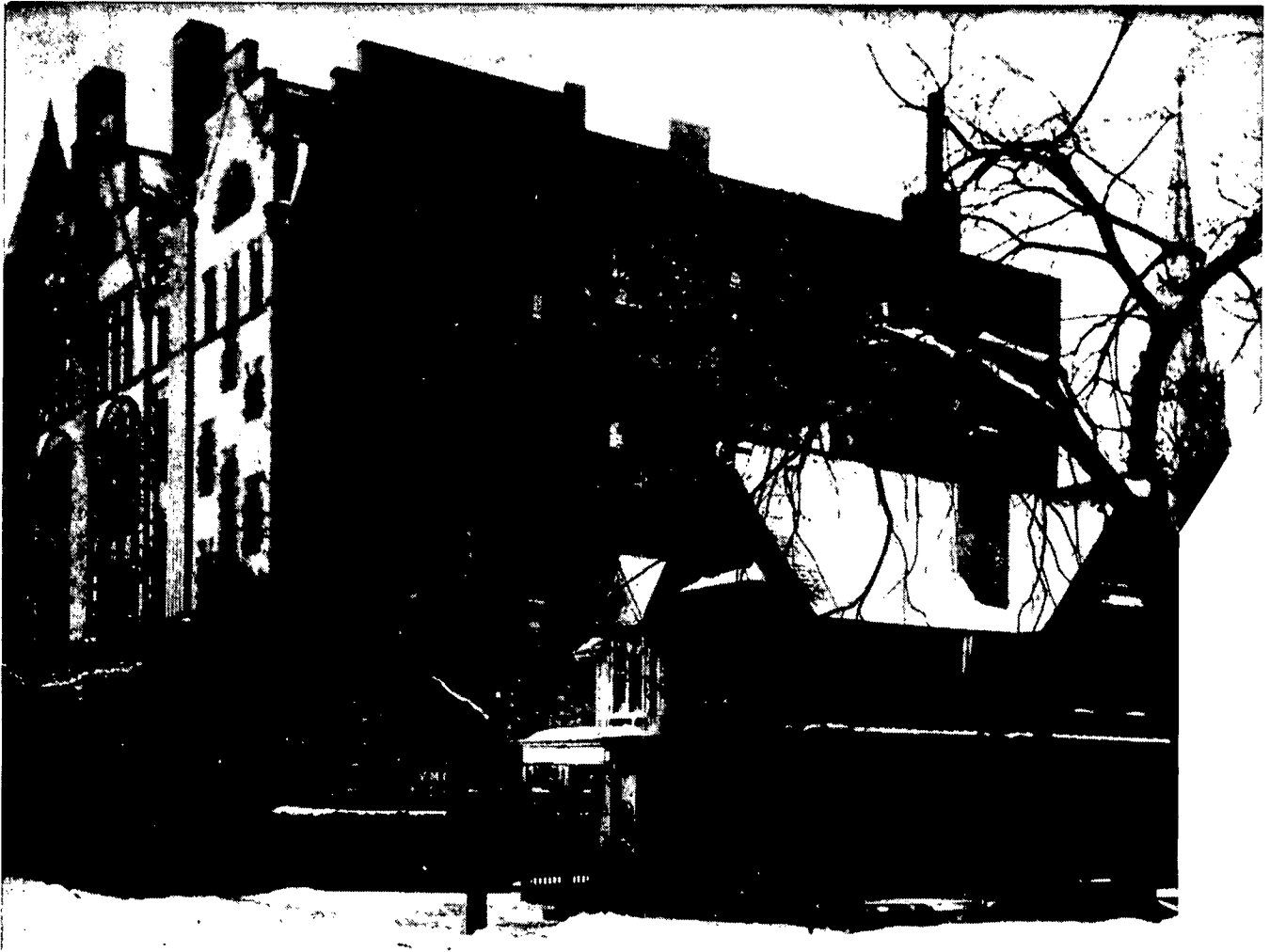
Part 1 Revenue Department

13 MCAR §§ 1.0021-1.0026 (proposed temporary) 1169

TITLE 14 TAXATION

Part 1 Transportation Department

14 MCAR §§ 1.4000-1.4005 (proposed) 1204
14 MCAR § 1.4001 (Errata) 1255
14 MCAR §§ 1.4006-1.4009 (proposed) 1204



(Photograph from Minneapolis Journal, May, 1936—courtesy of Minneapolis Star and Tribune Co.)

Do you recall the boys club home of the YMCA when the latter structure stood at Tenth street and LaSalle avenue in 1908?

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 rule or amendment. 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.

Livestock Sanitary Board

Notice of Hearing on Proposed Amendments to Rules LSB 7 Quarantine of Domestic Animals Imported into Minnesota without A Health Certificate; LSB 18 Cattle Mange or Scabies; LSB 20 Eradication of Sheep Scabies; LSB 44 Establishment and Operation of Public Stockyards; LSB 52 Cleaning and Disinfection of Automobiles, Trucks and other Vehicles; LSB 61 Isolation and Quarantining of Domestic Animals, Including Poultry, for Infectious and Dangerous Communicable Diseases

Notice is hereby given that a public hearing in the above entitled matter will be held pursuant to Minn. Stat. § 15.0412, subd. 4 (1978), in the Conference Room at 500 Rice St., St. Paul, Minnesota, commencing at 9:30 a.m., or as soon thereafter as possible, Wednesday, March 12, 1980, and continuing until all interested or affected persons have had an opportunity to be heard.

The Livestock Sanitary Board proposes to amend the following rules: **LSB 7 Regulations providing for quarantine of domestic animals imported into Minnesota without a health certificate.**, to provide for quarantining livestock imported with improper health certificates as well as without health certificates and to simplify the language.

LSB 18 Cattle mange and scabies., to provide for use of more effective control measures, supervision of dipping facilities and to simplify the language.

Public Hearings on Agency Rules February 18-22, 1980

| Date | Agency and Rule Matter | Time & Place |
|---------|--|---|
| Feb. 19 | Public Welfare Dept. Child Day Care Sliding Fee Scales Hearing Examiner: Natalie Gaull | 9:00 a.m., Rm. A Capitol Square Bldg., 550 Cedar St., St. Paul, MN |
| Feb. 22 | Agriculture Dept. Disposal of Refuse from Transport Involved in Foreign Commerce Hearing Examiner: Harry S. Crump | 9:00 a.m., Rm. 116A, Administration Bldg., 50 Sherburne Ave., St. Paul, MN |
| Feb. 22 | Administration Dept. State Building Code Hearing Examiner: Peter Erickson | 9:30 a.m., 408 Metro Square Bldg., St. Paul, MN |

LSB 20 Eradication of sheep scabies., to repeal the portion of the rule which relates to sheep scabies, a disease which has been eradicated, and to place the portion of the rule which relates to importation of sheep in **3 MCAR § 2.009 Importation of sheep.**, so it will be in the section of MCAR with other importation requirements.

LSB 44 The establishment and operation of public stockyards., to eliminate reference to hog cholera to include reference to tattooing of swine as required in **3 MCAR § 2.066 Slaughter cattle and slaughter swine identification.**, to clarify the health certificate requirements on livestock released for purposes other than slaughter and to allow testing of cattle and swine for brucellosis with official tests other than the card test.

LSB 52 Cleaning and disinfection of automobiles, trucks and other vehicles., to require cleaning and disinfection of all carriers of infected or exposed livestock not just public carriers and to simplify the language.

LSB 61 Isolation and quarantining of domestic animals, including poultry, for infectious and dangerous communicable diseases., to eliminate the listing of specific diseases several of which have been eradicated in the United States, others which are covered in specific rules, some which are not considered dangerous by present standards and to eliminate the mandatory placarding of infested premises; and to simplify the language of the rule.

Free copies of the proposed rules are available and can be obtained from the Minnesota Livestock Sanitary Board, LL 70 Metro Square, St. Paul, Minnesota, 55101. Additional copies will be available at the hearing.

Statutory authority to promulgate the proposed rules is vested in the Livestock Sanitary Board by Minn. Stat. § 35.03 (1978). Adoption of the amended rules will not require the expenditures of additional public monies by local public bodies.

Relevant statements or written material may be submitted for

the record at the hearing or to Hearing Examiner Natalie L. Gaull, Office of Hearing Examiners, Room 300, 1745 University Avenue, St. Paul, Minnesota, 55104, phone 612-296-8114 before the hearing or within (5) five working days after the public hearing or for a longer period not to exceed 20 calendar days if ordered by the hearing examiner.

Please be advised that Minn. Stat. ch. 10A requires each lobbyist to register with the Ethical Practices Board within 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 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.

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 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 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.

February 11, 1980

J. G. Flint, Secretary & Executive Officer
Livestock Sanitary Board

Rules as Proposed

LSB 7 Regulations providing for quarantine of domestic animals imported into Minnesota without a health certificate. ~~Be it resolved by the State Livestock Sanitary Board of the State of Minnesota, that all domestic animals imported into the State of Minnesota and not accompanied by a health certificate as required by the laws of this State and by the rules and~~

~~regulations of this Board that shall be in force and effect at the time of importation, shall be and are hereby quarantined at the point or place where such animals first come to rest within the State after the completion of the interstate shipment thereof, or at such other place to which they are removed by the written permission of this Board, and such quarantine shall continue until such time as said animals have been duly inspected by a veterinarian approved by this Board and a proper health certificate, as required by the laws of this state and by the rules and regulations of this Board as shall then be in force and effect, shall be furnished to this Board by said veterinarian and this Board shall issue a release of such quarantine.~~

~~Be it further resolved that said quarantine and such inspection shall be at the owner's cost and expense.~~

3 MCAR § 2.007 Quarantine of livestock and poultry imported into Minnesota without a health certificate or with an improper health certificate.

A. The board shall quarantine at owner's expense all livestock and poultry imported into Minnesota without a health certificate if a health certificate was required by any rule of the board, or if with a health certificate which does not meet the importation requirements of the board.

B. It shall be the duty of the owner of quarantined livestock or poultry to maintain them in isolation in a manner that will prevent contact with any other livestock or poultry until the quarantine is released.

C. The board will release the quarantine when it receives a report from an accredited veterinarian indicating personal inspection of the livestock or poultry for compliance with the importation rules of the board including test results to meet all entrance requirements or when proof of slaughter of the livestock or poultry is submitted.

LSB 18 Cattle Mange or Scabies

~~(a) Cattle affected with mange are hereby held to be affected with a contagious disease. All persons and corporations are hereby forbidden to transport such diseased cattle from any point outside the State to any point within the State, or from place to place within the State, except upon permission in writing from the State Livestock Sanitary Board, and then only under the conditions prescribed by such written permit.~~

~~(b) Cattle affected with any general skin disease shall not be allowed to enter any stockyard or other public place where they may come in contact with healthy cattle or where healthy cattle are liable to be placed.~~

~~(c) All outbreaks of suspicious skin disease among cattle must be quarantined and at once reported to the State Livestock Sanitary Board.~~

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

PROPOSED RULES

~~(d) All cattle affected with scabies or which show any inflamed condition of the skin, and all cattle that have associated in the same herd with such animals must be included in the preliminary quarantine.~~

~~(e) Quarantine must be continued until satisfactory evidence is presented to the State Livestock Sanitary Board that the quarantined animals are not affected with mange or scabies; or until the entire herd has been thoroughly dipped, sprayed or satisfactorily treated two or more times with intervals of ten days, using a dip in proportion of 24 pounds of sulphur, 10 pounds of unslacked lime to 100 gallons of water, and satisfactory evidence presented to this Board that such cattle are no longer infectious.~~

~~(f) Enclosures wherein cattle affected with scabies have been confined must be continued in quarantine for a period of at least 30 days after such diseased animals have been removed, or until such enclosure shall have been whitewashed with a lime and water solution.~~

~~(g) No person shall knowingly remove, authorize or cause to be removed any cattle that have been quarantined on account of any contagious or infectious disease, from any farm or enclosure where they have been quarantined, except as provided in Section (e).~~

~~(h) No person shall knowingly cause, authorize or permit any cattle to be placed in any stable or enclosure that is under quarantine on account of mange or scabies except those cattle already quarantined therein.~~

3 MCAR § 2.018 Scabies.

A. All outbreaks of skin disease among cattle, sheep or goats suspicious of being caused by Psoroptes mites shall be reported to the board.

B. All animals affected with scabies and all animals that have been exposed to the affected animals shall be quarantined.

C. The quarantine shall be continued until satisfactory evidence is presented to the board that the quarantined animals are not affected with scabies; or until the entire herd has been dipped, sprayed or satisfactorily treated two or more times with an interval of ten to fourteen days using a dip approved by the USDA for treatment of scabies, the recommended withdrawal period observed and satisfactory evidence presented to the board that the animals are no longer affected; or the entire herd has been shipped for slaughter.

D. Enclosures in which animals affected with scabies have been confined shall not be repopulated for a period of at least 30 days after untreated quarantined animals have been shipped for slaughter.

E. Facilities used for official dipping of animals for scabies shall be approved by the board. A supervisor of the dip vat shall be authorized by the board who will be responsible for operation of the vat, for submission of vat samples and maintaining a record of all cattle dipped for official purposes.

LSB 20 Eradication of Sheep Scabies

~~(a) Definitions.~~

~~(1) Board shall mean the Minnesota Livestock Sanitary Board.~~

~~(2) Owner shall mean and refer to the legal owner, his agents, and the person in possession of or caring for the sheep referred to.~~

~~(3) Veterinarian shall mean a graduate of a recognized college who has been approved by the Board and accredited by the United States Department of Agriculture.~~

~~(4) Approved dip—a dip containing an acaricide approved by the United States Department of Agriculture.~~

~~(5) Flock shall mean all sheep maintained on one premises and owned by one or more persons.~~

~~(6) Negative flock—a flock in which all sheep are apparently free of symptoms of sheep scabies.~~

~~(7) Suspicious flock—a flock in which there are symptoms indicative of sheep scabies.~~

~~(8) Exposed flock—a flock that has had possible contact with an infected flock.~~

~~(9) Infected flock—a flock in which a positive diagnosis of sheep scabies has been made by a veterinarian.~~

~~(10) Scabies free area—an area or state designated as scabies free by the United States Department of Agriculture.~~

~~(11) Agents of the Board—a person authorized to do official work for the Board.~~

~~(b) Quarantines. As of December 17, 1962, a quarantine is established by the Secretary and Executive Officer of the Minnesota State Livestock Sanitary Board, restricting and restraining all sheep to the premises where held, as of this date, until such sheep have been inspected by an agent of the Board, and found free of symptoms of sheep scabies or shipped for immediate slaughter under permit.~~

~~The quarantine may be released officially by an agent of the Board at the time of inspection of the flock.~~

~~All flocks not free of symptoms shall remain under quarantine until reinspected by a veterinarian and released; or until immediately dipped and redipped if necessary, in 10 to 14 days in an approved dip under direct supervision of a veterinarian and such dipped flocks shall remain under quarantine until reinspected by a veterinarian in not less than 30 days after required dipping.~~

~~(c) Rules and regulations for the establishment of scabies free areas.~~

~~(1) All flocks shall remain under quarantine until inspected by an agent of the Board and found free of symptoms of sheep scabies. Quarantine may be officially released by an agent of the Board at time of inspection.~~

~~(2) All sheep infected with or exposed to scabies shall remain under quarantine for immediate dipping and redipping, if necessary, in 10 to 14 days, in an approved dip under direct~~

supervision; or shall be shipped for immediate slaughter under permit to some point within the state where the federal government maintains inspection. Such dipped flocks shall remain under quarantine for reinspection in not less than 30 days by a veterinarian.

