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# STATE REGISTER

STATE OF MINNESOTA

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VOLUME 7, NUMBER 30

January 24, 1983

Pages 1077-1100



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### Printing Schedule for Agencies

Issue Number	*Submission deadline for Executive Orders, Adopted Rules and **Proposed Rules	*Submission deadline for State Contract Notices and other **Official Notices	Issue Date
<b>SCHEDULE FOR VOLUME 7</b>			
31	Monday Jan 17	Monday Jan 24	Monday Jan 31
32	Monday Jan 24	Monday Jan 31	Monday Feb 7
33	Monday Jan 31	Monday Feb 7	Monday Feb 14
34	Monday Feb 7	Friday Feb 11	Monday Feb 21

\*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 and notices of intent to adopt rules without a public hearing 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, 506 Rice Street, St. Paul, Minnesota 55103. (612) 296-0931

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The *State Register* is published by the State of Minnesota, State Register and Public Documents Division, 117 University Avenue, St. Paul, Minnesota 55155, pursuant to Minn. Stat. § 15.051. Publication is weekly, on Mondays, with an index issue in September. In accordance with expressed legislative intent that the *State Register* be self-supporting, the subscription rate has been established at \$130.00 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 \$3.25 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*.

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# CONTENTS

## MCAR AMENDMENTS AND ADDITIONS

Inclusive listing for Issues 27-30 .....1080

## EXECUTIVE ORDERS

### Executive Order No. 83-1

Providing for the Use of Gasohol in State  
Vehicles .....1081

### Executive Order No. 83-2

Providing for the Establishment of the Governor's  
Minnesota Judicial Merit Advisory Commission ....1082

## PROPOSED RULES

### Energy, Planning and Development Energy Division

Petroleum Supply Shortage Conservation and  
Allocation Plan [notice of intent to amend rules  
without a public hearing].....1085

### Health Department

#### Environmental Health Division

Withdrawal of Proposed Rules Governing  
Registration of Engineers and Construction of  
Monitoring Wells .....1088

### Labor and Industry Department

#### Workers' Compensation Rehabilitation Services

Notice of Withdrawal of Rules.....1088

## ADOPTED RULES

### State Board of Education (State Board for Vocational Education)

#### Department of Education Vocational-Technical Division

Accreditation of Vocational-Technical Institutes  
and Complaint Procedures .....1089

### Minnesota Housing Finance Agency

Income Limits for the Home Improvement  
Loan Program .....1089

## TAX COURT

State of Minnesota, County of Sherburne. Tax  
Court, Regular Division. Dale and Rhonda  
Korkowski, Appellants, v. The Commissioner  
of Revenue, Appellee. Docket Nos. 3372 and  
3587. In the Matter of the Appeal from the  
Commissioner's Orders Dated May 22, 1981,  
Relating to Income Tax Liability of the Appellants  
for the Taxable Years 1979 and 1980 .....1089

## SUPREME COURT

### Decisions Filed Friday, January 14, 1983

82-189 David Dean Mogren, petitioner, Appellant,  
v. State of Minnesota. Blue Earth County .....1091  
82-778 William Thomason, Appellant, v. State  
of Minnesota. St. Louis County .....1091

82-797 Robert Carl Piringer, Jr., petitioner,  
Appellant, v. State of Minnesota. Washington  
County .....1091  
82-126 State of Minnesota v. David Allen Clemens,  
petitioner, Appellant. Roseau County .....1091  
82-412 Thomas Standslast, petitioner, Appellant,  
v. State of Minnesota. Cass County .....1092  
82-473 State of Minnesota v. Dean Allen Bentley,  
Appellant. Clay County.....1092  
82-508 David Lewis Hoskins, petitioner,  
Appellant, v. State of Minnesota. Ramsey  
County .....1092  
82-779 State of Minnesota, Appellant, v.  
Brian John Hennessy. Olmsted County .....1092  
81-1047 Jack Lesmeister v. Bob Dilly, Jr., *et al.*,  
Bob Dilly, Jr., and Monarch Industries, Inc.,  
defendant and third party plaintiff, Appellant,  
v. Atlantic Building Systems, Inc., third party  
defendant. Traverse County .....1092  
82-29 State of Minnesota v. Tommy W. Abeyta,  
Appellant. Kandiyohi County.....1092  
82-589 Glenda Marie Hemmesch, widow of  
Robert E. Hemmesch, deceased, *et al.*, Relators,  
v. Roger Molitor, d.b.a. Roger's Drywall and  
Continental Western Insurance Company.  
Workers' Compensation Court of Appeals .....1092  
82-502 Rolland O. Erickson, (deceased) by  
Shirley J. Erickson, Relator, v. Gopher  
Masonry, Inc., *et al.* Workers' Compensation  
Court of Appeals.....1092  
82-593 State of Minnesota v. David Scott Hunner,  
Appellant. Swift County .....1093  
82-150, 82-151 State of Minnesota, by Washington  
Wildlife Preservation, Inc., *et al.*, Appellants  
(82-150), Respondents (82-151), v. State of  
Minnesota and its Department of Natural  
Resources, *et al.*, Respondents (82-150),  
Appellants (82-151). Washington County.....1093  
82-99 State of Minnesota v. Danny L. O'Dell,  
Appellant. Washington County .....1093  
81-1246 Elizabeth L. Bisher, Appellant, v.  
Homart Development Co., etc. Dakota County.....1093  
81-1340 State of Minnesota v. Michael Sirek,  
Appellant. Ramsey County.....1093  
82-459 Olga Duresky, *et al.*, Appellants, v.  
Mark Hanson. Ramsey County .....1093

## STATE CONTRACTS

### Minnesota State Arts Board

Notice of Request for Proposals for Program  
Evaluation Services .....1094

## OFFICIAL NOTICES

### Department of Administration

Notice of State Surplus Property Sale in  
St. Louis County .....1094  
Notice of State Surplus Property Sale in  
Aitkin County .....1095

### Metropolitan Council/

#### Metropolitan Health Planning Board

Notice of Preliminary Review Schedule—1983  
Annual Implementation Plan .....1096

## 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:

- Calendar of Public Hearings on Proposed Rules.
- Proposed new rules (including Notice of Hearing and/or Notice of Intent to Adopt Rules without A 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* and filed with the Secretary of State before September 15, 1982, are published in the *Minnesota Code of Agency Rules 1982 Reprint*. **ADOPTED RULES** and **ADOPTED AMENDMENTS TO EXISTING RULES** filed after September 15, 1982, will be included in a new publication, *Minnesota Rules*, scheduled for publication in late summer 1983. In the **MCAR AMENDMENT AND ADDITIONS** listing below, the rules published in the *MCAR 1982 Reprint* are identified with an asterisk. Proposed and adopted **TEMPORARY RULES** appear in the *State Register* but are not published in the *1982 Reprint* 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  
Issues 14-25, inclusive  
Issue 26, cumulative for 1-26  
Issue 27-38, inclusive

Issue 39, cumulative for 1-39  
Issues 40-51, inclusive  
Issue 52, cumulative for 1-52

The listings are arranged in the same order as the table of contents of the *MCAR 1982 Reprint*.