(3) ~~When such sheep infected with or exposed to scabies are shipped, for slaughter only, such sheep shall be unloaded in pens and alleys not normally used for sheep. Vehicles used in transportation of such sheep shall be cleaned and disinfected under federal supervision.~~

(4) ~~When sheep are required to be dipped, the owner shall present the animals to the dipping vat and assist in the dipping procedure. Dipping procedures to be conducted on premises where infected sheep are maintained.~~

(5) ~~All persons, partnerships or firms engaged in shearing or dipping sheep other than their own, shall register with the Board. There shall be no charge for such registration. All equipment used in shearing sheep shall be cleaned and disinfected prior to leaving any premises where shearing has been conducted.~~

(6) ~~Apparently healthy sheep may be shipped intrastate for immediate slaughter without dipping if accompanied by a written statement signed by the owner giving number in shipment and destination. The shipment shall not be diverted from destination.~~

(7) ~~All sheep that are loaned, traded, exchanged or sold for any purpose other than immediate slaughter or shipment to a public stockyard or livestock auction market, shall be dipped in an approved dip under veterinary supervision within 10 days prior to movement. A certificate of dipping shall be presented to consignee.~~

(8) ~~All sheep unloaded at a public stockyard or livestock auction market shall be inspected by a veterinarian. All sheep, except sheep from scabies free areas yarded in facilities approved by the Board for such sheep, shall be dipped in an approved dip under supervision prior to leaving premises, or shipped to slaughter under permit.~~

If sheep at any exhibition, livestock auction market, public stockyard or concentration point are found to be infected with scabies, all animals in the consignment shall be shipped for immediate slaughter only under permit or slaughter affidavit to some point within the state where the federal government maintains inspection; or shall be immediately dipped in an approved dip under veterinary supervision, and moved under permit and quarantine to premises of origin or other premises approved by the Board for redipping in 10 to 14 days, and reinspection in not less than 30 days by a veterinarian. Expenses of dipping, redipping and maintenance for the inspection period shall be borne by the consignor. All flocks of origin shall be placed under quarantine pending inspection for scabies.

~~All trucks, alleys and pens with which such infected sheep had contact shall be cleaned and disinfected.~~

(9) ~~Sheep for exhibition purposes shall be accompanied by a health certificate certifying that the sheep have been inspected and dipped in an approved dip under veterinary supervision within ten days prior to opening date of exhibition. Such sheep shall be maintained separate and apart from balance of flock following dipping.~~

~~Sheep from scabies free areas for exhibition purposes need not be dipped but must be accompanied by a health certificate certifying to such origin.~~

(10) ~~Sheep from scabies free areas may be imported directly to farm premises or livestock auction markets without dipping if accompanied by health certificate certifying to such origin. A copy of the health certificate must be forwarded to livestock official of state of origin for approval.~~

(11) ~~Apparently healthy sheep, for immediate slaughter only, may be imported into Minnesota without dipping if consigned to a public stockyard or slaughtering establishment where federal inspection is maintained. Shipment must be accompanied by a certificate, waybill, or similar document stating number in shipment and destination signed by owner. The shipment shall not be diverted from destination.~~

(12) ~~Sheep from scabies free areas consigned to a public stockyard, may be imported without dipping, if accompanied by a certificate of inspection conducted within ten days of importation or by a waybill, or similar document or statement signed by owner. The shipment shall not be diverted.~~

(13) ~~Sheep imported from scabies free areas shall not retain their scabies free status following first sale in Minnesota.~~

(14) ~~All sheep imported into Minnesota contrary to these regulations, shall be quarantined for inspection by a veterinarian. All animals in the shipment shall be shipped for immediate slaughter under permit to a point in the state where the federal government maintains inspection; or immediately dipped and moved or sold under permit and quarantine for redipping in 10 to 14 days and reinspection in not less than 30 nor more than 60 days, by a veterinarian. The expense for redipping and reinspection to be borne by the owner. If consignor can show satisfactory evidence that the sheep originated in a scabies free area, the sheep need not be redipped but shall be reinspected in not less than 30 days nor more than 60 days by a veterinarian at owner's expense.~~

(d) ~~Maintenance of scabies free area. Upon the State of Minnesota attaining a scabies free status, the following rules and regulations shall apply:~~

(1) ~~All sheep infected with or exposed to scabies shall be immediately reported to the State Livestock Sanitary Board~~

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

PROPOSED RULES

by the owner, his veterinarian, or any other individual who observes the infected sheep or suspects them of being infected with scabies.

(2) When scabies is diagnosed in any flock of sheep, the flock shall be quarantined and shall either be immediately shipped for slaughter under permit to some point within the state where the federal government maintains inspection, or shall be immediately dipped and redipped in 10 to 14 days in an approved dip under veterinary supervision, and reinspected by a veterinarian in not less than 30 days following the last dipping. All movements into and from the flock shall be traced. Flocks of origin and destination of such additions to and movement from the infected flock shall be inspected. Exposed sheep shall be dipped at least once.

(3) Intrastate movement.

(aa) Sheep from flocks not under quarantine may move intrastate without restriction.

(bb) If sheep at any exhibition, livestock auction market, public stockyard or concentration point are found to be infected with scabies, all animals in the consignment shall be shipped for immediate slaughter only under permit or slaughter affidavit to some point within the state where the federal government maintains inspection; or shall be immediately dipped in an approved dip under veterinary supervision, and moved under permit and quarantine to premises of origin or other premises approved by the Board for redipping in 10 to 14 days, and reinspection in not less than 30 days by a veterinarian. Expenses of dipping, redipping and maintenance for the inspection period shall be borne by the consignor. All flocks of origin shall be placed under quarantine pending inspection for scabies.

All trucks, alleys, and pens with which such infected sheep had contact shall be cleaned and disinfected.

(4) Importation of Sheep

(aa) If unloaded enroute for feed, water and rest in the states not designated scabies free, sheep from scabies free areas shall be unloaded only in pens set aside for sheep from scabies free areas.

(bb) Sheep for immediate slaughter only, may be imported if consigned to a point where the state or federal government maintains inspection. A certificate, waybill, or similar document signed by the owner stating destination, number, age, and breed of sheep shall accompany the shipment. The shipment shall not be diverted enroute to destination.

(cc) Sheep from scabies free areas may be imported if accompanied by a health certificate certifying to such origin. A copy of the health certificate must be forwarded to the livestock sanitary official of state of origin for approval.

(dd) When sheep from scabies free areas are imported into a public stockyards or livestock auction market, they shall be yarded in facilities approved by the Board for such sheep. Such facilities utilized shall be for sheep from scabies free areas only or for sheep described in the following paragraph.

(ee) Sheep from non scabies free areas may be imported when accompanied by a health certificate showing that the sheep have been inspected, found free of scabies and dipped in an approved dip under veterinary supervision within ten days of importation. A copy of the health certificate must be forwarded to the livestock sanitary official of the state of origin for approval.

(ff) All sheep imported into Minnesota contrary to these regulations, shall be quarantined for inspection by a veterinarian. All sheep in the shipment shall be shipped for immediate slaughter under permit to a point in the state where the federal government maintains inspection; or immediately dipped and moved or sold under permit and quarantine for redipping in 10 to 14 days and reinspection is not less than 30 nor more than 60 days by a veterinarian. The expense for redipping and reinspection shall be borne by the owner. If the consignor can show satisfactory evidence that the sheep originated in a scabies free area, the sheep need not be redipped but shall be reinspected in not less than 30 days nor more than 60 days by a veterinarian at owner's expense.

3 MCAR § 2.009 Importation of sheep.

A. Sheep imported for purposes other than immediate slaughter shall be accompanied by a health certificate prepared by the accredited veterinarian who examined the sheep.

B. Sheep for immediate slaughter may be imported without a health certificate if consigned to a slaughtering establishment where the federal government maintains inspection, or to a market or stockyard operating under permit from the board for resale to such a slaughtering establishment.

3 MCAR § 2.044 ~~LSB 44~~ The establishment and operation of public stockyards.

A. (a) Definitions.

1. ~~(1)~~ "Board" shall mean the Minnesota Livestock Sanitary Board acting by and through the secretary and executive officer.

2. ~~(2)~~ "Public stockyards" means an assembly point for livestock operated as a public market for livestock producers, feeders, market agencies and buyers; having facilities and providing services for those individuals or organizations who have been granted the privileges of the market by the management of the stockyards.

3. ~~(3)~~ "Shipper contract" shall mean a record indicating:

- a. ~~(aa)~~ Consignor's name and address.
- b. ~~(bb)~~ Identification and description of the livestock consigned.
- c. ~~(cc)~~ Date and time received.
- d. ~~(dd)~~ Name of the trucker or transportation agency.
- e. ~~(ee)~~ Name of the individual or firm who will represent the seller.
- f. ~~(ff)~~ Signature of the seller or his agent.

4. ~~(4)~~ "Veterinary services contractor" shall mean an accredited veterinarian or more than one veterinarian selected by the management and approved by the board to perform necessary services in connection with the rules of the board.

B. ~~(b)~~ Permit to operate.

1. ~~(1)~~ A permit to operate expiring June 30 following the issue date shall be issued provided:

a. ~~(aa)~~ A veterinarian or veterinarians acceptable to the board has been retained by the stockyards management to act as the veterinary services contractor.

b. ~~(bb)~~ An inspection by representatives of the board indicates compliance with the sanitation and general requirements of this regulation rule.

c. ~~(cc)~~ The management of the stockyards shall furnish a list of all persons and firms granted the privilege of the market.

2. ~~(2)~~ Revocation of permit.

a. ~~(aa)~~ The secretary and executive officer may suspend the permit for just cause for a period of not more than thirty (30) days pending a hearing before the board to show cause why the permit should not be revoked.

C. ~~(c)~~ General requirements.

1. ~~(1)~~ All pens, yards, alleys and livestock holding areas shall be constructed so that they may be maintained in good repair and in a sanitary condition.

2. ~~(2)~~ The veterinary services contractor shall be provided adequate space and facility to perform his duties.

3. ~~(3)~~ Separate isolation pens shall be provided for yarding reactors, suspects, and exposed livestock.

4. ~~(4)~~ Facilities shall be provided by the management for adequately cleaning and disinfecting trucks and other vehicles at a reasonable cost to the transportation agency.

5. ~~(5)~~ Agents of the board shall be allowed entry for inspection purposes upon demand at any reasonable time.

6. ~~(6)~~ The management shall maintain and cause to be maintained records of all livestock transactions for a period of one year. Such records shall be available for inspection on demand at reasonable times by agents of the board.

7. ~~(7)~~ The management shall lock and seal pens or sections of the stockyard upon demand when agents of the board detect or suspect contagious or communicable disease exists in such pens and sections of the stockyards. Such pens shall be cleaned and disinfected under board supervision before being used again.

8. ~~(8)~~ Upon disclosure of brucellosis reactors all cattle in the consignment shall be considered exposed and must be sold

for immediate slaughter or returned to the farm of origin under quarantine. If sold for immediate slaughter a shipping permit shall be issued and each exposed animal shall be permanently identified with the letter "S" on the left jaw. Cattle that have been in contact with such a consignment 24 hours or more shall be considered as exposed cattle and shall be handled in the same manner.

9. ~~(9)~~ All movements into and out of the public stockyards shall be in compliance with applicable federal interstate ~~rules regulations~~ and the laws of the State of Minnesota and ~~regulations rules~~ of the ~~Minnesota Livestock Sanitary~~ board.

10. ~~(10)~~ Swine leaving the stockyards for further feeding or breeding must leave within 72 hours of arrival in the stockyards.

D. ~~(d)~~ Entry of livestock.

1. ~~(1)~~ Livestock under quarantine shall be allowed entry when properly identified and accompanied by a permit issued by a veterinarian.

2. ~~(2)~~ All livestock shall enter with a properly completed shipper contract.

3. ~~(3)~~ All reactors, suspects, and exposed livestock shall enter the stockyards through separate entryway and be yarded in the isolation area. The shipper contract shall be clearly marked with the appropriate word or words indicating such livestock.

4. ~~(4)~~ ~~All swine entering for resale for breeding or further feeding must originate from a farm of origin in Minnesota or an adjacent state classified as hog cholera free or Phase IV of the National Hog Cholera Eradication Program.~~

E. ~~(e)~~ Removal of livestock.

1. ~~(1)~~ No livestock except livestock for immediate slaughter shall be removed from the premises until released by the veterinary services contractor or his representative.

2. ~~(2)~~ Cows and bulls two years of age and over for immediate slaughter shall be identified to the herd of origin by an official backtag, as required in rule 3 MCAR § 2.066, and shall not be released by the veterinary services contractor or his representative unless all animals are identified by official backtags.

3. Swine sold for slaughter shall be identified to the herd of origin as required in 3 MCAR § 2.066, and shall not be released by the veterinary services contractor or his representative unless identified.

4. ~~(3)~~ Cattle removed for purposes other than slaughter must be accompanied by a health certificate meeting Minnesota importation requirements if they originate from other states or Minnesota sale requirements if they originate from Minnesota or state of destination requirements if exported.

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

PROPOSED RULES

5. ~~(4)~~ Swine removed for breeding or further feeding purposes must be accompanied by a health certificate indicating:

a. ~~(aa)~~ Eartag number.

b. ~~(b)~~ Permit number if remaining in Minnesota or going to a state that requires a permit.

b. ~~(ee)~~ Negative brucellosis buffered antigen test for sows and boars six months of age and over.

c. ~~(dd)~~ Any other requirements of a state of destination.

6. ~~(5)~~ All swine for breeding and further feeding removed from public stockyards to points in Minnesota shall be quarantined until sent to slaughter.

7. ~~(6)~~ Sheep, goats, horses, mules, and other species may be removed when a health certificate certifying compliance with the state of destination requirements have been met.

F. ~~(f)~~ Tuberculosis test requirements for cattle.

1. ~~(+)~~ All cattle shall be tested for tuberculosis except:

a. ~~(aa)~~ Cattle for immediate slaughter.

b. ~~(bb)~~ Cattle originating in Minnesota.

c. ~~(ee)~~ Cattle from states having tuberculosis reciprocity agreement with Minnesota.

d. ~~(dd)~~ Female feeding and grazing cattle leaving the public stockyards on permit.

e. ~~(ee)~~ Steers, spayed heifers, beef cattle under 8 months of age, and dairy cattle under 6 months of age.

f. ~~(ff)~~ Cattle leaving on permit to approved drylot feeding premises.

G. ~~(g)~~ Brucellosis requirements for cattle and swine.

~~(1)~~ The Brucella Buffered Antigen Test shall be used at a public stockyards.

1. The test for and diagnosis of brucellosis responding cattle and swine shall be in accordance with 3 MCAR § 2.021 and 3 MCAR § 2.011.

2. ~~(2)~~ The requirements for transfer of ownership for cattle, as embodied in regulation ~~LSB 11~~ 3 MCAR § 2.011 Eradication of bovine brucellosis in Minnesota, shall apply to all cattle removed from the public stockyards except that:

a. ~~(aa)~~ Cattle of all classes may be sold to leave the public stockyards to enter a Minnesota approved dry lot feeding premises provided:

1. ~~(i)~~ A permit is secured.

2. ~~(ii)~~ The cattle are branded with the letter "F" on the right jaw.

3. ~~(iii)~~ Individual identification for each animal is listed on the health certificate.

3. ~~(3)~~ The requirements for transfer of ownership for removal of breeding swine six months of age and over, except for immediate slaughter, shall be a negative brucellosis test.

~~LSB 52 Cleaning and Disinfection of Automobiles, Trucks and Other Vehicles~~

~~(a)~~ Whenever it shall be found that automobiles, trucks and other vehicles used as public carriers have contained animals which are suspected of being affected with a contagious, infectious, or communicable disease, such automobiles, trucks or other vehicles shall immediately upon unloading such animals be cleaned and then disinfected in the manner herein set forth.

~~(b)~~ Automobiles, trucks and other vehicles shall be thoroughly cleaned by the removal of all scrapings, litter, manure and refuse.

~~(c)~~ Suitable provision shall be made for the proper disposition of all scrapings, manure, litter and refuse removed from such vehicles, and must be disposed of in accordance with the regulations of the local health boards, and livestock shall not be allowed to come in contact with the same.

~~(d)~~ The floors, interior walls and chassis of automobiles, trucks and other vehicles shall then be disinfected with four ounces of Cresol Compound U.S.P. to one gallon of water, or with a disinfectant approved by the Federal Bureau of Animal Industry. This can be accomplished by using a spray pump.

3 MCAR § 2.052 Cleaning and disinfection of vehicles used as carriers.

A. Vehicles used as carriers for livestock which are affected with or suspected of being affected with a contagious, infectious, or communicable disease shall be cleaned and disinfected before use for transportation of other livestock.

B. Procedures for cleaning and disinfection.

1. The vehicles shall first be thoroughly cleaned by the removal of all litter, manure and refuse.

2. Provision shall be made for the disposition of all manure, litter and refuse removed from the vehicles, into an area where other livestock cannot come in contact with it.

3. The floors, interior walls and chassis of the vehicles shall then be disinfected with a disinfectant approved by the USDA.

~~LSB 61 Isolation and Quarantining of Domestic Animals, Including Poultry, for Infection and Dangerous Communicable Diseases~~

~~The owner or person in charge of any domestic animal (which includes all livestock and poultry), affected with or which shows symptoms of, or has been exposed to the following diseases, viz: glanders, tuberculosis, paratuberculosis (John's disease), actinomycesis (lumpy jaw), infectious anemia (swamp fever), anthrax, scabies, hog cholera, negro bacillosis, swine erysipelas, epizootic lymphangitis, black leg, foot and mouth disease, Texas fever and any other dangerous, infectious, communicable disease, shall forthwith upon discovery of the existence of such disease or symptoms thereof or upon ascertainment that any such animal has been exposed to any of said diseases, cause each and every animal so affected, exposed or showing symptoms of the existence of such disease to be quarantined and isolated from~~

~~all other well or unexposed domestic animals and to thereafter continue to have each such animal isolated, as aforesaid, on the premises of the owner of such animals or of the person in charge thereof until such time as the State Livestock Sanitary Board, its Executive Officer or duly authorized agent or officer of said Board, shall certify in writing to such owner or attendant that such animals are free from any such disease, or that there is no longer any reasonable necessity to keep such animals quarantined and isolated from other domestic animals.~~

~~It shall be the duty of local health officers when directed so to do by the Executive Officer of the State Livestock Sanitary Board or any officer or agent thereof, to place in a conspicuous place, or places on the premises where any such animals may be quarantined and isolated, as aforesaid, a placard or notice of the existence of such disease. No person except the owner, attendants or medical advisers shall enter any enclosures where any animal so quarantined and isolated is being kept and upon which a placard shall have been placed, as hereinbefore provided for, during the time such placard is so displayed. No person shall remove, obliterate, mutilate, or destroy any such placard so posted until the Executive Officer or a duly authorized agent or officer of the State Livestock Sanitary Board shall have certified in writing to the owner or attendant that said quarantined and isolated animal or animals referred to in the placard quarantined and isolated from other domestic animals.~~

3 MCAR § 2.061 Isolation and quarantining of livestock and poultry for infectious and dangerous communicable diseases.

A. All livestock and poultry affected with or which shows symptoms of, or has been exposed to a disease determined by the board to be a dangerous, infectious communicable disease, shall be quarantined and isolated from all other unexposed livestock or poultry until the board, its executive officer, or agent shall release the quarantine.

B. No person except the owner, attendants or medical advisers shall enter any enclosures where any livestock or poultry quarantined and isolated are being kept.

Department of Personnel

Proposed Repeal of Temporary Rules Governing the Band Width Certification Program

Request for Public Comment

Notice is hereby given that the Department of Personnel proposes to repeal the following temporary rules under the provisions of Laws of 1978, ch. 734, § 17 and Minn. Stat. §

15.0412, subd. 5 (1978) regarding the band width certification program.

All interested persons are hereby afforded the opportunity to submit their comments on the proposed repeal of the rules for 20 days immediately following publication of this material in the *State Register* by writing to Julie Vikmanis, Manager of the Examining and Referral Division, Department of Personnel, 3rd Floor, Space Center Building, St. Paul, Minnesota 55101. This proposed action may be delayed on the basis of comments received. Any written material received shall become part of the record in the repeal of the temporary rules.

January 22, 1980

Barbara L. Sundquist
Commissioner of Personnel

Temporary Rules as Proposed

~~**2 MCAR § 2.300 Conduct of band width certification experiment.** Pursuant to Minn. Laws 1978, ch. 734, § 17, the commissioner has authority to temporarily adopt band width certification procedures based on the reliability of selection processes in order to determine the appropriateness of permanently adopting such procedures for all certifications which would otherwise be made under the provisions of Minn. Stat. § 43.18. This experiment will be conducted in accordance with the following rules.~~

~~**2 MCAR § 2.301 Selection of job classes.** The commissioner shall designate at least ten classifications for inclusion in the experimental band width certification program. The classifications to be included shall be selected to make the experiment as representative of actual conditions as possible to determine the utility, practicality, and overall effect of band width certification procedures for filling classified positions. In making the selection of classes to be included in the experiment the commissioner shall consider the following factors:~~

~~A. The number of incumbents in the classification with emphasis on large classes.~~

~~B. The number of anticipated appointments to be made from competitive eligible lists with emphasis on frequently filled classes.~~

~~C. The number of anticipated applicants with emphasis on classes eliciting high levels of competition.~~

~~D. The range of different selection processes used alone or in combination to screen candidates including one each of classes where selection is based on written test only, experience and training rating only, written test combined with oral examination, and experience and training rating combined with oral examination.~~

~~E. The number of departments and the number of appointing~~

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

PROPOSED RULES

authorities utilizing the classification with emphasis on classes widely dispersed throughout the state service.

F. Selection of at least one class in each of the A, B, and C salary schedules.

G. Selection of at least one class used in departments governed by collective bargaining agreements and at least one class used in departments not governed by collective bargaining agreements.

H. Selection of at least one class used in departments governed by United States Civil Service Merit System Standards.

2 MCAR § 2.302 Public notice. The commissioner shall give public notice of the classes selected for the band width certification experiment by including a list of those classes to which band width certification procedures shall apply in the bi-monthly announcement of openings of competitive examinations published by the Department of Personnel and shall include a brief explanation of the program when announcing individual classes included in the program as open to competition.

2 MCAR § 2.303 Determination of the width of the band to be certified for each class. The commissioner shall determine the band width to apply to certifications for each class selected for the experiment basing that determination upon the statistical reliability of the selection instruments used for the classes. Reliability calculations shall be based upon scientifically accepted statistical methods.

2 MCAR § 2.304 Certification procedures. The following certification procedures will apply to certifications made for the selected classes from competitive eligible lists and shall supersede the certification requirements of Minn. Stat. § 43.18, but shall not apply where the provisions of Minn. Stat. § 43.15, subd. 5 expand the appointment list beyond the number which application of these procedures would provide.

The commissioner shall prepare appointment lists for vacant positions in the selected classes consisting of all eligibles within the reliability based certification band, randomly ordered. In determining which eligibles fall within the band, the commissioner shall select the highest final score on the eligible list without veteran's preference points and subtract from it the number derived by the calculation of the band width to determine the lowest score to be certified. The names of all eligibles with final scores including veteran's preference points equal to or higher than that lowest score shall be included on the appointment list. Standard considerations of candidate location and employment condition availability will prevail. If the number of eligibles placed on the appointment list in accordance with the above is less than ten, as many additional names as necessary will be added from the eligible list in the order established by 2 MCAR § 2.048 and certified for appointment to bring the total number of eligibles on the appointment list to ten. In such instances all candidates with scores tied with the tenth name so selected will also be certified. In all cases the names of all eligibles certified will be randomly ordered.

If contact with the eligibles on the appointment list shows one

or more candidates to be no longer available for employment, the appointing authority may contact the certification unit of the Department of Personnel to determine whether the unavailability of that candidate or candidates would result in an appointment list with additional candidates. If so, and the appointing authority desires a new appointment list from a band width certification based on the scores of the remaining available candidates, or if fewer than ten candidates are determined to be available, the appointing authority may return the initial appointment list to secure a new appointment list to be certified under the procedures outlined above.

2 MCAR § 2.305 Record keeping and evaluation of band width experimental program.

A. Record keeping. The commissioner shall maintain a record of the results of the reliability based band width certification experiment, which shall include the following:

1. The statistical reliability of all selection instruments used for the classes included in the experiment.

2. The band width determination for each class based upon the statistical reliability and the calculations outlined in 2 MCAR § 2.303.

3. An analysis of all certifications made to classes selected for the experimental program showing the number of eligibles who would have been certified under the provisions of Minn. Stat. § 43.18, the number of eligibles who would have been certified using only the band width calculation, the number of eligibles who would have been certified using the band width calculation and the requirement to expand to at least ten candidates and those tied with the tenth score, the number which would have been certified under Minn. Stat. § 43.15, subd. 5 and the number who were actually certified under which applicable statute or procedure.

4. A list of all appointments made under the band width experimental procedures and the rank of the appointees on the eligible list at the time the appointment was made.

B. Program evaluation. The commissioner shall require the appointing authority to complete an evaluation of the band width certification procedure when making an appointment to a vacancy in one of the selected classes from a certification prepared under the band width procedures. Such an evaluation shall include an explanation of factors considered in determining which candidates to contact for interviews and which candidate to appoint to the position. The evaluation shall also include comments about the utility, practicality and overall effectiveness of the program based on the use of the certification report made under the program. A summary of such evaluations and of comments and evaluations presented by applicants and others who may be affected by the program shall be included with the Personnel Commissioner's report to the Legislature about the program.

**Department of
Transportation
Public Transportation
Division**

**Notice of Error in Proposed
Amendments to Rules Pertaining
to Implementation of the
Minnesota Rail Service
Improvement Program**

On Monday, January 28, 1980, the text of the proposed amendments to rules along with the Notice of Hearing in the above titled matter were published in the *State Register*. Due to an oversight, there is an error in the text of § 1.4001 D.2.a. The text of § 1.4001 D.2. appeared in the *State Register* as follows:

2. If a rehabilitation project is on a rail line owned by a bankrupt railroad the division of costs shall be by the following formula:

a. The commissioner may make a grant or interest free loan or combination thereof of state and federal funds up to

90% of the total cost of a project. In no event shall the grant exceed 60% of the project cost.

b. Rail users shall loan the railroad a minimum of 10% of the total cost of a project.

c. The railroad may be required to furnish a portion of the cost of the project and shall repay all loans from the rail users and the State.

The second sentence under a. should be deleted in this proposed amendment. The text of § 1.4001 D.2. should have appeared as follows:

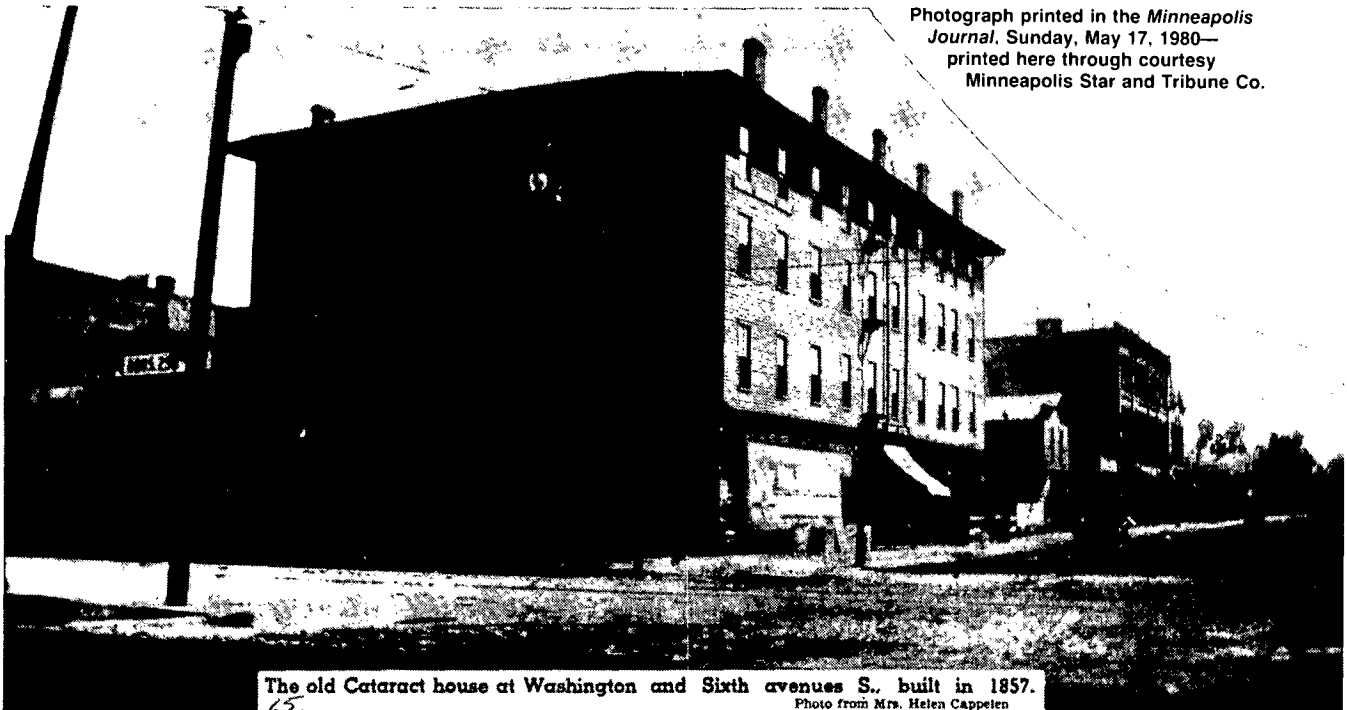
2. If a rehabilitation project is on a rail line owned by a bankrupt railroad the division of costs shall be by the following formula:

a. The commissioner may make a grant or interest free loan or combination thereof of state and federal funds up to 90% of the total cost of a project.

b. Rail users shall loan the railroad a minimum of 10% of the total cost of a project.

c. The railroad may be required to furnish a portion of the cost of the project and shall repay all loans from the rail users and the state.

Richard P. Braun
Commissioner of Transportation



Photograph printed in the *Minneapolis Journal*, Sunday, May 17, 1980—
printed here through courtesy
Minneapolis Star and Tribune Co.

The old Cataract house at Washington and Sixth avenues S., built in 1857.
Photo from Mrs. Helen Cappelen

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."

ADOPTED 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 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 Insurance Division

Adopted Temporary Rules Governing Self-Insurance for Workers' Compensation

The adopted proposed temporary rules published at 4 S. R. 953 (December 10, 1979) and 4 S. R. 1040 (ERRATA, December 24, 1979) were adopted by the Commissioner on January 23, 1980, approved by the Attorney General on January 24, 1980, and filed with the Secretary of State on January 29, 1980, with the following amendments:

4 MCAR § 1.9286 Purpose and scope. These rules are designed to assure that the self-insurance plans are financially solvent, administered in a fair and capable fashion, and able to process claims and pay benefits in a prompt, fair and equitable manner; and to allow the commissioner to authorize qualified entities to engage in such business in a manner which is fair, equitable and consistent with the legislative intent of the Workers' Compensation Act.

4 MCAR § 1.9287 Definitions.

E. "Affiliated company" means any company that directly, or indirectly through one or more ~~intermediates~~ intermediaries, controls, is controlled by, or is under common control with, the applicant company.

I. "Service company" shall mean an entity which has obtained a license from the commissioner pursuant to 4 MCAR § 1.9294 to contract with self-insurers for the purpose of providing services necessary to plan and maintain an approved self-insurance program. An employer that has been granted the authority to self-insure pursuant to 4 MCAR § 1.9291 and administers its own self-insurance program shall be deemed a duly licensed service company for the purposes of servicing a self-insurance program of any affiliated company.

J. "Workers' Compensation Reinsurance Association" shall mean that Association created by Laws of 1979, Spec. Ses. ch. 3, §§ 17 ~~to~~ through 25 (hereinafter referred to as the "WCRA").

L. "Fund year" for group self-insurers shall mean that period of time which the group self-insurer shall designate for the

purposes of collecting premiums from its members and for determining any deficit or surplus; such period of time shall correspond with the fiscal year of the group.

M. "Control," including the terms "controlling," "controlled by" and "under common control with" means the possession, direct or indirect, of the power to direct or cause the direction of the management and policies of a person, whether through the ownership of voting securities, by contract other than a commercial contract for goods or nonmanagement services, or otherwise unless the power is the result of an official position with or corporate office held by the person. Control shall be presumed to exist if any person, directly or indirectly, owns, controls, holds with the power to vote, or holds proxies representing, ten percent or more of the voting securities of any other person.

4 MCAR § 1.9288 A. Acceptable securities and surety bonds for the purposes of 4 MCAR §§ 1.9291 G. and 1.9292 H. shall be:

3. Certificates of deposit issued by a bank in the State of Minnesota, which ~~is protected~~ has deposits insured by the Federal Deposit Insurance Corporation.

4. Savings certificates issued by any savings and loan association in the State of Minnesota which ~~is protected~~ has deposits insured by the Federal Savings and Loan Insurance Corporation;

F. All deposits and surety bonds shall remain in the custody of the State Treasurer or the commissioner for a period of time as the applicable Statute of Limitations provided in the Workers' Compensation Act dictates.

4 MCAR § 1.9289 Filing of reports.

A. Incurred losses, paid and unpaid, specify both indemnity and medical losses by classification, and payroll by classification, and current estimated outstanding liability for workers' compensation shall be reported to the commissioner by each self-insurer on forms available from the commissioner. Such information shall be reported on a calendar year basis and must be filed by April 1 of the following year, beginning April 1, 1981.