# MCAR AMENDMENTS AND ADDITIONS

## TITLE 2 ADMINISTRATION

### Part 1 Administration Department

2 MCAR §§ 1.8001-1.8023 (adopted)..... 1040

## TITLE 3 AGRICULTURE

### Part 1 Agriculture Department

3 MCAR §§ 1.0260-1.0264 (proposed)..... 1009

## TITLE 4 COMMERCE

### Part 2 Energy, Planning and Development Department (Economic Development)

4 MCAR §§ 2.501-2.508 (adopted)..... 1061

### Part 3 Public Service Department

PSC 240, 242 (proposed repeal)..... 1014

## TITLE 5 EDUCATION

### Part 5 Education Department

5 MCAR §§ 1.01031-1.01032 (adopted) .....1089

## TITLE 6 ENVIRONMENT

### Part 2 Energy, Planning and Development Department (Energy Agency)

6 MCAR §§ 2.3109, 2.3120 (proposed)..... 1085

## TITLE 7 HEALTH

### Part 1 Health Department

7 MCAR §§ 1.212, 1.216 (withdrawn)..... 1088

7 MCAR §§ 1.217 C.4., 1.218 D. (proposed repeal  
withdrawn).....1088

7 MCAR §§ 1.601-1.630 (adopted)..... 1044

7 MCAR §§ 1.541-1.543 (repealed) ..... 1044

## TITLE 8 LABOR

RS 1, RS 14-15, RS 18-19 (withdrawn)..... 1088

## TITLE 12 SOCIAL SERVICES

### Part 2 Public Welfare Department

12 MCAR § 2.010 (adopted) ..... 1047

12 MCAR §§ 2.120-2.129 (proposed)..... 1033

### Part 3 Housing Finance Agency

12 MCAR § 3.002 O. (adopted) ..... 1089

## TITLE 13 TAXATION

### Part 1 Revenue Department

13 MCAR § 1.2220 (proposed) ..... 1015

13 MCAR §§ Inh Tax 11-14, 19-30, 56-57, 63-79, 86-88,  
94-107, 111-116, 126-130, 136-137, 158-159, 174-181, 186-188,

219 (proposed repeal)..... 1015

# EXECUTIVE ORDERS

## Executive Order No. 83-1

### Providing for the Use of Gasohol in State Vehicles

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

WHEREAS, the farm economy in Minnesota suffers from a variety of current problems including low prices for cash grains produced in the state, and

WHEREAS, the technology exists for the cost-effective conversion of grain into ethanol, and

WHEREAS, there is a shortage of traditional fossil fuels in the state, and grain-derived ethanol when mixed with gasoline (and hereinafter called "gasohol") can help ease this shortage, and

WHEREAS, the use of gasohol in vehicles can help improve the efficiency of gasoline engines and at the same time reduce harmful emissions from those engines, and

WHEREAS, the increased use of gasohol will help to encourage the construction of grain conversion facilities in the state resulting in the creation of new jobs and increased economic activity.

NOW, THEREFORE, I order that:

1. All agencies and employees of the state are directed to use gasohol in gasoline-powered vehicles owned by the state to the extent practicable and to the extent that no substantial increase in price will occur.

2. The Commissioner of Administration shall develop guidelines, shall implement steps to put this order into effect as soon as possible, and shall seek out bulk purchase of grain-derived ethanol or gasohol produced, preferably, from Minnesota grain.

3. The Commissioner of Administration shall periodically report to me in respect to the following matters:

- a. the extent to which gasohol is used in state-owned gasoline-powered vehicles,
- b. the location of the manufacture of the ethanol used in the gasohol, and the approximate degree to which the ethanol is derived from Minnesota grain, and
- c. any purchase price differentials from the price of gasoline, any increased efficiencies derived from using gasohol and any estimated alterations in the amount and quality of emissions as a result of using gasohol.

4. The Commissioner of Administration, in association with other affected state agency heads, shall assess opportunities for using grain-derived ethanol for other purposes, such as being blended with diesel fuels.

5. All agencies of the state shall provide appropriate technical advice and other forms of assistance to local governments, businesses and others interested in converting to the use of gasohol.

IN TESTIMONY WHEREOF, I have hereunto set my hand this 5th day of January, 1983.



## EXECUTIVE ORDERS

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### Executive Order No. 83-2

#### Providing for the Establishment of the Governor's Minnesota Judicial Merit Advisory Commission

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

WHEREAS, it is desirable that the concept of merit selection of judges through the use of a judicial nominating commission be employed to assist the Governor in filling vacancies which occur in county, municipal and district courts; and

WHEREAS, it is necessary that all areas of the state and all segments of the population be represented both on the nominating panel and in the judiciary;

NOW, THEREFORE, I order:

#### I. Establishment of the Minnesota Judicial Merit Advisory Commission

There is hereby created a Governor's Minnesota Judicial Merit Advisory Commission to seek out, evaluate, and recommend to the Governor outstanding persons who are learned in the law to fill vacancies which may occur on the courts of Minnesota.

This Commission shall be composed of eleven members, including the following:

- a. One member appointed by the Governor from each of ten judicial districts.
- b. A chairman, appointed by the Governor

The chairman shall be responsible for calling such meetings of the commission as are necessary to carry out its functions.

#### II. Appointment of Additional Members

Whenever one or more vacancies occur in a judicial district, the membership of the commission shall be expanded by one member. The Governor shall appoint one member from each district having one or more vacancies. That member shall serve until nominees for that district's vacancy or vacancies are screened, recommended and appointed.

#### III. Duties

Members shall attend commission meetings and consider each candidate for a judicial vacancy in an impartial and objective manner. They shall actively seek out and encourage qualified individuals to apply for judicial office with particular emphasis on women and minorities who are under-represented in the judicial system. No expenses or per diem payments shall be allowed for commission members.

#### IV. Officers

The commission shall select from among its own members a secretary who shall prepare the minutes of all meetings of the commission, keep a record of its official actions and maintain a list of names considered for each vacancy.

The chairperson shall select from among the commission membership one or more candidate solicitors who shall be primarily responsible for actively seeking out candidates for vacancies as they occur.

#### V. Procedures When Vacancies Occur or Will Occur in the Future

Within ten days after a judicial vacancy occurs in a district, county or municipal court in

the judicial districts, the Governor shall notify the chairman of the Minnesota Judicial Merit Advisory Commission. The Governor shall advise the chairman of the name of the person appointed to serve as a special member of the commission for the purpose of considering candidates to fill that vacancy. The chairman shall notify the members of the commission that a vacancy has occurred and shall call a meeting of the commission to consider the candidates for the vacancy to be held not less than 15 days nor more than 25 days after notification of the vacancy by the Governor.

When it is known that a future vacancy will occur on a definite date, the Governor shall so notify the chairman. The Governor shall advise the chairman of the name of the person appointed to serve as a special member of the commission for the purpose of considering candidates to fill that vacancy. The chairman shall call a meeting of the commission to consider candidates for the vacancy to be held not more than 45 days before the vacancy is to occur nor less than 15 days after he takes the actions described in Section 'A' herein.

a. The chairman shall immediately issue a news release stating that a judicial vacancy has occurred or will occur; that applications from qualified persons are being accepted by the commission; and must be received three days before the first meeting of the commission call by the chairman to consider candidates for nomination; and that any names submitted will be kept in strict confidence by the commission until the names of the nominees are transmitted to the Governor.

b. The chairman shall immediately distribute the news release to all media serving the county or judicial district in which the vacancy has occurred or will occur and shall transmit copies of the news release to the presidents of the bar associations in the county or judicial district. The candidate solicitor shall encourage the local bar associations, where practical, to directly contact their members and advise them of the procedures to be followed if attorneys wish to apply for consideration by the commission.

#### VI. Procedures

The chairman shall convene and preside over all meetings of the commission. The chairman shall designate a member to preside if the chairman is absent.

A quorum for commission meetings shall be six members.

The commission shall recommend to the Governor no more than five nor fewer than three candidates for each vacancy, unless there are fewer than three candidates available, in which case the commission shall transmit those names to the Governor in the manner described in Article VIII herein. The commission shall not rank the candidates submitted to the Governor. The recommendations to the Governor shall be advisory.

#### VII. Standards for Evaluation of Candidates

In evaluating candidates, the commission shall give consideration to the following factors, as well as such other factors as the commission members deem important:

- a. Integrity and moral courage;
- b. Legal education and training;
- c. Legal and trial experience;
- d. Patience and courtesy;
- e. Common sense and sound, mature judgement;
- f. Ability to be objective and impartial;

## EXECUTIVE ORDERS

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- g. Capacity for work;
- h. Mental and physical health as they would affect the candidate's ability to perform judicial duties;
- i. Good personal habits compatible with judicial dignity and deportment;
- j. Knowledge and understanding of human nature, and
- k. Cooperativeness and ability to work with others.

### VIII. Transmittal of Nominees to Governor

Within 30 days after the Governor has notified the chairman that a vacancy has occurred or when the commission has completed its work before a future vacancy is to occur, the secretary shall transmit to the Governor the names of the commission's recommended nominees. The names of the nominees shall be listed in alphabetical order. The secretary shall transmit to the Governor all of the applications submitted to the commission.

No other information shall be transmitted to the Governor, except that the members of the commission may consult with the Governor at his request and may provide him with any other information gathered by the commission during its deliberations.

If a vacancy occurs in the office of judge in the same district for which the Governor filled a vacancy within the past six months, and if the commission provided recommendations to the Governor for that prior vacancy, then the Governor may elect to consider again the names submitted for the prior vacancy as if those names had been submitted for the pending vacancy. If the Governor so elects, he shall so inform the chairman as soon thereafter as possible.

Pursuant to Minnesota Statutes 1980, Section 4.035, this Order shall be effective 15 days after its publication in the *State Register* and filing with the Secretary of State and shall remain in effect until January 2, 1984 or rescinded by proper authority or it expires in accordance with Minnesota Statutes 1980, Section 4.035.

IN TESTIMONY WHEREOF, I hereunto set my hand this tenth day of January, 1983.





# PROPOSED RULES

Pursuant to Minn. Laws of 1980, § 15.0412, subd. 4h, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing, as long as the agency determines that the rules will be noncontroversial in nature. The agency must first publish a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register*. The notice must advise the public:

1. that they have 30 days in which to submit comment on the proposed rules;
  2. that no public hearing will be held unless seven or more persons make a written request for a hearing within the 30-day comment period;
  3. of the manner in which persons shall request a hearing on the proposed rules;
- and
4. that the rule may be modified if modifications are supported by the data and views submitted.

If, during the 30-day comment period, seven or more persons submit to the agency a written request for a hearing of the proposed rules, the agency must proceed under the provisions of § 15.0412, subds. 4 through 4g, which state that if an agency decides to hold a public hearing, it must publish in the *State Register* a notice of its intent to do so. This notice must appear at least 30 days prior to the date set for the hearing, along with the full text of the proposed rules. (If the agency has followed the provisions of subd. 4h and has already published the proposed rules, a citation to the prior publication may be substituted for republication.)

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

## Department of Energy, Planning and Development Energy Division

### Proposed Amendment of Rules Governing the Petroleum Supply Shortage Conservation and Allocation Plan

#### Notice of Intent to Amend Rules without a Public Hearing

Notice is hereby given that the Department of Energy, Planning and Development, hereinafter "department," intends to adopt the above-entitled amendment without a public hearing. The commissioner has determined that the amendment of the rules will not be controversial and has elected to follow the procedures set out in Minn. Stat. § 15.0412, subd. 4h.

Rules for the petroleum emergency plan program were adopted recently. Those rules were published in the *State Register* on May 24, 1982. The department is now proposing to amend those rules. The amendment would simply make the submission of emergency plans by school districts voluntary rather than mandatory. Copies of the amendment now proposed may be obtained by writing or calling Ms. Abigail McKenzie at the address or telephone number given below.