B. Each self-insurer shall under oath, attest to the accuracy of each report submitted pursuant to subdivision A. above. ~~Where~~ Upon sufficient cause the commissioner has reason to doubt the accuracy of such reports he may require the self-insurer to

submit a certified audit of payroll and claim records conducted by an independent auditor approved by the Commissioner. ~~Reasons for such an audit~~ The basis for sufficient cause shall include, but ~~are~~ is not limited to, the following factors: where the losses reported appear significantly different from similar type businesses or where major changes in the reports exist from year to year which are not solely attributable to economic factors. If any discrepancy is found, the commissioner may require changes in the self-insurer's or ~~service's~~ service company's record keeping practices. ~~If the self-insurer or service company does not comply with such order, the Commissioner may fine~~ Failure to make the necessary changes shall subject the self-insurer or service company to a fine of up to \$50,000 or ~~revoke~~ revocation of the self-insurer's authority to self-insure, and the service company's license to act as a service company.

D. Each individual self-insurer shall, within four months after the end of its fiscal year, annually file with the commissioner its latest 10K Report required by the Securities and Exchange Commission. If an individual self-insurer does not prepare a 10K Report, it shall file an annual certified financial statement, together with such other financial information as the commissioner may require to substantiate data in the financial statement.

E. Each group self-insurer shall, within four months after the end of the fiscal year of that group, annually file a statement showing the combined net worth of its members based upon each individual member's annual certified financial statement, together with such other financial information the commissioner may require to substantiate data in the group's summary statement.

F. In addition to the financial statements required by subdivisions D and E above, interim financial statements, or 10Q Reports required by the Securities and Exchange Commission may be required by the commissioner upon an indication that there has been deterioration in the self-insurer's financial condition, including but not limited to a worsening of current ratio, lessening of net worth, net loss of income, the down grading of the company's bond rating, or any other significant change that may adversely affect the self-insurer's ability to pay expected losses. Any self-insurer which files an 8K Report with the Securities and Exchange Commission shall also file a copy of the report with the commissioner within thirty (30) days of the filing with the Securities and Exchange Commission.

4 MCAR § 1.9290 Revocation of self-insurance authority.

E. Committing an unfair or deceptive practice as defined in Minn. Stat. § 72A.20, ~~Subd. 12.~~

4 MCAR § 1.9291 Requirements for individual self-insurers.

A. Each employer desiring to self-insure individually shall

apply to the commissioner on forms available from the commissioner. The commissioner shall ~~have~~ grant or deny the application within thirty (30) days after receipt of a complete application is filed to either grant or deny the application. Such time limit may be extended for another thirty (30) days upon fifteen (15) days prior notice to the applicant. Any grant of authority to self-insure shall continue in effect until revoked by order of the Commissioner or until such time as the employer becomes insured.

C. Each individual self-insurer shall have a net worth ~~of not less than~~ at least equal to the greater of ten (10) times the retention limit selected with the WCRA. ~~In no event shall the net worth be less than~~ or one-third (1/3) the amount of the self-insurer's current annual modified premium. ~~Provided that the~~ The requirements of this subdivision may shall be modified if the self-insurer can demonstrate through a reinsurance program, other than coverage provided by the WCRA, that it can pay expected losses without endangering the financial stability of the company.

D. Each individual self-insurer shall ~~be in sound financial condition~~ have sufficient assets, net worth, and liquidity to promptly and completely meet all of its obligations that may arise under the Workers' Compensation Act. In determining whether a self-insurer meets this requirement the commissioner shall consider: the self-insurer's current ratio; its long-term and short-term debt to equity ratios; its net worth; financial characteristics of the particular industry in which the self-insurer is involved; any recent changes in the management and ownership of the company; any ~~reinsurance~~ excess insurance purchased by the self-insurer from a licensed company or an authorized surplus line carrier, other than reinsurance from the WCRA; ~~and~~ any other financial data submitted to the commissioner by the company; and the company's workers' compensation experience for the last four years.

E. Where an employer seeking to self-insure fails to meet the financial requirements set forth in subdivisions C. and D. above, the Commissioner ~~may~~ shall grant authority to self-insure provided that an affiliated company, whose financial statement is filed with the commissioner and meets the requirements set forth in subdivisions C. and D. above, ~~and~~ provides a written guarantee adopted by resolution of its board of directors that it will pay all workers' compensation claims incurred by its affiliate, and that it will not terminate the guarantee under any circumstances without first giving the commissioner and its affiliate thirty (30) days written notice. If said guarantee is withdrawn or if the guarantor ceases being an affiliate, the ~~self-insurer~~ affiliate shall give written notice to the commissioner and the self-insured, and its the self-insured's authority to self-insure shall automatically terminate twenty-one (21) days following withdrawal of the guarantee or termination of affiliate status upon expiration of the thirty (30) day notice period.

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."

ADOPTED RULES

G. Each individual self-insurer shall be required to deposit acceptable securities or surety bonds in an amount equal in value to:

1. ~~Seventy percent (70%) of the employer's modified premium, up to a maximum of one million dollars (\$1,000,000.00); or~~

For an employer who has been self-insured for at least two (2) years and specifically identify in its financial statement its outstanding workers' compensation liability the greater of:

a. \$100,000, or

b. total outstanding workers' compensation liability not to exceed \$500,000.

~~2. The employer's outstanding workers' compensation liability up to a maximum of one million dollars (\$1,000,000.00) if the employer has been self-insured for at least two (2) years. Provided that if the self-insurer provides in its financial statement a specific line item setting forth its outstanding workers' compensation liability then the maximum deposit required shall be five hundred thousand dollars (\$500,000.00). For an employer who has been self-insured for at least two (2) years and do not specify in its financial statement its outstanding workers' compensation liability, either \$1,000,000 or outstanding workers' compensation liability if a certified public accountant or an actuary who is an associate member of the Casualty Actuarial Society certifies that the outstanding liabilities of the employer are less than \$1,000,000.~~

3. For an employer who has been self-insured less than two (2) years and has specifically identified in its financial statement its outstanding workers' compensation liability the greater of:

a. \$100,000

b. 70% of the employers' estimated current modified premium, or

c. outstanding workers' compensation liability, not to exceed \$500,000.

4. For an employer who has been self-insured for less than two (2) years and does not specify in its financial statement its outstanding workers' compensation liability the greater of:

a. \$100,000

b. 70% of the employers' estimated current modified premium, or

c. outstanding workers' compensation liability, not to exceed \$1,000,000.

I. Each individual self-insurer shall ~~not have a record~~ administering insurance claims in ~~an~~ an unfair, fair or and inequitable equitable manner.

J. Each individual self-insurer shall designate those employees who will administer its self-insurance program, and shall specify their ~~professional~~ professional qualifications to engage in the administration of the self-insurance program. If a self-insurer contracts with another entity for the administration of its program,

including adjustment of claims, or administration of loss control or safety engineering programs, the self-insurer shall only contract with a service company duly licensed for those specific areas of program administration.

4 MCAR § 1.9292 Requirements for group self-insurers.

A. Two or more employers in the same industry may apply to the commissioner for the authority to self-insure as a group on forms available from the commissioner. This initial application shall be accompanied by a copy of the bylaws or plan of operation adopted by the group. Such bylaws or plan of operation shall conform to the conditions prescribed by 4 MCAR §§ 1.9292 and 1.9293. The commissioner shall ~~within thirty (30) days~~ approve or disapprove the bylaws within thirty (30) days unless a question as to the legality of a specific bylaw or plan provision has been referred to the Attorney General's Office. The commissioner shall make a determination as to the application within fifteen (15) days after receipt of the requested response from the Attorney General's office.

C. ~~The indemnity agreements and financial statements shall be accompanied by a statement showing~~ A group proposing to self-insure shall demonstrate that:

1. The combined net worth of all of the members is ~~not less than~~ at least equal to the greater of ten (10) times the retention selected with the WCRA and not less than or one-third (1/3) of the current annual modified premium of the members. ~~Provided that the~~ The requirements of this subdivision may shall be modified if the self-insurer can demonstrate that through a ~~reinsurance program~~ excess insurance, other than coverage provided by the WCRA, that it can pay expected losses.

2. ~~That the group is in sound financial condition.~~ The proposed group shall have sufficient assets, net worth, and liquidity to promptly and completely meet all obligations of its members under the Workers' Compensation Act. In determining whether a group is in sound financial condition consideration shall be given to: the combined net worth of the member companies; the consolidated long-term and short-term debt to equity ratios of the member companies; the particular industry that the member companies are engaged in; any excess insurance ~~reinsurance~~ other than reinsurance with the WCRA, purchased by the group from an insurer licensed in Minnesota or from an authorized surplus line carrier; and other financial data requested by the commissioner or submitted by the group to the Commissioner; and the combined workers' compensation experience of the group for the last four (4) years.

D. ~~In determining whether~~ Two or more employers are shall be deemed to be engaged in the same industry under Minn. Stat. § 176.181, subd. 2 (1) if the commissioner shall consider the following factors: finds that all of the employers have the same group classification as defined in the Classification Codes Manual for Workers' Compensation and Employers' Liability Insurance published by the National Council of Compensation Insurance.

~~1. The similarity of the applicable governing industry classification for each employer as determined pursuant to the~~

manual of Rules, Classifications and Rates approved for use in Minnesota.

2. ~~The similarity or resemblance of the work or tasks performed by a majority of employees of each employer.~~

3. ~~The similarity of manual premium rate of each employer as evidenced by a relatively small variation of the manual rates for the governing classifications of each employer as defined in the manual of Rules, Classifications and Rates approved for use in Minnesota.~~

E. ~~The commissioner shall have thirty (30) days to review the financial statements of the group members and grant or deny their the group's application to self-insure within thirty (30) days after a complete application has been filed, provided that such time may be extended for an additional thirty (30) days upon fifteen (15) days prior notice to the applicant. Upon a determination that: the financial ability of the self-insurers' group is sufficient to fulfill all joint and several obligations of the member companies which may arise under the Workers' Compensation Act; the gross annual premium of the group members is at least three hundred thousand dollars (\$300,000.00); the group has established a fund pursuant to 4 MCAR § 1.9293; the group has contracted with a licensed service company to administer its program; the required securities or surety bond shall be on deposit prior to the effective date of coverage for any member; and all member companies are engaged in the same industry; the commissioner may shall grant approval for self-insurance. Such approval shall be effective until revoked by order of the commissioner or until the employer members of the group become insured.~~

F. Each group self-insurer shall contract with a service company licensed pursuant to 4 MCAR § 1.9294 to administer its program or employ such personnel that will qualify the group as a licensed service company. The service company shall have the sole authority to make claim determinations regarding injured workers of the member employers.

H. Prior to the providing of coverage to any member company, a group self-insurer shall deposit acceptable securities or surety bonds in an amount equal to 70% of the members current modified premium ~~for the previous year~~ plus the amount payable to the service company under the service contract; provided that, the deposit required shall not be greater than five hundred thousand dollars (\$500,000.00). After the group self-insurer has been in existence for two (2) years the deposit shall be an amount equal to the outstanding workers' compensation liability of the group subject to a maximum of five hundred thousand dollars (\$500,000.00).

I. An employer must belong to the group for at least one year. If a member voluntarily terminates its membership in a group ~~prior to completion of the~~ during the second or third consecutive

year of membership, the group self-insurer shall assess the terminating member at least the following penalties: 25% of ~~its~~ the premium due from that member for that year if termination occurs within the ~~first~~ second year of membership; and 15% of ~~its~~ the premium from that member for that year if termination occurs within the ~~second~~ third year; and 5% of its premium if ~~termination occurs within the third year.~~ No penalty shall be required if an employer's withdrawal is due to a merger, dissolution, sale of the company or change in the type of business so that it is no longer engaged in the same industry as the rest of the employers of the group. Following completion of three consecutive years of membership in the group, withdrawal from the group may be allowed without penalty ~~upon~~ provided ninety (90) days advance written notice is given to the board of directors of the group.

J. Upon the receipt of any notice of a member to withdraw or a decision by the board of directors to expel a member, the group self-insurer shall give immediately notice to the commissioner and then ~~immediately~~ as soon as practicable re-evaluate its net worth and financial condition. If the consolidated net worth or financial condition of the group, excluding the terminating or expelled member, fails to meet the requirements specified in subdivision C. above, the group shall so notify the commissioner within fifteen (15) days and advise the commissioner of its plan for bringing the group into compliance with subdivision C. above.

K. The group self-insurer shall file with the commissioner the name of all employer members accepted into the group. The group shall not accept any liability for a new member until a signed indemnity agreement in the form set forth in Appendix II has been completed by that new member and filed with the commissioner; ~~and the Commissioner has determined that the new member is in the same industry as the rest of the members of the group and that the admission of the new member will not adversely affect the financial stability of the group. The Commissioner shall have thirty (30) days after notice is given to make the determination whether to allow a new member into a group.~~

P. The group self-insurer shall be considered a single entity for purposes of membership in the WCRA and for the purpose of any assessment levied upon self-insurers pursuant to the Workers' Compensation Act.

Q. The group self-insurer shall not incorporate or form a business trust pursuant to Minn. Stat. Chapter 318.

4 MCAR § 1.9293 Group self-insurers' fund.

A. Each group self-insurer shall, not less than ten (10) days prior to the proposed effective date of the group, submit evidence that cash premiums equal to not less than twenty percent (20%) of the ~~immediately preceding~~ current year's modified

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."

ADOPTED RULES

workers' compensation insurance premium for each employer, has been paid into a common claims fund, maintained by the group in a designated depository. The remaining balance of the members' premium, which shall be at least eighty percent (80%) of the current years' modified workers' compensation insurance premium, shall be paid to the group in a reasonable manner over the remainder of the year. Payments in subsequent years shall be made according to the same schedule in the manual of Rules, Classifications and Rates approved for use in Minnesota provided that a reduction in the manual premium shall be allowed if based on bonafide savings in the expenses of the group. Each group self-insurer shall initiate proceedings against a member when that member becomes more than fifteen (15) days delinquent in any payment of premium to the fund.

D. All funds shall remain in the control of the group self-insurer or its authorized administrator. ~~Provided, however, that~~ One or more revolving funds for payment of compensation benefits due ~~and other related expenses~~ may be established for the use of the authorized service company. The service company shall furnish a fidelity bond covering its employees, with the self-insurer as obligee, in an amount sufficient to protect all monies placed in such revolving fund. ~~Provided that, should~~ Should the fidelity bond of the fiscal agent and/or administrator also cover the monies in the revolving fund, the service company shall not be required to furnish a fidelity bond.

E. The accounts and records of the group self-insurers' fund shall be audited annually ~~or at any other time as may be necessary to determine the financial stability of the fund or the adequacy of its monetary reserves.~~ Audits shall be made by Certified Public Accountants with the commissioner reserving the right to prescribe a uniform accounting system based on generally accepted accounting principles and generally accepted auditing standards to be used by the group self-insurers group or service companies, and the type of audits to be made, in order to determine the solvency of the self-insurers fund. All audits required by this rule shall be filed with the commissioner ninety (90) days after the close of the fiscal year for the group self-insurer. The commissioner may require a special audit to be made at other times if the financial stability of the fund or the adequacy of its monetary reserves is in question.

F. No director, or fiscal agent or administrator of a group self-insurer shall utilize any of the monies collected as premium for any purpose unrelated to workers' compensation insurance. No director, fiscal agent or administrator shall borrow any money from the self-insurers fund or in the name of the self-insurers fund.

J. Fifty percent (50%) of any surplus monies for a fund year in excess of the amount necessary to fulfill all obligations under the Workers' Compensation Act for that fund year may be declared refundable at any time. If the amount calculated to be refundable is less than \$500, then 100% of any surplus monies in excess of 125% may be declared refundable. Date of payment shall be no earlier than eighteen (18) months following the close end of such fund year provided that no more than one (1) refund may be made in any twelve (12) month period. When all claims arising out of any one fund year have been fully paid, all surplus monies from that year may be declared refundable. A fund year

~~shall be considered open so long as one or more workers' compensation claim from that fund year remains unsettled.~~

K. The group self-insurer shall give notice to the commissioner of any refund. Said notice shall be accompanied by a statement from the self-insurer's certified public accountant certifying that the proposed refund is in compliance with subdivision on J, above. ~~After January 1, 1983, the loss reserves shall have been determined by an agent of the certified public accountant firm who has passed parts six and seven of the examination for casualty actuary developed by the Casualty Actuaries Society. If compliance with this date cannot be accomplished, then upon application by any group self-insurer the period may be extended by order of the Commissioner to January 1, 1985.~~

L. In the event of a deficit in any fund year, such deficit shall be paid up immediately, either from surplus from a fund year other than the current fund year, or by assessment of the membership. The commissioner shall be notified ~~prior to~~ within ten days of any transfer of surplus funds.