Please be advised that you have an opportunity for the 30-day period following publication of this notice and the proposed amendments to submit comments in writing on the proposed amendments and to object to the lack of public hearing on the proposed amendment. Your written comments or request for hearings should be submitted to the Department of Energy, Planning and Development, Energy Division, % Ms. Abigail McKenzie, 980 American Center Building, 150 East Kellogg Boulevard, Saint Paul, Minnesota 55101. Unless seven or more persons submit written requests for a public hearing on the proposed amendment within the 30-day comment period, no public hearing will be held. If seven or more persons request hearings on the proposed amendment, the Department will order public hearings in accordance with Minn. Stat. § 15.0412, subds. 4-4(f). The department may modify the proposed amendment if modification is supported by the data and views submitted in written comments and if no substantial change results from the modification.

If no hearing is required, and the department decides to adopt the amendment as proposed, or as modified if written comments justify modification, the department will submit to the Attorney General for review of form, legality and substantial change the following documents: this notice with the amendment as proposed, the amendment, any written comments received by the Department, the department's statement of need and reasonableness supporting adoption of the amendment, and any written comments received by the department in response to the earlier notices seeking outside opinions. Any person may request notification of the date the department makes the submission to the Attorney General. If you desire to be so notified, you must inform the department in writing during the 30-day comment period.

The department has prepared a statement of need and reasonableness in support of the proposed amendment which is also available from the department in writing to the address indicated above or calling (612) 296-8285.

**KEY: 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 SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## PROPOSED RULES

The department's authority to promulgate the proposed amendment can be found in Minn. Stat. § 116J.15.

Please be advised the Minnesota Statutes Chapter 10A requires each lobbyist to register with the Ethical Practices Board within five days after he/she becomes a lobbyist. Lobbying includes attempting to influence rulemaking by communicating or using 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 \$150 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, Saint Paul, Minnesota 55155, Telephone (612) 296-5615.

January 4, 1983

Michael J. Murphy  
Assistant Commissioner

### Rules as Proposed

#### 6 MCAR § 2.3109 Appeals.

A. An appeal shall be delivered by mail or in person to the following location:

1. An appeal of mandatory measures, except those described in 6 MCAR §§ 2.3114 C.2. and 3. and 2.3120 B. ~~and C.~~, shall be heard by the local energy conservation board and should be directed to the county courthouse, or the mayor's office, whichever is appropriate.

2. An appeal from a decision not to certify an employer ~~or school district~~ conservation plan and an appeal from an order to implement an employer ~~or school~~ plan shall be heard by a hearing examiner appointed by the chief hearing examiner and shall be directed to the Office of Administrative Hearings, Summit National Bank Building, 310 Fourth Avenue South, Minneapolis, Minnesota 55415.

3. [Unchanged.]

B. Content of appeal.

1. [Unchanged.]

2. The appeal of a decision not to certify an employer ~~or school district~~ conservation plan or of an order to implement all or any part of an approved conservation plan shall include a description of the existing or proposed conservation programs through which the employer ~~or school district~~ claims compliance with 6 MCAR § 2.3120 B. ~~or C.~~ In the case of an appeal from a decision not to approve 6 MCAR § 2.3120 B.9.a. employer plans (submitted after an energy supply emergency is declared), the appeal shall also contain documentation of the methodology on which the claim of motor fuel savings or program performance is based and a calculation of appellant's baseline consumption.

C.-E. [Unchanged.]

#### 6 MCAR § 2.3120 Motor fuel emergency measures.

Upon declaration of an energy supply emergency based upon a petroleum shortage, the Governor shall select from the following measures to reduce a motor fuel shortage.

A.-B. [Unchanged.]

C. School conservation measure.

1. The purpose of this measure is to conserve motor fuel by ~~requiring~~ requesting schools to adopt strategies to reduce student commuting and school-sponsored activities in an energy supply emergency.

2. Applicability.

~~a. All~~ Each school ~~districts~~ district, as defined by the education code, Minnesota Statutes, chapters 120 to 129, and nonpublic schools, as defined in Minnesota Statutes, section 123.932, subdivision 3, which have a combined student-staff population of 100 persons or more, ~~are required~~ is requested to comply with this measure.

~~b. The boards of all school districts, defined and empowered under the education code, Minnesota Statutes, chapters 120 to 129, and nonpublic school authorities, shall be responsible for submitting plans under this rule.~~

3. ~~The governor may not implement the school conservation measure before October 1, 1982. School boards shall~~ are requested to voluntarily submit to the department before April 1, 1984, or within 45 days after declaration of an energy supply emergency, whichever comes first, an emergency motor fuel conservation plan as defined in paragraphs 6. 4. or 7 5.

4. ~~Nonpublic schools may fulfill the requirements of this rule by submitting a plan to the department in one of the following forms:~~

- ~~a. A school specific plan, or~~
- ~~b. A school association plan that contains strategies adopted by member schools, or~~
- ~~c. A signed agreement with a school district which states the nonpublic school's strategies and the person or position responsible for implementation of strategies adopted by the private school.~~

~~5. School districts or nonpublic school associations shall submit either a self-styled conservation plan as provided in paragraph 6. of this rule or a plan structured from the strategies provided in paragraph 7.~~

~~6.~~ 4. School emergency conservation plan: Option A.

a. School districts may submit a self-styled conservation plan including any conservation strategies that taken together would ~~reduce~~ have an objective of reducing baseline consumption by ~~at least~~ approximately 15 percent during an energy supply emergency.

b. Self-styled conservation plans ~~shall~~ are requested to include:

- (1) a calculation of the baseline consumption, defined in 6 MCAR § 2.3104 C.,
- (2) the expected motor fuel savings attributed to each selected strategy, and
- (3) the plan elements described in C.8.

c. School districts will be credited for travel reduction actions taken prior to submission of their plans that yield ongoing motor fuel savings.

~~d. The assistant commissioner may decline to certify a school district or association plan submitted under this rule which fails to empirically support the savings attributable to each of the proposed actions. Self-styled school plans may include any of the strategies provided in 7.~~

~~7.~~ 5. School emergency conservation plan: Option B reduction strategies.

a. School districts ~~shall~~ are requested to select at least three strategies from the following categories, provided that with at least one strategy is being from Category I.

b. Category I strategies- ~~School districts shall implement Category I strategies upon the selection of this measure by the Governor in an energy supply emergency.~~ consist of:

(1) ~~Prohibit~~ Prohibiting student parking on school grounds and ~~request~~ requesting local authorities to pass or enforce parking restrictions in areas adjacent to a school for the duration of the emergency. Exemptions from the parking prohibition may be granted to students who:

- (a) have no alternative transportation to school; or
- (b) have special medical needs that prevent use of alternative methods of traveling to school; or
- (c) have job requirements that demand access to automobile transportation; or
- (d) are members of a carpool registered with the school rideshare coordinator.