4 MCAR § 1.9294 Qualifications for service companies.

B. In support of the application, a service company shall submit:

4. The identity of the owners of the service company, including but not limited to, all members of a partnership and all officers of a corporation.

G. The owners of the service company, including all members of a partnership and all officers of a corporation, shall be of good moral character with a reputation for honesty and fair dealing. The commissioner shall grant or deny the license within 30 days after a complete application has been filed showing compliance with subdivisions A. through F. above. However, any entity who the commissioner has reason to believe has committed an act or practice which is defined as unfair or deceptive in Minn. Stat. § 72A.20 shall be denied a license under this rule. Any applicant who is denied a license pursuant to this subdivision may within 30 days after denial by the commissioner demand a hearing pursuant to Minn. Stat. ch. 15. The commissioner shall have the burden of proof at any such hearing to prove that the applicant has committed such a practice.

K. ~~The following may be considered good~~ Good cause for revocation of the license of the service company shall be, but not limited to, the following factors:

1. Improper claims handling techniques.
2. Material violation of any of the foregoing rules.
3. Material violation of any provision of the Workers' Compensation Act.
4. Committing an unfair or deceptive act or practice as defined in Minn. Stat. § 72A.20-Subd. 42.

N. ~~Any entity which has been found to have processed claims in an unfair or inequitable manner, or in breach of its fiduciary duty in the servicing of workers' compensation or any other employee benefit program, shall be denied a license under this rule.~~

Department of Education Board for Vocational Education Vocational-Technical Division

Notice of Extension of Temporary Rules Governing Post-Secondary Vocational-Technical and Adult Vocational-Technical Education

Pursuant to the authority granted to it by Minn. Stat. § 15.0412, subd. 5 (1978) the State Board of Education (State Board for Vocational Education) at its meeting of January 14, 1980, extended the temporary rules governing Post-Secondary Vocational-Technical and Adult Vocational-Technical Education. The temporary rules are extended until April 22, 1980 or until superseded by permanent rules.

The temporary rules were published at *State Register*, Volume 4, Number 8, pp. 215-217 (August 27, 1979). They were approved by the Attorney General on October 22, 1979. A notice of hearing and proposed permanent rules were published at *State Register*, Volume 4, Number 17, pp. 708-717 (October 29, 1979). Pursuant to the notice, a hearing was held on the proposed permanent rules on November 30-December 1, 1979.

Howard B. Casmev, Secretary
State Board of Education

Department of Natural Resources Office of Planning

Adopted Rules Governing the Cannon River as Part of the State Wild, Scenic and Recreational Rivers System

The rules proposed and published at *State Register*, Volume 3, Number 49, pp. 2169-2182, June 11, 1979 (3 S.R. 2169) are adopted with the following amendments:

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."

Rules as Adopted

Chapter Twenty-Nine: ~~NR-2900-6~~ MCAR § 1.2900 Designation, Classification and Management of the Cannon River in Rice, Dakota and Goodhue Counties

6 MCAR § 1.2900 ~~NR-2900~~ Designation.

A. The river. That portion of the Cannon River from the northern city limits of Faribault (the common border of the SE¼ and the NE¼ of Section 19, T110N-R20W) to its confluence with the Mississippi River is hereby designated a component of the Minnesota wild, scenic and recreational rivers system.

B. Authority. This designation is made by the commissioner of natural resources pursuant to the authority of the Minnesota wild and scenic rivers act (Minn. Stat. §§ 104.31 to 104.40).

C. Shoreland included. The designation and these rules apply to the river and the adjacent lands as provided for in the land use district descriptions. The land use district boundaries were drawn in accordance with NR 78 (g) (2) (bb).

D. Definition. The definition of "normal high-water mark" (NR 78 (d)) shall be changed to read: "Ordinary high-water mark" means a mark delineating the highest water level which has been maintained for a sufficient period of time to leave evidence upon the landscape. In areas where the ordinary high-water mark is not evident, setbacks shall be measured from the top of the bank of the river channel. A channel is a natural or artificial depression of perceptible extent, with definite bed and banks to confine and conduct flowing water either continuously or periodically.

E. Severability. The provisions of these ~~regulations~~ rules shall be severable, and the invalidity of any paragraph, subparagraph or subdivision thereof shall not make void any other paragraph, subparagraph, subdivision or any other part.

6 MCAR § 1.2910 ~~NR-2910~~ Classification. The following classifications are made in accordance with the provisions of NR 78 (f).

Recreational:

That portion of the Cannon River and its adjacent lands from the northern city limits of Faribault (the common border of the north and south halves of Sections 19 and 20, T110N-R20W) to the State Hwy. 56 bridge, and from the Lake Byllesby Dam (the common border of Sections 13 and 14, T112N-R18W) to the common border of Sections 7 and 8, T112N-R17W, in Cannon Falls. (The Lake Byllesby Reservoir is excluded from this segment.)

Scenic:

That portion of the Cannon River and adjacent lands from the common border of Sections 7 and 8, T112N-R17W, in Cannon Falls to the river's confluence with the Mississippi River.

ADOPTED RULES

6 MCAR § 1.2920 NR 2920 Management.

A. Land use provisions.

1. The Commissioner of Natural Resources hereby adopts the scenic and recreational land use districts as identified in the land use district descriptions of these rules ~~and regulations~~. The land use districts were derived in accordance with NR 78 (g) (2) (bb).

2. NR 78-81 shall apply to all lands within the scenic and recreational land use districts, except as specified in these ~~regulations~~ rules.

3. Because some areas along the Cannon River have been considerably developed, and because the wild and scenic rivers act states that management plans shall be prepared "with no unreasonable restrictions upon compatible, pre-existing, economic uses of particular tracts of land..." (Minn. Stat § 104.35), the municipalities of Cannon Falls, Dundas and Northfield shall adopt ~~regulations~~ rules as specified in ~~NR 2920 D~~, 6 MCAR § 1.2920 D.

4. ~~If land is annexed~~. When land in the land use district is annexed, incorporated or in any other way transferred to another jurisdiction, a moratorium shall exist on all subdivision platting, building permits, construction, grading and filling, and vegetative cutting until the newly responsible unit of government adopts zoning for that land. The zoning shall meet the provisions of these rules ~~and regulations~~ that applied to the land before the transfer. This provision does not apply to work for which lawful permits were previously issued.

~~5. NR 79 (c) (3) (bb) (iii), NR 79 (d) (2) and NR 79 (g) (1) specify regulations concerning designated tributaries. These regulations apply only to lands within the land use district. Designated tributaries along the Cannon River shall be:~~

- | | |
|-----------------------------------|----------------------------|
| a. Belle Creek | f. Pine Creek |
| b. Chub Creek | g. Spring Brook |
| c. Heath Creek | h. Trout Brook |
| d. Little Cannon River | i. Wolf Creek |
| e. North Cannon River | |

~~5. 6-~~ Because the Cannon River valley is a major source of sand and gravel in the area and because this resource can be extracted in a manner that will have minor environmental impact, sand and gravel extraction shall be allowed as a conditional use, subject to the following conditions:

a. Commercial manufacturing of sand and gravel by-products shall be nonpermitted uses in the land use district.

b. The following shall be submitted to the local authority as part of the application for a conditional use permit:

(1) A detailed site plan.

(2) A soil erosion and sediment control plan showing that the mining operation will not adversely affect the quality of surface or subsurface waters.

(3) A dust and noise control plan.

(4) A detailed site reclamation plan. Reclamation

shall be initiated immediately after the termination of the mining operation and upon completion the area shall be restored to as near its original state as practicable.

c. Mining operations shall not take place within 300 feet of the river ~~and designated tributaries~~. This distance does not apply to water pumps needed for the mining operation. However, appropriation of water from the river shall require a permit from the DNR, Division of Waters.

d. No sand and gravel operation shall be conducted on parcels of land or a combination of parcels of less than 20 acres.

~~6. 7-~~ To reduce the effects of litter along the river, canoe and inner tube rental establishments shall:

a. Provide disposable refuse containers to those renting canoes and inner tubes.

b. Require the return of refuse containers along with all refuse from the river trip.

~~7. 8-~~ Existing development in the ~~village unincorporated area~~ of Welch in E½, W½, NE ¼ of Section 28, T113N-R16W, north of the river, shall be allowed to continue as now identified by the Goodhue County zoning ordinance, as amended in 1976.

~~8. 9-~~ Because agricultural uses are permitted in the land use district and because of the pre-existence of agricultural buildings along the Cannon River, NR 79 (c) (3) (dd) shall be amended to read:

Structure height shall not exceed 35 feet, except for buildings used primarily for agricultural purposes.

~~9. 40-~~ NR 79 (c) (3) (cc) (i) shall be modified to read: Structures shall be allowed on slopes of greater than 13 percent or on blufflines if structures can meet the following criteria:

a. Sewage system facilities must be installed so as to comply with the Sanitary Provisions (d) of NR 79.

b. Structures must be adequately screened.

c. It must be proven that any potential or actual erosion or sedimentation problems do not exist, and that adequate measures shall be taken to prevent them.

d. Where bearing capacity is in doubt soil boring samples must be taken.

e. Consideration must be given to color and architectural design (including roof slope and orientation), subject to ~~scrutiny~~ approval of the township and county planning commission.

~~10. 4-~~ NR 79 (b) (2) shall be amended to include the following:

| | Land use districts | |
|--|--------------------|--------------------|
| | Scenic River | Recreational River |
| (tt) Sand and gravel extraction, subject to provisions of NR 2920 A. 6. <u>6 MCAR § 1.2920 A. 6.</u> | C | C |
| (uu) Canoe rental establishments, subject to provisions of NR 2920 A. 7. <u>6 MCAR § 1.2920 A. 7.</u> | C | C |
| (vv) Inner tube rental establishments | N | N |

11. ~~42.~~ NR 79 (i) (Utility Companies, Standards and Criteria for Utility Crossings) shall be amended to include:

3. Accessory facilities to power plants (intake and out-flow structures), ~~not within the jurisdiction of the local authority,~~ when located in the land use district shall be screened to the maximum extent possible to minimize the visual intrusion on the landscape.

B. Land acquisition.

1. Fee title acquisition from willing sellers is recommended in those areas where recreational sites are needed, as identified in ~~NR 2920 C. 2.~~ 6 MCAR § 1.2920 C. 2.

2. Scenic easement acquisition from willing sellers is recommended in those areas having outstanding scenic, natural or similar values and in areas with high development potential.

~~3. Because acquisition of lands or interests in land is from willing sellers at market value, some lands recommended for scenic easement acquisition may be purchased in fee title. Additional land or interests in land other than those recommended may be purchased within the land use district to further the policies established in Minn. Stat. § 104.32, and the management plan.~~

~~3.4.~~ Other forms of acquisition, such as use easements, ~~or~~ leases, land exchange, or gifts may be substituted for the recommended acquisition ~~or used to acquire interests in other lands within the land use district~~ when such purchases further the policies of these rules ~~and regulations~~ and Minn. Stat. § 104.32.

~~4. 5.~~ The DNR shall consider leasing rest areas for an initial five-year period, with the option for longer leasing or purchase after that period.

~~5. 6.~~ Land or interests in land ~~recommended to be acquired in these rules and regulations~~ will be acquired from willing sellers, ~~when funds are available for such purposes,~~ as provided for in Minn. Stat. § 104.37.

~~7. Whenever feasible, land will be exchanged in a manner prescribed by state law to acquire land in the land use district. Land will not be exchanged, however, if such exchanges would adversely affect this or other DNR management programs.~~

~~6. 8.~~ The Commissioner of Natural Resources shall not request or use condemnation to acquire lands in the Cannon River land use district through the wild and scenic rivers program.

C. Recreation management.

1. General.

a. It is the intent of these rules ~~and regulations~~ to manage recreation to provide for the orderly use of public lands and waters within the scenic and recreational river land use districts. The development and maintenance of selected land- and water-oriented recreational facilities will help "protect the rights of private landowners, ensure quietude, prohibit trespassing, and maintain the essential quality of wild and scenic river land use districts." as provided for in NR 80 (a) (1).

b. NR 80 (b) (1) shall be amended to impose the current state penalty for a misdemeanor.

2. Uses.

a. Priority areas for development of governmental recreational facilities are listed below. If these parcels are not available for use similar parcels may be used.

| Location | Facility | Present Ownership |
|---|---------------------|---------------------|
| T111N-R20W, Section 1 in Sechler Park | Campsite, Rest Area | Northfield |
| T111N-R20W, Section 1, NW¼, on either side of Northfield Mill Dam | Portage | Northfield, Private |
| T112N-R19W, Section 31 E½ of the NW¼ | Access | Carleton College |
| T112N-R18W, Section 7 S½ of the SE¼, north of river | Campsite, Rest Area | Dakota County |
| T112N-R18W, Section 8 north of river | Access | Private |
| T112N-R18W, Section 13 & 14 south of river | Portage | Goodhue County |
| T112N-R17W, Section 2 NE¼ of the NE¼ of the SE¼ | Rest Area | Private |
| T113N-R16W, Section 35 SW¼ of the NE¼, near Belle Creek | Rest Area | DNR |
| T113N-R15W, Section 19 south of river | Access | Private |
| T113N-R15W, Section 22 E½ of the NW¼ of the NW¼ | Rest Area | DNR |

b. Because sufficient public land exists between Faribault and Northfield, all public recreational facilities in this area shall be located on existing public land.

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."

ADOPTED RULES

c. The development of public or private facilities within the land use district shall conform to the site typicals in these rules ~~and regulations~~. In addition, when establishing rest areas, sufficient land shall be acquired to provide a 300-foot buffer zone between the activity area and adjacent property.

d. DNR rest areas shall not be established closer than four miles to existing DNR rest areas and shall be inaccessible by road.

e. To establish the Cannon River as a day use river the DNR shall establish no overnight camping areas along the river.

f. All public and private camping areas established along the river shall be subject to all ~~regulations~~ rules of the Minnesota Pollution Control Agency, the Minnesota Department of Health and all local zoning ordinances.

g. If a recreational site is found in violation of Department of Public Health ~~regulations~~ rules more than three times in one season, the site shall be closed.

h. No special DNR facilities solely for the use of ~~for~~ motorboats shall be provided.

i. The DNR shall not develop or provide for trails within the land use district. This shall not include local trails or state-funded grant-in-aid trails.

j. Snowmobile use on lands in the land use district shall be allowed:

(1) On private lands, only with the permission of the appropriate landowner(s).

(2) On public lands where provided for the managing agency has designated areas for such use.

3. Maintenance.

a. The DNR shall be responsible for and shall allocate funds for maintenance of DNR recreational facilities within the Cannon River land use district. The DNR is encouraged to hire area residents to help maintain recreational facilities.

b. A "carry-in, carry-out" policy shall be implemented by river users. To help ensure the success of this policy, no trash receptacles shall be provided at DNR rest areas and areas shall be maintained to prevent the establishment of dumps.

c. Orientation signs identifying all recreational facilities along the river, containing the recreational rules for the river and explaining the "carry-in, carry-out" refuse policy shall be posted at accesses.

d. If heavy use of recreational facilities wears down river land, causes erosion or leads to problems with adjacent landowners, DNR sites shall be closed.

4. Enforcement. The DNR's Division of Enforcement shall determine with the local units of government the division of responsibilities for the enforcement of the wild and scenic river user ~~regulations~~ rules (NR 80). The Division of Enforcement shall also take appropriate action to ensure expeditious enforcement of wild and scenic river ~~regulations~~ rules.

D. Administration.

1. The local zoning authority shall administer the wild and scenic rivers ordinance in accordance with the provisions of NR 81.

2. Dakota and Goodhue counties and the city of Red Wing shall enact or amend such ordinances and maps as necessary to:

a. Establish the scenic and recreational land use districts in their jurisdiction according to ~~Minnesota Regulations NR 2910,~~ 6 MCAR § 1.2910 to include the lands identified in the land use district descriptions.

b. Conform to the provisions of these rules ~~and regulations (NR 2900),~~ (6 MCAR § 1.2900) except as indicated in ~~NR 2920 D. 4, 5 and 6,~~ 6 MCAR § 1.2920 D. 4., 5. and 6.

3. Rice County shall enact or amend such ordinances and maps as necessary to:

a. Establish the recreational land use district in its jurisdiction according to ~~Minnesota Regulations NR 2910,~~ 6 MCAR § 1.2910, to include the lands identified in the land use district descriptions.

b. Conform to the provisions of these rules ~~and regulation (NR 2900),~~ (6 MCAR § 1.2900), except as indicated in ~~NR 2920 D. 4 and 5,~~ 6 MCAR § 1.2920 D. 4. and 5.

c. It is recommended that Rice County also continue to enforce present agricultural preservation zoning, as identified in Section 15 of the 1975 Rice County zoning ordinance, on lands beyond 350 feet of the ordinary high-water mark.