(2) ~~Postpone~~ Postponement or ~~cancel~~ cancellation of extracurricular activities ~~(, including athletic events),~~ until the termination of an energy supply emergency for motor fuel.

(3) ~~Cancel~~ Cancellation of two school days for each 30-day declared energy emergency period.

c. Category II strategies- ~~School districts choosing Category II strategies (1), (2), (3), and (6) shall implement these strategies prior to or within 3 months after submitting their conservation plans to the department.~~ consist of:

(1) ~~Establish~~ Establishment or ~~sponsor~~ sponsorship of a student/staff rideshare program. A student/staff rideshare program may be organized independently or in conjunction with a local or community rideshare program. It is recommended that a rideshare program ~~must~~ provide for: promotion of ridesharing through school policies and newspapers or other publications, the capability to match students or staff carpools through rideboards, manual or computer listings, or other methods which provide information necessary to match rideshare applicants, and a school rideshare coordinator who will be responsible for the school ridesharing program.

**KEY: 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 SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

## PROPOSED RULES

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(2) ~~Adopt~~ Adoption and ~~enforce~~ enforcement of a parking management strategy which gives preferential parking to high occupancy vehicles in student parking lots or requires fees for parking on school grounds.

(3) ~~Provide~~ Provision of indoor or sheltered bicycle parking with a capacity for at least five percent of the student body.

(4) ~~Eliminate~~ Elimination of on-the-road driver education for the period of the emergency.

(5) ~~Cancel~~ Cancellation or ~~reschedule~~ rescheduling of some extracurricular activities. Selection of this strategy is not ~~permitted~~ encouraged if Category I—strategy (2) has been chosen and applies when the Governor orders the school conservation measure.

(6) ~~Participate~~ Participation in an independently-sponsored school bus fuel economy program.

~~8-~~ 6. Emergency motor fuel conservation plans submitted by school districts ~~shall~~ are requested to include:

a. the title of the person or position responsible for implementing the plan during an energy supply emergency for motor fuel;

b. the internal media to be used to inform school staff and students of a school district program measure; and

c. the implementation schedule for category II strategies (1), (2), (3) and (6).

~~9-~~ School districts ~~shall implement all or part of their plans as specified by the division director upon order of the Governor.~~

D.-H. [Unchanged.]

## Department of Health Environmental Health Division

### Withdrawal of Proposed Rules Governing Registration of Engineers and Construction of Monitoring Wells

Notice is hereby given that the rules published at *State Register*, Volume 7, Number 20, November 15, 1982, pp. 746-749 (7 S.R. 746), which were being proposed for adoption without hearing, have been withdrawn.

Republication of rules relating to this subject matter will be made at a later date.

## Department of Labor and Industry Workers' Compensation Rehabilitation Services

### Proposed Rules Governing Qualified Rehabilitation Consultants and Rehabilitation Vendors

#### Notice of Withdrawal of Rules

The rules proposed and published at *State Register*, Volume 7, Number 21, pp. 782-790, November 22, 1982 (S.R. 782) are hereby withdrawn.

Notice is hereby given that the public hearing regarding these rules scheduled for 9:00 a.m. December 28, 1982 in Room 83, State Office Building, State Capitol Complex, 435 Park Street, St. Paul, Minnesota did not take place because of adverse weather conditions. The hearing was postponed until the next day at the same location as above commencing at 9:00 a.m. December 29, 1982 at which time the agency withdrew these rules until a later date as will be published in the *State Register*.

All interested or affected persons who wish more information concerning the withdrawal of these rules may contact:

Gladys Westberg, Director  
Rehabilitation Services  
Workers' Compensation Division  
Department of Labor and Industry  
444 Lafayette Road  
St. Paul, Minnesota 55101  
Telephone: (612) 297-2684

Steve Keefe  
Commissioner of Labor and Industry

# ADOPTED RULES

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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.

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## **State Board of Education (State Board for Vocational Education) Department of Education Vocational-Technical Division**

### **Adopted Rules Governing the Accreditation of Vocational-Technical Institutes and Complaint Procedures (5 MCAR §§ 1.01031-1.01032)**

The rules proposed and published at *State Register*, Volume 7, Number 16, pages 605-606, October 18, 1982 (7 S.R. 605) are adopted as proposed.

## **Minnesota Housing Finance Agency**

### **Adopted Rules Relating to the Income Limits for the Home Improvement Loan Program**

The rule proposed and published at *State Register*, Volume 7, Number 6, pages 165-166, August 9, 1982 (7 S.R. 165) and Volume 7, Number 9, pages 246-247, August 30, 1982 (7 S.R. 246) is adopted as proposed.

# TAX COURT

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Pursuant to Minn. Stat. § 271.06, subd. 1, an appeal to the tax court may be taken from any official order of the Commissioner of Revenue regarding any tax, fee or assessment, or any matter concerning the tax laws listed in § 271.01, subd. 5, by an interested or affected person, by any political subdivision of the state, by the Attorney General in behalf of the state, or by any resident taxpayer of the state in behalf of the state in case the Attorney General, upon request, shall refuse to appeal. Decisions of the tax court are printed in the *State Register*, except in the case of appeals dealing with property valuation, assessment, or taxation for property tax purposes.

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**State of Minnesota  
County of Sherburne**

Dale and Rhonda Korkowski,

Appellants,

v.

The Commissioner of Revenue,

Appellee.

Docket Nos. 3372 and 3587

**Tax Court  
Regular Division**

In the Matter of the appeal  
from the Commissioner's  
Orders dated May 22, 1981,  
Relating to Income Tax  
Liability of the Appellants  
for the Taxable Years 1979  
and 1980.

Order dated January 10, 1983.

The above entitled matter was heard by the Minnesota Tax Court on September 29, 1982, Judge Carl A. Jensen presiding.

Dale Korkowski, one of the Appellants, appeared on behalf of the Appellants. (Dale Korkowski is hereafter referred to as Korkowski.)

## TAX COURT

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Paul R. Kempainen, Special Assistant Attorney General, appeared on behalf of the Appellee.

Briefs were subsequently filed by both parties.

### Syllabus

1. A so-called lifetime sale of "personal services property" between Dale Korkowski, the Appellant herein and P. & T.S., which was stated to be a trust of some kind does not affect the taxability of income that Korkowski received from his employer. The employer is required to withhold income taxes, pay social security taxes, carry workers compensation, and do any other things required of any other employer.