4. The municipalities of Dundas (In T111N-R20W: that portion located in the S½ of the N½ of Section 15; and Section 11) and Northfield (In T111N-R20W: that portion located in Section 11; Section 2, south of the river; and the SW¼ of the SW¼ of Section 1, east of the river) shall enact or amend such ordinances and maps as necessary to:

a. Establish the recreational river land use districts according to ~~NR 2910,~~ 6 MCAR § 1.2910, to include lands identified in the land use district descriptions.

b. Conform to the provisions of NR 82-84 (Municipal Shoreland Management for Natural Environment Waters) except NR 84 (a) (2) and NR 84 (c).

c. Conform to the following provisions of NR 78-81: NR 78 (d); NR 79 (b) (2) (aa), (bb), (cc), (dd), (ff) and (gg); NR 80 and NR 81.

d. Conform to the provisions of these rules ~~and regulations (NR 2900),~~ (6 MCAR § 1.2900).

5. The municipalities of Dundas (In T111N-R20W: that portion located in the N½ of the N½ of Section 15; and Section 10) and Northfield (In T111N-R20W: that portion located in Section 2, north of the river; and Section 1, except the SW¼ of the SW¼, east of the river. In T112N-R20W: Section 36. In T112N-R19W: Sections 30 and 31) shall enact or amend such ordinances and maps as necessary to:

a. Establish the recreational river land use districts according to ~~NR 2910~~ 6 MCAR § 1.2910, to include lands identified in the land use district descriptions.

b. Conform to the provisions of NR 82-84 (Municipal Shoreland Management for General Development Waters), except NR 84 (a) (2) and NR 84 (c).

c. Conform to the following provisions of NR 78-81: NR 78 (d); NR 79 (b) (2) (aa), (bb), (cc), (dd), (ff), and (gg); NR 80 and NR 81.

d. Conform to the provisions of these rules ~~and regulations (NR 2900)~~, (6 MCAR § 1.2900).

6. The municipality of Cannon Falls shall enact or amend such ordinances and maps as necessary to:

a. Establish the recreational river land use district according to ~~NR 2910~~ 6 MCAR § 1.2910, to include lands identified in the land use district descriptions.

b. Conform to the provisions of NR 82-84 (Municipal Shoreland Management for Recreational Development Waters), except NR 84 (a) (2) and 84 (c).

c. Conform to the following provisions of NR 78-81:

NR 78 (d); NR 79 (b) (2) (aa), (bb), (cc), (dd), (ff) and (gg); NR 80 and NR 81.

d. Conform to the provisions of these rules ~~and regulations (NR 2900)~~, (6 MCAR § 1.2900).

7. Local zoning authorities may retain or adopt regulations that are more restrictive than those required by these rules ~~and regulations~~, pursuant to Minn. Stat. §§ 394.21, 394.33 and 462.353.

8. The DNR shall assist local units of government in implementing these rules, ~~and regulations~~, in accordance with Minn. Stat. § 104.36.

9. The DNR shall delineate the land use district boundaries on the appropriate zoning maps for the affected local units of government.

10. Every five years the DNR shall conduct a public informational meeting to determine the effectiveness, the progress and the opportunities for improvement of these rules ~~and regulations~~.

[See "Cannon River Legal Descriptions" and graphics which follow these rules.]



Building the dam across the Mississippi river at Little Falls, Minn., in 1887.
Photo from V. E. Kasparek.
(Photograph from Minneapolis Journal, Sunday, May 18, 1936 edition—printed here courtesy of Minneapolis Star and Tribune Co.)

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."

Cannon River Legal Descriptions

OHWM=ordinary high-water mark

CRI & P RR=Chicago, Rock Island and Pacific Railroad

CGW RR=Chicago-Great Western Railroad

*=undetermined acreage, generally within 1,000' of OHWM

| Description | Acreage |
|--------------------------------|---------|
| T110N-R20W | |
| Section 19 | |
| SW 1/4 of NE 1/4 E of CRI&P RR | 3.00 |
| SE 1/4 of NE 1/4 " " | 38.00 |
| S 1/2 of NE 1/4 of NE 1/4 " " | 15.00 |
| Section 20 | |
| NW 1/4 | 160.00 |
| NW 1/4 of NE 1/4 | 40.00 |
| Section 17 | |
| E 1/2 of SW 1/4 of SW 1/4 | 20.00 |
| SE 1/4 of SW 1/4 | 40.00 |
| SE 1/4 | 160.00 |
| NE 1/4 | 160.00 |
| Section 16 | |
| N 1/2 of SW 1/4 of SW 1/4 | 20.00 |
| NW 1/4 of SE 1/4 of SW 1/4 | 10.00 |
| W 1/2 of NE 1/4 of SW 1/4 | 20.00 |
| NW 1/4 of SW 1/4 | 40.00 |
| SW 1/4 of NW 1/4 | 40.00 |
| W 1/2 of SE 1/4 of NW 1/4 | 20.00 |
| W 1/2 of NW 1/4 of NW 1/4 | 20.00 |
| Section 8 | |
| SE 1/4 | 160.00 |
| S 1/2 of NE 1/4 | 80.00 |
| NW 1/4 of NE 1/4 | 40.00 |
| E 1/2 of SE 1/4 of NW 1/4 | 20.00 |
| NE 1/4 of NW 1/4 | 40.00 |
| E 1/2 of NW 1/4 of NW 1/4 | 20.00 |
| Section 9 | |
| W 1/4 of SW 1/4 | 40.00 |
| Section 5 | |
| E 1/2 of SW 1/4 | 80.00 |
| E 1/2 of W 1/2 of SW 1/4 | 40.00 |
| E 1/2 of W 1/2 of NW 1/4 | 40.00 |
| E 1/2 of NW 1/4 | 80.77 |
| NE 1/4 | 161.48 |

| | | |
|----------------------------|--------|--------------------------------|
| Section 4 | | |
| NW 1/4 | 161.28 | |
| N 1/2 of NE 1/4 | 80.96 | |
| N 1/2 of S 1/2 of NE 1/4 | 40.00 | |
| Section 3 | | |
| NW 1/4 of NW 1/4 | 40.31 | |
| N 1/2 of SW 1/4 of NW 1/4 | 20.00 | |
| W 1/2 of NE 1/4 of NW 1/4 | 20.00 | |
| T111N-R20W | | |
| Section 33 | | |
| E 1/2 of SE 1/4 of SE 1/4 | 20.00 | |
| Section 34 | | |
| E 1/2 of NW 1/4 | 80.00 | |
| S 1/2 of NW 1/4 of NW 1/4 | 20.00 | |
| SW 1/4 of NW 1/4 | 40.00 | |
| NE 1/4 of SW 1/4 | 40.00 | |
| W 1/2 of SW 1/4 | 80.00 | |
| W 1/2 of SE 1/4 of SW 1/4 | 20.00 | |
| W 1/2 of NE 1/4 | 80.00 | |
| NE 1/4 of NE 1/4 | 40.00 | |
| Section 27 | | |
| E 1/4 | 160.00 | |
| E 1/2 of W 1/2 of NE 1/4 | 40.00 | |
| E 1/2 of NW 1/4 of SE 1/4 | 20.00 | |
| S 1/2 of SW 1/4 of SE 1/4 | 20.00 | |
| NW 1/4 of NW 1/4 of NE 1/4 | 10.00 | |
| Section 26 | | |
| W 1/2 of SW 1/4 | 80.00 | |
| SW 1/4 of NW 1/4 | 40.00 | |
| W 1/2 of NW 1/4 of NW 1/4 | 20.00 | |
| Section 22 | | |
| E 1/2 | 320.00 | |
| Section 15 | | |
| W 1/2 of E 1/2 of SE 1/4 | 40.00 | |
| W 1/2 of SE 1/4 | 80.00 | |
| NE 1/4 | | within 300' of OHWM only 32.00 |
| Section 10 | | |
| SE 1/4 | | within 300' of OHWM only 41.00 |

| | | | |
|------------------------------------|---|-------|--|
| Section 11 | | | |
| NW 1/4 of SW 1/4 | N & W of river | 4.00 | |
| NW 1/4 of SW 1/4 | within 300' of OHWM S & E of river | 12.00 | |
| SE 1/4 of NW 1/4 | ----- | 40.00 | |
| NE 1/4 of NW 1/4 | ----- E of CRI&P RR | 36.00 | |
| SW 1/4 of NW 1/4 | ----- " " | 33.00 | |
| N 1/2 of NW 1/4 of NE 1/4 | ----- | 20.00 | |
| NW 1/4 of NW 1/4 | ----- E of CRI&P RR | 4.00 | |
| NE 1/4 | within floodway | * | |
| NW 1/4 | S & E of river | * | |
| | within floodway | | |
| NW 1/4 | N & W of river | | |
| | E of CRI & P RR | 40.00 | |
| Section 2 | | | |
| SW 1/4 of SE 1/4 | ----- E of CRI&P RR | 36.00 | |
| SE 1/4 of SE 1/4 | ----- | 40.00 | |
| NE 1/4 of SE 1/4 | ----- SE of CRI&P RR | 22.00 | |
| SE 1/4 of NW 1/4 of SE 1/4 | ----- " " | 4.00 | |
| SE 1/4 of SW 1/4 | " " | 7.00 | |
| SE 1/4 | N of river | | |
| | S of CRI & P RR | 50.00 | |
| SE 1/4 | S of river | | |
| | within floodway or 300' of OHWM, whichever is greater | * | |
| Section 1 | | | |
| Within 300' of OHWM S & E of river | | 57.00 | |
| NW 1/4 of SW 1/4 | N & W of river to CRI&P RR | 29.00 | |
| SW 1/4 of NW 1/4 | S & E of CRI&P RR | 6.00 | |
| E 1/2 of NW 1/4 | within 300' of OHWM N & W of river | 8.00 | |
| N 1/2 of NE 1/4 | " " | 19.00 | |
| SW 1/4 of NE 1/4 | within 300' of OHWM N of river | 3.00 | |
| T112N-R20W | | | |
| Section 36 | | | |
| SE 1/4 of SE 1/4 | within 300' of OHWM W of river | 5.00 | |

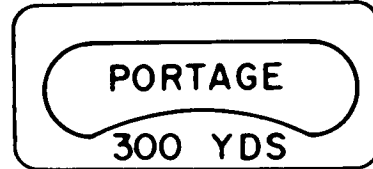
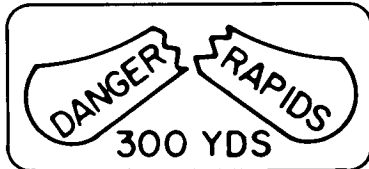
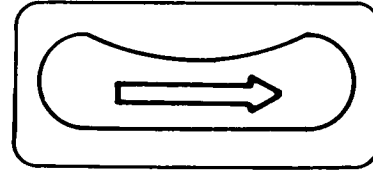
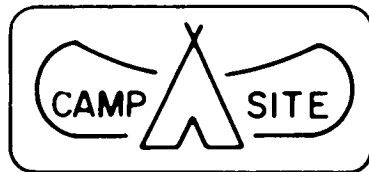
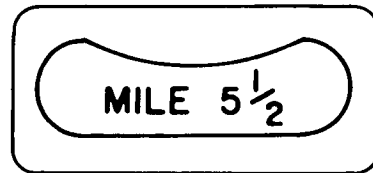
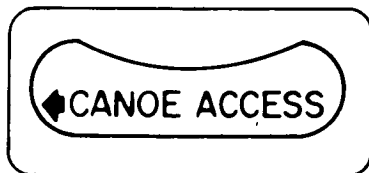
KEY: RULES SECTION — Underlining indicates additions to proposed rule language. Strike-outs indicate deletions from proposed rule language. PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. Strike-outs indicate deletions from existing rule language. If a proposed rule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

Table with columns for section identifiers (T112N-R19W, T111N-R19W, T112N-R19W), descriptions, and values. Includes sections 31, 6, 30, 29, 28, 19, 20, 21, 22, 23, 15, and 14.

Table with columns for section identifiers (Section 14 continued, Section 13, Section 12, T112N-R18W, Section 7, Section 8, T112N-R19W, Section 17, Section 8, T112N-R18W, Section 13, Section 12), descriptions, and values. Includes various quarter-section and corner descriptions.

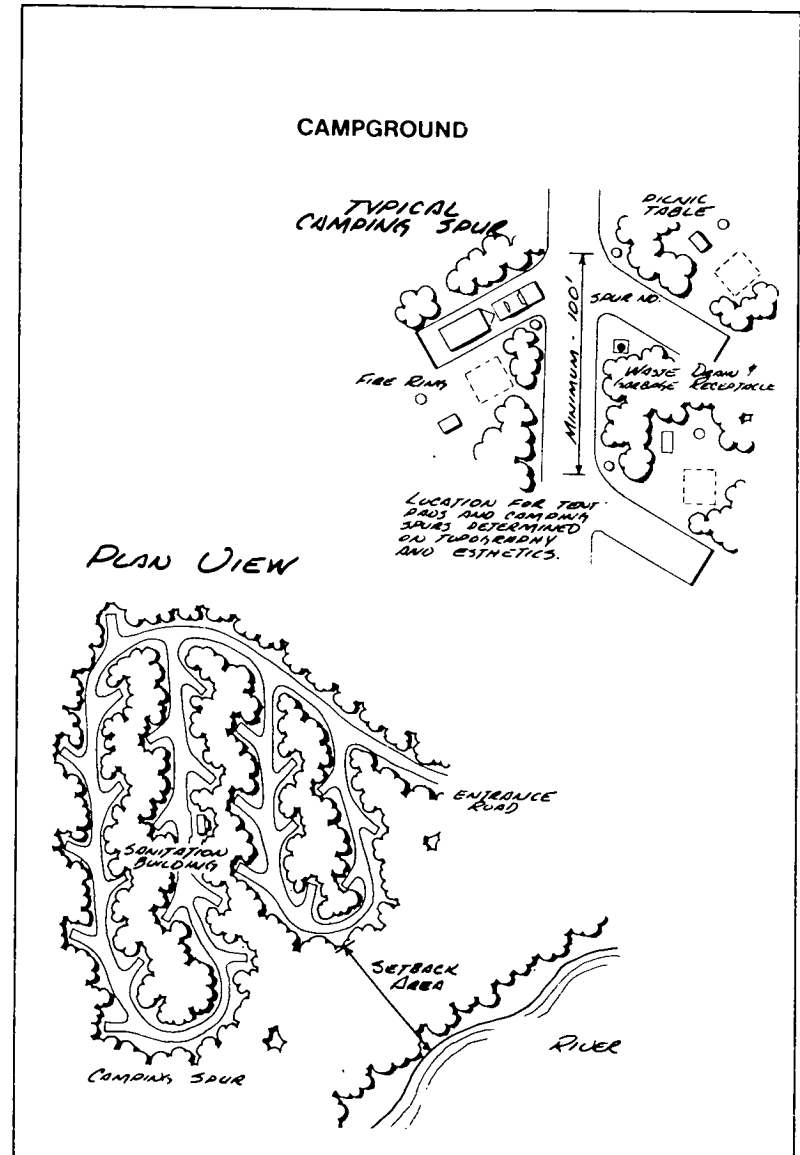
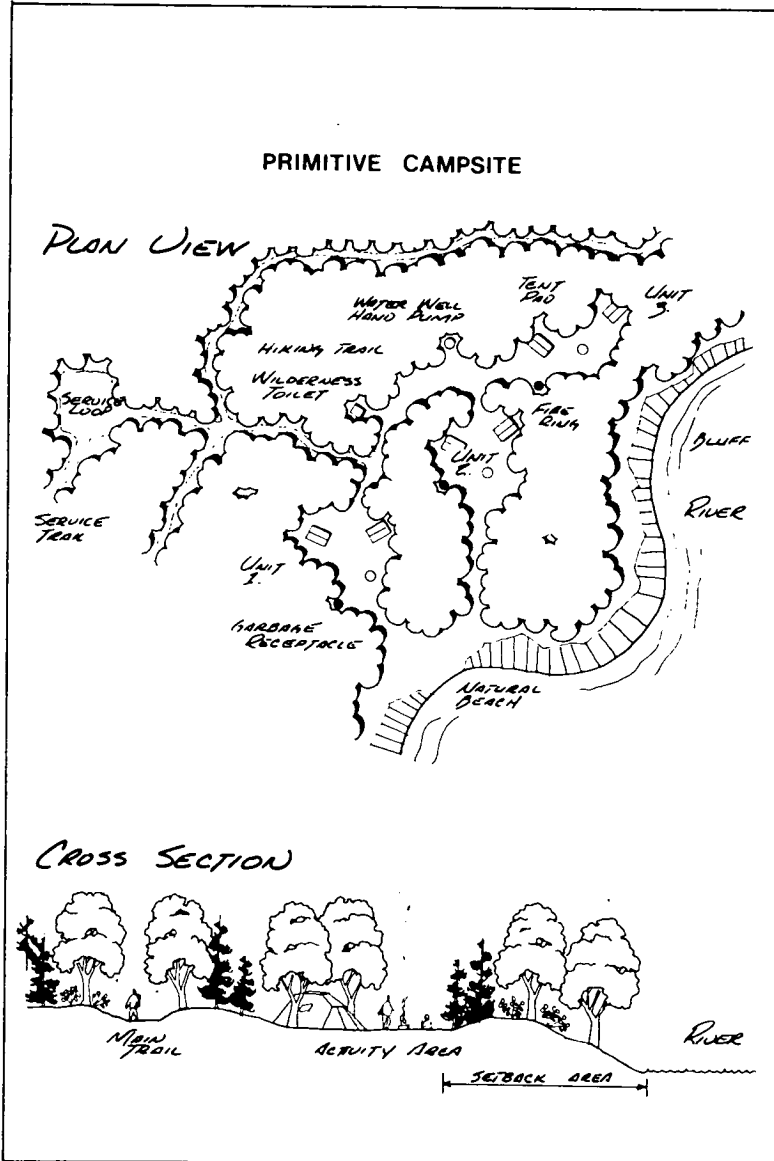
Table with columns for section identifiers (T112N-R17W, Section 7, Section 18, Section 8, Section 9, Section 10, Section 11, Section 12, Section 2), descriptions, and values. Includes government lots and various quarter-section descriptions.

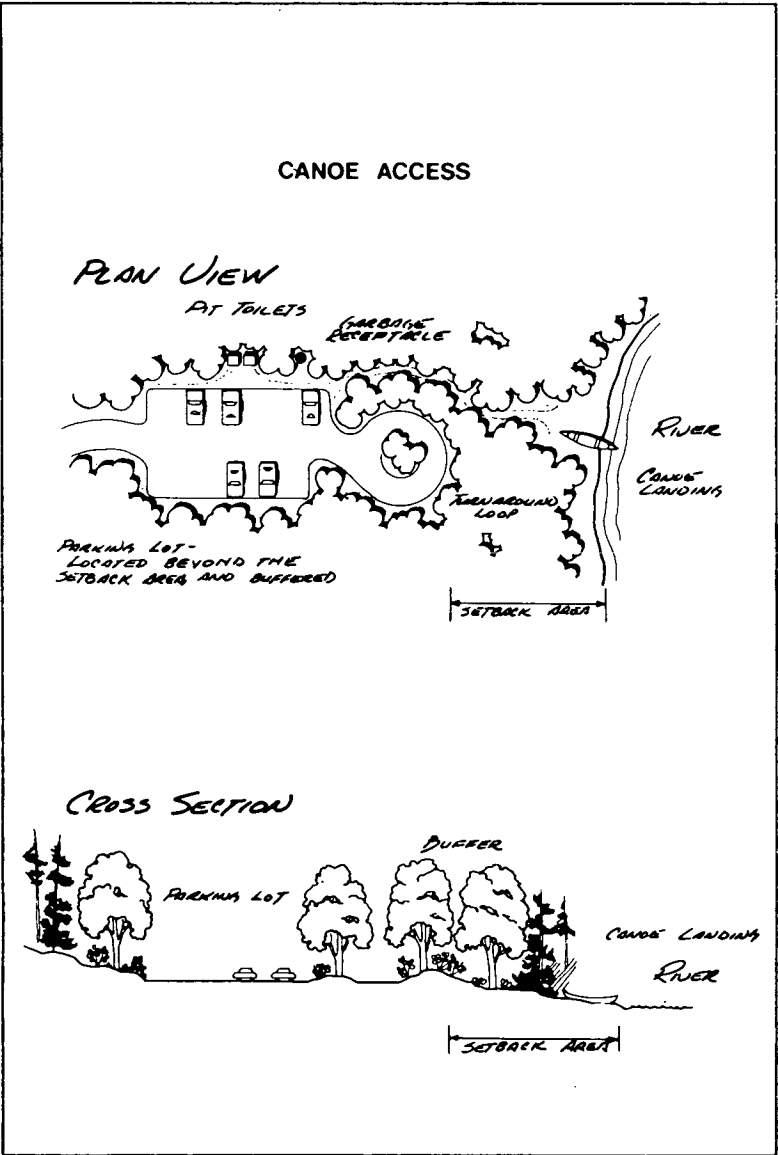
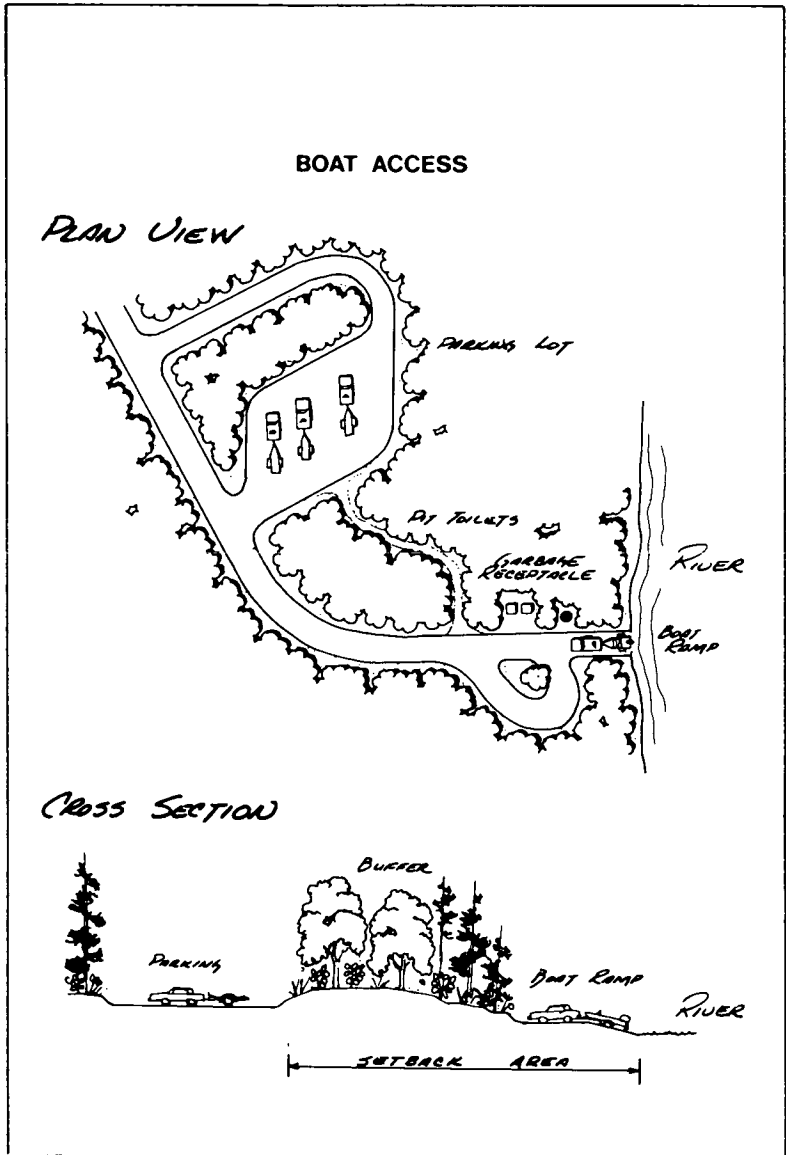
Typical signs



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."

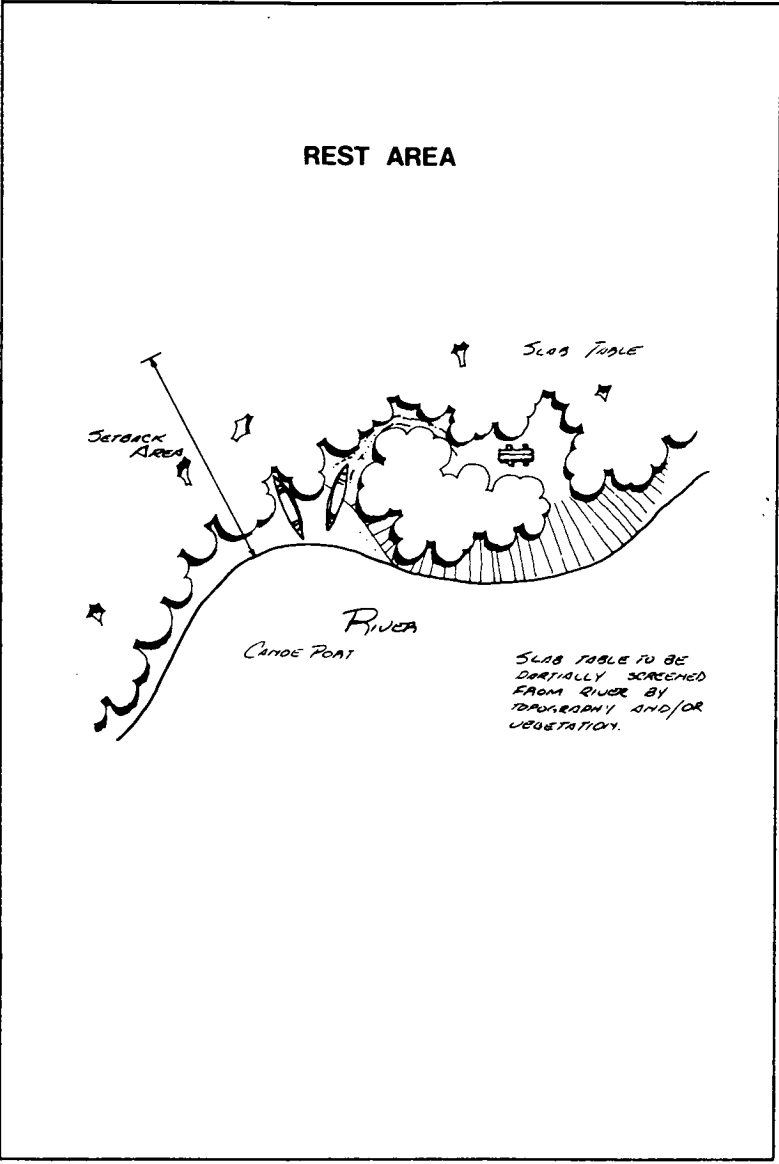
Typical sites



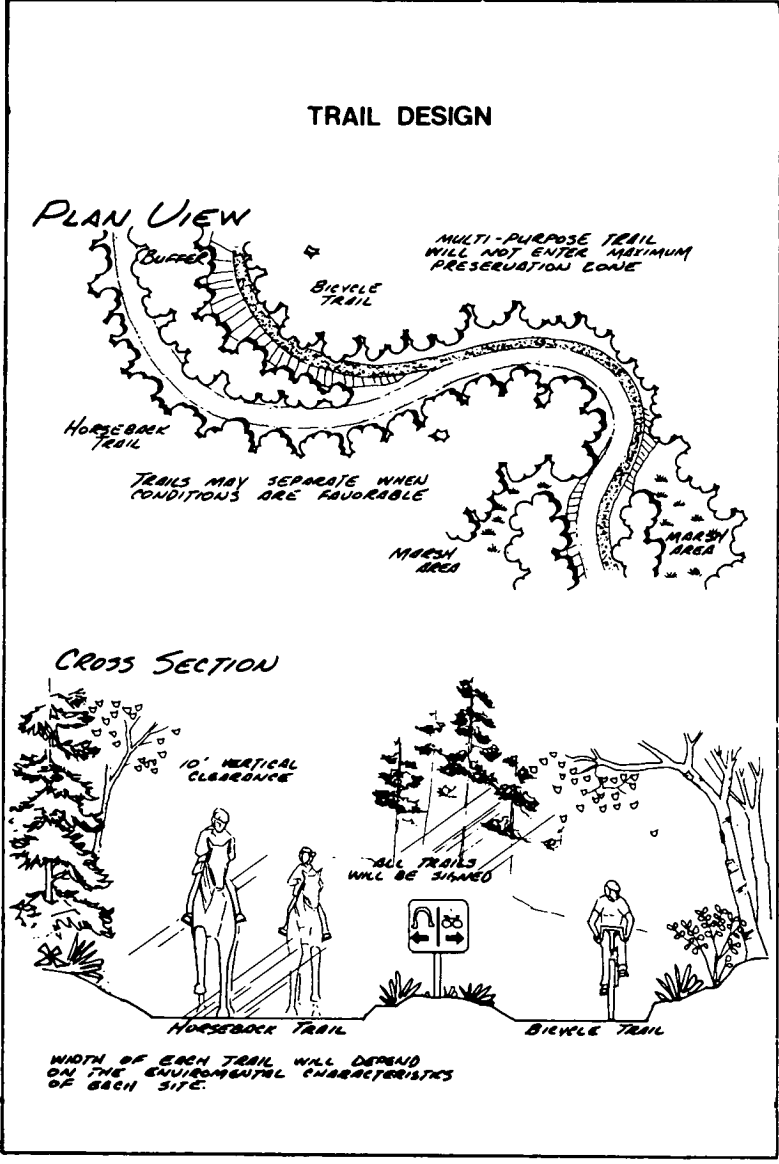


KEY: RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike-outs~~ indicate deletions from proposed rule language. **PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. ~~Strike-outs~~ indicate deletions from existing rule language. If a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

REST AREA



TRAIL DESIGN



Pollution Control Agency

Adopted Rule Governing Air Pollution Control Requirements during Air Pollution Episodes

The rule 6 MCAR § 4.0039, proposed and published at *State Register*, Volume 3, Number 52, pp. 2295-2303, July 2, 1979, (3 S.R. 2295) and as corrected by the Errata published at *State Register*, Volume 4, Number 2, pp. 55-57 (4 S.R. 55) is adopted with the following amendments:

Rules As Adopted

6 MCAR § 4.0039 Emergency episodes.

A. Applicability. This rule applies to any owner or operator of any emission facility having allowable emissions of any air pollutant of 250 or more tons per year located within or having air pollutant emissions affecting any area within the State of Minnesota for which an air pollution alert, air pollution warning, air pollution emergency, or air pollution significant harm episode has been declared by the director.

B. Definitions. As used in this rule, the following words shall have the meaning defined herein:

1. "Air pollutant" means particulate matter, sulfur dioxide, nitrogen oxides, ~~photochemical oxidants~~ ozone, carbon monoxide or nonmethane hydrocarbons.

2. "Allowable emission" means the emission rate calculated using the maximum rated capacity of the ~~source~~ emission facility, unless the ~~source~~ emission facility is subject to enforceable permit conditions which limit the operating rate or hours of operation or both, and the applicable standard of performance set forth in agency rules or the standard set forth in the permit, whichever is more stringent.

C. Episode levels. The level at which the director shall declare an air pollutant alert, warning, emergency or significant harm episode ~~shall be declared~~ shall be determined by Table 1.

D. Episode declaration.

1. An air pollution alert shall be declared by the director when the director finds that the concentration of any air pollutant has reached the alert level at any monitoring site and meteorological conditions are such that the air pollutant concentration can be expected to remain at, or exceed, the alert level for 12 or more hours or, in the case of ~~photochemical oxidants~~ ozone, to recur the following day at the same or higher levels unless control actions are taken.

2. An air pollution warning shall be declared by the director when the director finds that the concentration of any air pollutant has reached the warning level at any monitoring site and meteorological conditions are such that the air pollutant concentration can be expected to remain at, or exceed, the warning level for 12 or more hours or, in the case of ~~photochemical oxidants~~ ozone, to recur the following day at the same or higher levels unless control actions are taken. An air pollution warning shall also be declared by the director when the director finds that the alert level concentrations for any air pollutant have persisted in the area for 48 hours and are expected to continue for the subsequent 12 hours.

3. An air pollution emergency shall be declared by the director when the concentration of any air pollutant has reached the emergency level at any monitoring site and meteorological conditions are such that the air pollutant concentration can be expected to remain at, or exceed, the emergency level for 12 or more hours or, in the case of ~~photochemical oxidants~~ ozone, to recur the following day at the same or higher levels unless control actions are taken. An air pollution emergency shall also be declared by the director when the director finds that the warning level concentrations for any air pollutant have persisted in the area for 48 hours and are expected to continue for the subsequent 12 hours.