2. An attempt to avoid withholding taxes by an employee by claiming more exemptions or deductions than are allowable and making said claims on his tax return is tantamount to fraud and willful evasion of taxes under Minnesota Statutes § 290.53.

### Findings of Fact

1. The Appellants herein, Dale and Rhonda Korkowski, are cash basis calendar year taxpayers and residents of the State of Minnesota. The taxable years at issue herein are 1979 and 1980.

2. During the years at issue Korkowski was employed as a machinist by various employers. He was subject to all the controls and supervision of his employers and was also entitled to all employee benefits such as vacations, social security benefits, health plans, etc.

3. In filing Income Tax Returns for the years in question Appellants claimed certain deductions based on a contract entered into between Appellants and an organization referred to as P. & T.S. Appellants stated that Dale Korkowski had sold his lifetime services to P. & T. S. and that P. & T. S. was entitled to all of Korkowski's earnings.

4. There was no evidence that any of Korkowski's employers considered Korkowski differently than any other employee. Payments for services were made directly to Korkowski as an employee by his employers.

5. It appeared that Korkowski turned over his paychecks to P. & T. S. Such transfer does not affect or change the character of the employment relationships between Korkowski and his employers. There is no need for this Court to consider the effect of the contract between Korkowski and P. & T. S. since Korkowski was simply an employee of his employers and was paid for his services in the same way that all other employees were paid. Such payments for services are taxable as earnings without regard to what the appellant might do with such earnings subsequent to their receipt by appellant.

6. Korkowski claimed a miscellaneous deduction for what he called adviser's fees. There was no showing that Korkowski received any advice that resulted in income to Appellants.

7. By a letter dated August 12, 1982 to this Court Korkowski stated that the facts of his case were identical to those of the case of Gerald and Betty Landsberger v. Commissioner of Revenue, Docket No. 3354 which was decided by this Court June 11, 1982 and which was confirmed by Order of the Supreme Court dated November 10, 1982. A copy of said letter is attached hereto.

8. It appeared that Korkowski attempted to avoid withholding taxes by claiming more exemptions or deductions than are allowable and such claims are tantamount to fraud and willful evasion of taxes under Minnesota Statutes § 290.53.

### Conclusion of Law

1. The Commissioner's Orders of assessments for additional taxes for the years 1979 and 1980 are hereby affirmed.

LET JUDGMENT BE ENTERED ACCORDINGLY. A STAY OF 15 DAYS IS HEREBY ORDERED.

BY THE COURT

Carl A. Jensen, Judge

### Memorandum

Korkowski wrote a letter to this Court dated August 12, 1982 in which he stated that the facts in his case were identical to those in the case of Gerald and Betty Landsberger v. Commissioner of Revenue, Minnesota Tax Court, Docket No. 3354, Order dated June 11, 1982 which was affirmed by Order of the Minnesota Supreme Court dated November 10, 1982. The Landsberger case held that the contract between Landsberger and P. & T. S. had no effect on the taxability of the income received by Landsberger from his employer. The only difference between the Landsberger case and the instant case is that Landsberger was a more active participant in the transactions with P. & T. S. In fact it appeared that Landsberger was acting to some extent as an agent of P. & T. S.

In view of the fact that Appellants state that the facts are identical to the Landsberger case and that case has been upheld by the Minnesota Supreme Court, there is no need to comment at length in this decision.

We would note, however, again, that Korkowski attempted to avoid withholding taxes by claiming more exemptions or

deductions than are allowable. This would appear to be tantamount to fraud unless there is some satisfactory explanation. However, it is not necessary to make a determination of that for the decision in this case.

We should point out that this is not at all similar to the situation where one party hires workers and that party contracts with another party to have his employees to do work for the second party. In such a situation the first party is the employer and the worker is his employee. In such a situation the second party pays the first party and the first party pays the employee and the first party makes the necessary deductions for withholding and other similar items such as social security.

In the instant case Korkowski would apparently have us believe that he is neither self-employed nor an employee. It almost seems axiomatic that when you do work for someone else you are either self-employed or an employee. In either event, whatever you receive is subject to income tax.

The United States Supreme Court in *Lucas vs. Earl*, 281 U.S. 111, 50 S. Ct. 241, 74 L. Ed. 731 (1930) clearly stated the law as follows:

"This case is not to be decided by attenuated subtleties. It turns on the import and reasonable construction of the taxing act. There is no doubt that the statute could tax salaries to those who earned them and provide that the tax could not be escaped by anticipatory arrangements and contracts however skillfully devised to prevent the salary when paid from vesting even for a second in the man who earned it. That seems to us the import of the statute before us and we think that no distinction can be taken according to the motives leading to the arrangement by which the fruits are attributed to a different tree from that on which they grew."

This holding in *Lucas vs. Earl*, *Supra* has been consistently upheld and reaffirmed.

In *United States v. Bayse*, 410 U.S. 441, 450, 93 S. Ct. 1980, 1086, 35 L. Ed. 2d 412 (1973), the Court said that:

"The principle of *Lucas v. Earl*, that he who earns income may not avoid taxation through anticipatory arrangements no matter how clever or subtle, has been repeatedly invoked by this Court and stands today as a cornerstone of our graduated income tax system."

The holding in these cases has been consistently adopted and applied to the Income Tax Laws of Minnesota. *Drew v. Commissioner of Taxation*, 222 Minn. 186, 23 N.W. 2d 565 (1946); *Fury v. Commissioner*, Dkt. No. 2626 (Aug. 24, 1978), affirmed by order of the Minnesota Supreme Court dated June 11, 1959; *Baldwin V. Commissioner of Revenue*, 309 N.W. 2d 750 (Minn., 1981); and *Landsberger v. Commissioner of Revenue*, Tax Court Dkt. No. 3354 (June 11, 1982), affirmed by the Minnesota Supreme Court dated November 10, 1982.

C.A.J.

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## SUPREME COURT

### Decisions Filed Friday, January 14, 1983

#### Compiled by John McCarthy, Clerk

82-189 David Dean Mogren, petitioner, Appellant, v. State of Minnesota. Blue Earth County.

Postconviction court properly denied petition seeking resentencing according to the Minnesota Sentencing Guidelines. Affirmed. Amdahl, C. J.

82-778 William Thomason, Appellant, v. State of Minnesota. St. Louis County.

Postconviction court properly denied petition seeking resentencing according to the Minnesota Sentencing Guidelines. Affirmed. Amdahl, C. J.

82-797 Robert Carl Piring, Jr., petitioner, Appellant, v. State of Minnesota. Washington County.

Postconviction court properly denied petition seeking resentencing according to the Minnesota Sentencing Guidelines. Affirmed. Amdahl, C. J.

82-126 State of Minnesota v. David Allen Clemens, petitioner, Appellant. Roseau County.

Postconviction court properly denied petition seeking resentencing according to the Minnesota Sentencing Guidelines. Affirmed. Amdahl, C. J.

## SUPREME COURT

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**82-412 Thomas Standslast, petitioner, Appellant, v. State of Minnesota. Cass County.**

Postconviction court properly denied petition seeking resentencing according to the Minnesota Sentencing Guidelines.

Affirmed. Amdahl, C. J.

**82-473 State of Minnesota v. Dean Allen Bentley, Appellant. Clay County.**

Sentencing court did not err in refusing defense request to depart from presumptive sentence established by Sentencing Guidelines.

Defendant is entitled to credit for time spent in jail in Minnesota awaiting trial after his release on parole by North Dakota authorities.

Affirmed. Amdahl, C. J.

**82-508 David Lewis Hoskins, petitioner, Appellant, v. State of Minnesota. Ramsey County.**

Postconviction court properly denied petition seeking resentencing to a lesser term according to the Minnesota Sentencing Guidelines.

Affirmed. Amdahl, C. J.

**82-779 State of Minnesota, Appellant, v. Brian John Hennessy. Olmsted County.**

District court was justified in staying imposition of sentence of criminal defendant.

Affirmed. Amdahl, C. J. Took no part, Kelley, J.

**81-1047 Jack Lesmeister v. Bob Dilly, Jr., et al., Bob Dilly, Jr., and Monarch Industries, Inc., defendant and third party plaintiff, Appellant, v. Atlantic Building Systems, Inc., third party defendant. Traverse County.**

In the unique circumstances of this case, and without precedential significance, a new trial is not ordered, but damages are reallocated among the parties, and materialman's lien and attorney fees incidental thereto are disallowed for failure of proof. The opinion in *Northern Petrochem Co. v. Thorsen & Thorshov, Inc.*, 297 Minn. 118, 211 N.W.2d 159 (1973), is clarified.

Reversed in part; affirmed in part; and remanded. Peterson, J.

**82-29 State of Minnesota v. Tommy W. Abeyta, Appellant. Kandiyohi County.**

Evidence was sufficient to convict defendant of assault with a dangerous weapon, and defendant is not entitled to vacation, pursuant to Minn. Stat. § 609.04 (1980), of his conviction of reckless discharge of a firearm; however, case is remanded for resentencing in light of *State v. Olson*, 325 N.W.2d 13 (Minn. 1982).

Remanded for resentencing. Peterson, J.

**82-589 Glenda Marie Hemmesch, widow of Robert E. Hemmesch, deceased, et al., Relators, v. Roger Molitor, d.b.a. Roger's Drywall and Continental Western Insurance Company. Workers' Compensation Court of Appeals.**

The district court has exclusive jurisdiction under Minn. Stat. § 573.02 (1980) to order distribution of a third-party settlement for an employee's wrongful death. Consequently, since the orders providing for such distribution to the employee's widow and children did not also provide that the employer-insurer could apply to the Workers' Compensation Division pursuant to Minn. Stat. § 176.061 (1980) for the computation and award of a credit for future compensation liability against the amount distributed, the Workers' Compensation Division did not have subject matter jurisdiction over the employer-insurer's petition for such credit.

Writ discharged. Peterson, J. Took no part, Coyne, J.

**82-502 Rolland O. Erickson, (deceased) by Shirley J. Erickson, Relator, v. Gopher Masonry, Inc., et al. Workers' Compensation Court of Appeals.**

A relator's claim for permanent partial disability benefits pursuant to Minn. Stat. § 176.021, subd. 3 (1980) is not affected by the death of the injured employee from causes unrelated to the workplace injury prior to disability determination if the degree of disability can be ascertained after the death.

Lower court's determination that relator failed to establish the degree of permanent partial disability suffered by the injured employee is remanded to allow the lower court to make a determination without regard to the possibility of major surgery and in light of the likelihood of some degree of permanent disability.

Remanded for further hearings consistent with this opinion. Yetka, J.



**82-593 State of Minnesota v. David Scott Hunner, Appellant. Swift County.**

Trial court did not prejudicially err in denying defendant's motion to suppress evidence on Fourth, Fifth, and Sixth Amendment grounds.

Affirmed. Yetka, J.

**82-150, 82-151 State of Minnesota, by Washington Wildlife Preservation, Inc., et al., Appellants (82-150), Respondents (82-151), v. State of Minnesota and its Department of Natural Resources, et al., Respondents (82-150), Appellants (82-151). Washington County.**

The change in use of a right-of-way from a railroad bed to a public recreational trail does not constitute an abandonment of that right-of-way for public travel.

Reversed in part and remanded. Scott, J.

**82-99 State of Minnesota v. Danny L. O'Dell, Appellant. Washington County.**

Evidence was sufficient to support first-degree manslaughter conviction, and record supports post-conviction court's refusal to grant petitioner a new trial.

Affirmed. Wahl, J.

**81-1246 Elizabeth L. Bisher, Appellant, v. Homart Development Co., etc. Dakota County.**

There being no credible evidence reasonably tending to sustain the verdict, in this case where plaintiff walked into the brick border of a clearly visible planter area in a shopping center, the trial court correctly granted defendant's motion for judgment notwithstanding a verdict in favor of plaintiff.

Affirmed. Simonett, J. Dissenting, Yetka, Scott, and Wahl, JJ.

**81-1340 State of Minnesota v. Michael Sirek, Appellant. Ramsey County.**

Trial court did not err in admitting eyewitness identification testimony challenged on due process grounds, and evidence identifying defendant as one of the robbers was sufficient.

Affirmed. Kelley, J.

**82-459 Olga Duresky, et al., Appellants, v. Mark Hanson. Ramsey County.**

A defendant who has changed his domicile from Minnesota after an automobile accident in Minnesota is "subject to process" under the laws of this state by application of Minn. Stat. § 543.19 (1980).

The statute of limitations will not be tolled during any period of time after a defendant has changed residence and before substituted service is available under Minn. Stat. § 170.55 (1980) solely on the basis of his absence from the state since he is "subject to process" under section 543.19.