4. An air pollution significant harm episode shall be declared by the director when the concentration of any air pollutant has reached the significant harm level at any monitoring site and meteorological conditions are such that the air pollutant concentration can be expected to remain at, or exceed, the significant harm level for 12 or more hours or, in the case of ~~photochemical oxidants~~ ozone, to recur the following day at the same or higher levels unless control actions are taken.

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."

TABLE 1

| SO ₂ | Part. | CO | NO ₂ | NO ₂ | Ozone Oxidant | SO ₂ x Part. ug/m ³ x ug/m ³ |
|--------------------|--------------------|-------------------|--------------------|-------------------|-------------------|--|
| <u>24 Hr. Avg.</u> | <u>24 Hr. Avg.</u> | <u>8 Hr. Avg.</u> | <u>24 Hr. Avg.</u> | <u>1 Hr. Avg.</u> | <u>1 Hr. Avg.</u> | <u>24 Hr. x 24 Hr.</u> |

TABLE 2

EMISSION REDUCTION OBJECTIVES FOR PARTICULATE MATTER

EMISSION FACILITY
SOURCE-OF-AIR-CONTAMINATION

3. A - Manufacturing and processing industries.
- AND
- B - Other persons required by this rule to prepare standby plans.

AIR POLLUTION ALERT

- b. Maximum reduction by deferring trade waste disposal operations which emit particles, gases, vapors or malodorous substances.
- c. Reduction of particulate producing heat load demands for processing consistent with continuing plant operations.

AIR POLLUTION WARNING

- b. Maximum reduction by deferring trade waste disposal operations which emit particles, gases, vapors or malodorous substances.
- c. Reduction of particulate producing heat load demands for processing consistent with continuing plant operations.

AIR POLLUTION EMERGENCY

- b. Elimination of air contaminants from trade waste disposal processes which emit particles, gases, vapors or malodorous substances.
- c. Maximum reduction of particulate producing heat load demands for processing.

TABLE 3

EMISSION REDUCTION OBJECTIVES FOR SULFUR OXIDES

EMISSION FACILITY
SOURCE-OF-AIR-CONTAMINATION

3. A - Manufacturing and processing industries
- AND
- B - Other persons required by this rule to prepare standby plans.

AIR POLLUTION ALERT

- b. Maximum reduction by deferring trade waste disposal operations which emit particles, gases, vapors or malodorous substances, sulfur dioxide.
- c. Reduction of sulfur dioxide producing heat load demands for processing consistent with continuing plant operations.

AIR POLLUTION WARNING

- b. Maximum reduction by deferring trade waste disposal operations which emit particles, gases, vapors or malodorous substances, sulfur dioxide.
- c. Reduction of sulfur dioxide producing heat load demands for processing consistent with continuing plant operations.

AIR POLLUTION EMERGENCY

- b. Elimination of air contaminants from trade waste disposal processes which emit particles, gases, vapors or malodorous substances, sulfur dioxide.
- c. Maximum reduction of sulfur dioxide producing load demands for processing.

TABLE 4

EMISSION REDUCTION OBJECTIVES FOR NITROGEN OXIDES

EMISSION FACILITY
SOURCE-OF-AIR-CONTAMINATION

- 3. A - Manufacturing and processing industries.
- AND
- B - Other persons required by this rule to prepare standby plans.
- 4. Stationary internal combustion engines.

AIR POLLUTION ALERT

- b. Maximum reduction by deferring trade waste disposal operations which emit nitrogen oxides, particles, gases, vapors or malodorous substances.
- c. Reduction of nitrogen oxide producing heat load demands for processing consistent with continuing plant operations.
- a. Reduction of power demands ~~for pumping~~ consistent with continuing operations.

AIR POLLUTION WARNING

- b. Maximum reduction by deferring trade waste disposal operations which emit nitrogen oxides, particles, gases, vapors or malodorous substances.
- c. Reduction of nitrogen oxide producing heat load demands for processing consistent with continuing plant operations.
- a. Reduction of power demands ~~for pumping~~ consistent with continuing operations.

AIR POLLUTION EMERGENCY

- b. Elimination of air contaminants from trade waste disposal processes which emit nitrogen oxides, particles, gases, vapors or malodorous substances.
- c. Maximum reduction of nitrogen oxide producing heat load demands for processing.
- a. Maximum reduction by reducing power demands to absolute necessities consistent with personnel safety and preventing equipment damage.
- b. Maximum reduction by utilization of fuels or power source which results in the formation of less air contaminants.

TABLE 5

EMISSION REDUCTION OBJECTIVES FOR HYDROCARBONS

EMISSION FACILITY
SOURCE-OF-AIR-CONTAMINATION

- 4. Mobile sources.

AIR POLLUTION ALERT

- a. Voluntary reduction in unnecessary vehicle use in response to Agency advisory.

AIR POLLUTION WARNING

- a. Voluntary reduction in vehicle use through increased use of public transport, car pools, and van pools.

AIR POLLUTION EMERGENCY

- a. Maximum reduction by banning vehicle use except for emergencies.

TABLE 6

EMISSION FACILITY
SOURCE-OF-AIR-CONTAMINATION

AIR POLLUTION ALERT

AIR POLLUTION WARNING

AIR POLLUTION EMERGENCY

SUPREME COURT

Decisions Filed Friday, February 1, 1980

Compiled by John McCarthy, Clerk

49135/487 State of Minnesota vs. Robert Joseph Beard, Appellant. Hennepin County.

A defendant, who fails to object at trial to the circumstances of his arrest or to the trial court's admission of police testimony of statements he made following receipt of a Miranda warning during postarrest interrogation, forfeits his right to have such issues considered on appeal, where inspection of the record on review demonstrates strong evidence of guilt; however, we reserve the right to consider such issues as grounds for reversal when our reading of the record requires as much and to do otherwise would perpetuate substantial injustice.

Affirmed. Sheran, C. J.

49767/334 Charles Anders, et al, Appellants, vs. Dakota Land and Development Company, Inc., et al, Louise and Matt Bauman, et al, Rosalee B. Engle, et al, Midwest Brokers, Inc., Mr. and Mrs. Archie Ball, et al, Clarence Ruesch, Clair G. "Tommy" Thompson, Harold P. Dwight, et al. Dakota County.

One who has been induced to enter a contract by fraudulent misrepresentations may elect to rescind the contract or sue for damages. If he pursues his damage claim and obtains judgment or compromises and settles that claim, he thereby ratifies and adopts the contract and thereafter cannot seek to rescind the contract for the same fraud. Damages and restitution are not concurrent remedies for the same injury.

Affirmed in part, reversed and remanded in part, and remanded in part. Rogosheske, J.

49920/Sp. Maxine N. Amplatz, petitioner, Appellant, vs. Kurt A. Amplatz. Ramsey County.

Acceptance and retention of alimony payments pursuant to a judgment and decree of marital dissolution will not preclude that party from challenging the propriety of a trial court's order denying a motion for a new trial and to the extent inconsistent, *Spratt v. Spratt*, 140 Minn. 510, 166 N.W. 769; 140 Minn. 512, 167 N.W. 735 (1918) and *Marvin v. Foster*, 61 Minn. 154, 63 N.W. 484 (1895) are overruled.

Under the facts presented, the trial court did not abuse its discretion in denying petitioner's motion for a new trial.

Affirmed. Todd, J.

49798/431 Dependents of Carl F. Lemke, Deceased. Jerald Lemke and Stacey Lemke, Dependent Children, Relators, and Peggy Lemke, Dependent Widow, vs. Knudsen Trucking, Inc., et al. Workers' Compensation Court of Appeals.

Where the dependents of a deceased wage earner reside in financially separate households, but all receive government survivor benefits, the limitation in Minn. Stat. § 176.111, subd. 21 (1978), must be apportioned between the two households.

The adjustment of benefits pursuant to Minn. Stat. § 176.645 (1978) operates to raise the weekly wage limit contained in Minn. Stat. § 176.111, subd. 21.

An employer-insurer who has overpaid a workers' compensation claimant may be granted a credit against the future benefit payments, but the workers' compensation division must use discretion in determining how these credits shall be implemented.

Affirmed in part and reversed in part. Yetka, J.

49853/432 Helen J. Patterson, Widow of Raymond C. Patterson, Deceased Employee, vs. Dvorak Construction Co., et al., Relators. Workers' Compensation Court of Appeals.

As in *Redland v. Nelson's Quality Eggs, Inc.*, issued simultaneously with this case, the widow here receives no government survivor benefits and is thus entitled to full workers' compensation payments.

Affirmed and remanded only for any necessary recalculation of benefits. Yetka, J.

49866/433 Patricia Redland, Widow of David W. Redland, Deceased Employee, vs. Nelson's Quality Eggs, Inc., et al., Relators. Workers' Compensation Court of Appeals.

A widow who receives "mother's insurance benefits" pursuant to 42 U.S.C. § 402(g) (1976) receives no benefits under any government survivor program within the meaning of Minn. Stat. § 176.111, subd. 21 (1976).

Where a wage earner dies, leaving a spouse and two children residing in the same household, and the children receive benefits pursuant to 42 U.S.C. § 402(d) (1976), the limitation of § 176.111, subd. 21, is applied to the children as a group.

Minn. Stat. § 176.111, subd. 10 (1978) constitutionally allows a compensation judge some discretion in allocating compensation benefits between a surviving spouse and child.

Minn. Stat. § 176.645 (1978) operates upon § 176.111, subd. 21 to adjust the weekly wage of the deceased by the applicable percentage.

Affirmed in part and reversed in part. Yetka, J.

STATE CONTRACTS

Pursuant to the provisions of Minn. Stat. § 16.098, subd. 3, 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.

Energy Agency Data and Analysis Division

Notice of Request for Proposals for Documentation of Regional Energy Information System Data and Econometric Energy Supply/Demand Models

Proposals are requested from information systems and energy forecasting consultants to document the agency's econometric models and two System 2000 databases containing energy statistics. These consulting services, which will be provided under contract, are outlined in detail in the Request for Proposals (RFP) Statement of Work. The formal RFP may be requested and inquiries should be directed to:

Linda Limback (612) 296-8282
Data and Analysis Division
Minnesota Energy Agency
980 American Center Building
150 E. Kellogg Blvd.
St. Paul, Minnesota 55101

It is anticipated that the activities to accomplish the documentation and data activities will not exceed \$33,000. The deadline for the submission of the complete proposals will be 4:30 p.m., March 3, 1980.

State Planning Agency Environmental Quality Board

Notice of Request for Proposals for Professional Service Contract

The Environmental Quality Board requires the service of a qualified consultant to conduct a study and present a documented report.

The consultant will be required to develop and evaluate a system to quantify the impact of air pollutant using biological indicators of pollution stress. This process will proceed in two parts.

Part I—To review and critically appraise existing information pertinent to this work.

Part II—To conduct original research investigation designed to provide new information necessary to the development of a valid biological air quality assessment system appropriate for use in Minnesota.

Estimated fee range: negotiable based on project scope.

Time: March 17, 1980

Firms/individuals desiring consideration should send their response and resume of their training and work experience to David Lang, Project Manager, Environmental Quality Board, 15B Capitol Square Building, 550 Cedar Street, St. Paul, Minnesota 55101. Phone (612) 296-2399. All responses should be sent in no later than 5:00 p.m., March 5, 1980. Late responses will not be accepted.

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.

Energy Agency Fuel Allocation Division

Notice of Intent to Solicit Outside Opinion Concerning the Development of a State Emergency Plan Relating to Gasoline Conservation

Notice is hereby given that the Minnesota Energy Agency is seeking information, opinion, and comments from sources outside the agency in preparing a state emergency conservation plan for energy emergencies. The agency has coinciding state and federal obligations to prepare energy emergency plans. The information received will be used to satisfy the agency's obligations under both Minn. Stat. § 116H.09 and the federal Emergency Energy Conservation Act of 1979 (Pub.L. 96-102).

Under the state authority, the agency is revising its existing emergency conservation and allocation plan pursuant to 1979 amendments to § 116H.09. The federal Emergency Energy Conservation Act of 1979 requires the governor of each state to submit to the Secretary of Energy a state energy emergency plan 45 days after the federal publication of conservation targets.

The state law does not precisely define an energy supply emergency. Under the federal Emergency Energy Conservation Act of 1979 (hereinafter "the Act"), an energy emergency is defined as an existing or imminent, severe interruption in national energy supply or a situation in which reductions in domestic demand are required to fulfill international energy agreements, as determined by the President of the United States pursuant to the Act.

All interested or affected persons or groups may request a copy of possible amendments to the Emergency Energy Plan. All statements of information and comment must be received by February 27, 1980. All written or oral comments should be addressed to:

Dixie Lee Diehl
Manager, Fuel Allocations
Minnesota Energy Agency
980 American Center Building
150 East Kellogg Boulevard
St. Paul, Minnesota 55101
(612) 296-9093

Department of Transportation

Notice of Application and Opportunity for Hearing Concerning Petition of Chicago and North Western Transportation Company for Authority to Retire and Remove ICC Track No. 382 at Janesville, MN

Notice is hereby given that the Chicago and North Western Transportation Company, with attorneys at 4200 IDS Center, 80 South 8th Street, Minneapolis, Minnesota (55402) has filed a petition with the Commissioner of Transportation pursuant to Minn. Stat. §§ 219.741 and 218.041, subd. 3 (10) to retire and remove I.C.C. Track No. 382 located in Janesville, Minnesota.

The petition recites among other matters that: "The subject track is no longer needed for rail transportation service, constitutes a continuing and burdensome maintenance expense, and is an unnecessary safety hazard. The track is not used at the present time, and there is no present prospect that the track will be needed in the future. The only shippers, patrons or members of the public who might have any interest in the retention of the tracks or facilities, or who have used the same to any substantial degree within the past several years, is Martin Schlie, (property owner, P.O. Box 352, Janesville)."

Any person may file a written objection to the proposed action by means of a letter addressed to the Commissioner of Transportation, Transportation Building, Saint Paul, Minnesota 55155, not later than the date specified below. An objection must be received on or before March 3, 1980. The objection should state specifically how the objector's interest will be adversely affected by the proposed action.

Upon receipt of a written objection, the commissioner will, with respect to the named petitioner, set the matter down for hearing. If no objections are received, the commissioner may grant the relief sought by the petitioner.

If this matter is set for hearing, any person who desires to become a party to this matter must submit a timely petition to intervene to the hearing examiner pursuant to 9 MCAR § 2.210, showing how the person's legal rights, duties and privileges may be determined or affected by the decision in this case. The

petition must also set forth the grounds and purposes for which intervention is sought. All parties have the right to be represented by legal counsel or any other representative of their choice. In the event the objecting party does not do so, or otherwise does not participate in the hearing, the statements contained in the application filed may be taken as true.

Richard P. Braun
Commissioner

Errata

The adopted rule of the Public Service Commission, 4 MCAR § 3.0299, published at *State Register*, Volume 4, Number 31, pp. 1227, February 4, 1980, should be corrected as follows:

At 4 S.R. 1227, 4 MCAR § 3.0299 A., fourth line: change "16 U.S.C. §§ *et seq.*" to "16 U.S.C. §§ 2601 *et seq.*"

At 4 S.R. 1105, in 11 MCAR § 2.403 E.3., "substantial" should be struck out.

STATE OF MINNESOTA
OFFICE OF THE STATE REGISTER

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

ORDER FORM

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

_____ Annual subscription \$118.00
_____ Single Copy \$2.25 each

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

_____ 15 volume set \$325.00, includes the annual update service subscription for the year of order (a \$140.00 value) and a set of MCAR binders

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

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

The 1979-80 Audio Visual Catalog. A 275-page catalog of state agency films, slides and tapes available to the public.

_____ Single copy \$4.50 + \$.18 (sales tax) = \$4.68*each

Minnesota Guidebook to State Agency Services. Detailed listing of grants, information, materials and services available from each state agency, with over 2,000 individual offices listed. Complete list of licenses and permits required in Minnesota and detailed information on financial aid and assistance programs, reports, publications, maps, Minnesota lore, natural resource information, agricultural services, business assistance, museums, libraries, laboratory testing, complaint filing, consumer protection, historical sites, drivers' examinations and more.

_____ Single copy \$6.25 + \$.25 (sales tax) = \$6.50* each

*To avoid Minnesota sales tax, please include your Certificate of Exempt Status issued by the Minnesota Department of Revenue.

Please enclose full amount for items ordered. Make check or money order payable to "Office of the State Register."

Name _____

Attention of: _____

Street _____

City _____ State _____ Zip _____

Telephone _____

Legislative Reference Library
Room 111 Capitol

Interoffice