The statute of limitations should be tolled for any period of time that a defendant is absent from the state until plaintiff discovers the location of the defendant or knowledge of facts establishing the availability of substituted service under section 170.55, whichever occurs first, unless the plaintiff has made no attempt to make a "diligent search" before the general statute of limitations would have expired without tolling. Whether a diligent search has been made is a question of fact.

Reversed and remanded for further proceedings. Kelley, J.

# STATE CONTRACTS

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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.

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## Minnesota State Arts Board

### Notice of Request for Proposals for Program Evaluation Services

The Minnesota State Arts Board is seeking proposals on a contract for the evaluation of its cooperative regranting program with The McKnight Foundation. The agency or individual(s) awarded the contract will conduct an evaluation of the impact of The McKnight Foundation Awards on individual arts organizations and the effect of the cooperative regranting program with the State Arts Board as an experiment.

Projected dates for the contract will extend from April 1, 1983 through August 1, 1983. The estimated amount of the contract will not exceed \$15,000.

The guidelines to be used in preparation of a proposal are available from the Minnesota State Arts Board office. Deadline for receipt of proposals in the office is 4:30 p.m., Monday, February 28, 1983. To obtain a copy of the guidelines, write or call:

John Firman, Director of Programming  
Minnesota State Arts Board  
432 Summit Avenue  
St. Paul, MN 55102  
(612) 297-2603 or  
(800) 652-9747 (toll free—Minnesota only)

# OFFICIAL NOTICES

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

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

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## Department of Administration

### Notice of State Surplus Property Sale

In compliance with Minnesota Statutes § 94.09, et seq, the Commissioner of Administration offers for sale by sealed bid two parcels totaling about 36 acres. Formerly used as a forestry station by the DNR, the parcels are located about a mile east of Alborn and 25 miles northwest of Duluth on St. Louis County Road No. 47.

For purposes of disposition, the property has been divided into two tracts. The legal descriptions and brief physical descriptions of the two parcels are as follows:

TRACT A—In St. Louis County, Minnesota, that part of the Northeast Quarter of the Northwest Quarter (NE¼NW¼) of Section 30, Township 52 North, Range 17 West, lying north of St. Louis County Road No. 47, comprising 13.95 acres, more or less, subject to a lease for roadway purposes, which lease expires on October 31, 1983. Tract A is improved with a 1066± sq. ft. one-story, frame residence, a 4-stall frame garage, and a 20 × 60 storage shed. Appraised value and minimum acceptable bid is \$29,200. Bids in a lesser amount will not be accepted.

TRACT B—In St. Louis County, Minnesota, that part of the Northeast Quarter of the Northwest Quarter (NE¼NW¼) of Section 30, Township 52 North, Range 17 West, lying south of St. Louis County Road No. 47, comprising 22.35 acres, more or

less. The land is wooded and unimproved. Appraised value and minimum acceptable bid is \$6000. Bids in a lesser amount will not be accepted.

The property will be made available for inspection by appointment only. Arrangements for showing may be made by contacting:

John Dowd, District Forester  
Cott, Minnesota, telephone (218) 482-3219, or  
Pete Hengel  
Regional Field Services Supervisor  
Grand Rapids, Minnesota, telephone (218) 327-1706

The bids will be opened and read aloud publicly at Room G-22 Administration Building, 50 Sherburne Avenue, St. Paul, Minnesota 55155 on February 9, 1983, at 2:30 p.m.

Bidders shall be required to submit a cashier's check with their bids in an amount not less than 10% of the bid. The checks of unsuccessful bidders will be returned.

The successful bidder will have the choice of making payment of the balance remaining after the down payment by one of the following two methods:

1. Payment in full of the balance no later than June 1, 1983; or
2. Payment of the remaining balance in not less than equal annual installments for not to exceed 5 years, with principal and interest payable annually in advance at the rate of 8% per annum on the unpaid balance, by certified check or cashier's check payable to the State Treasurer on or before June 1 of each year.

For details and bid forms contact:

Real Estate Management Division  
Department of Administration  
Room G-22  
50 Sherburne Avenue  
St. Paul, Minnesota 55155  
Telephone: (612) 296-6674

## **Department of Administration**

### **Notice of State Surplus Property Sale**

In compliance with Minnesota Statutes § 94.09, *et seq*, the Commissioner of Administration offers for sale by sealed bid an unimproved one acre parcel of wooded land in Nordland Township of Aitkin County. The parcel was originally purchased as a site for a forestry tower, but the tower was never built. The parcel is landlocked, that is, it cannot be reached from a public road without crossing lands owned by others. Nearest public road is  $\frac{1}{4}$  mile.

The parcel is described legally as follows:

Beginning at the Quarter Corner between Section Thirty (30) and Nineteen (19), Township Forty-six (46), Range Twenty-six (26), thence West Two Hundred and Nine (209) feet, thence South Two Hundred and Nine (209) feet, thence East Two Hundred and Nine (209) feet, thence North Two Hundred and Nine (209) feet to the point of beginning, said tract to contain one acre more or less.

Arrangements for viewing the parcel may be made by contacting:

Les Blakesley, District Forester  
318 First Street N.W.  
Aitkin, Minnesota  
Telephone (218) 927-2414

The bids will be opened and read aloud publicly at Room G-22 Administration Building, 50 Sherburne Avenue, St. Paul, Minnesota 55155 at 2:30 p.m. on February 10, 1983.

Bidders shall be required to submit a Cashier's Check, or a Money Order with their bids in an amount not less than 10% of the bid. The remittance of unsuccessful bidders will be returned. The remittance by the successful bidder will be used by the state as a down payment. The balance remaining after the down payment shall be due on or before May 12, 1983. The State of Minnesota shall pay all taxes and assessments due and payable in 1982 and all prior years.

## OFFICIAL NOTICES

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For details and bid forms contact:

Real Estate Management  
50 Sherburne Avenue  
St. Paul, Minnesota 55155  
Telephone (612) 296-6674

### **Metropolitan Council/Metropolitan Health Planning Board**

#### **Notice of Preliminary Review Schedule**

##### **1983 Annual Implementation Plan**

The Metropolitan Council/Metropolitan Health Planning Board, as the federally-designated Health Systems Agency for the Seven-County Metropolitan Area, will begin its review of the 1983 Annual Implementation Plan. This yearly revision of the Annual Implementation Plan partially fulfills the requirements of the National Health Planning and Resources Development Act of 1974 (P.L. 93-641) as amended in 1979 (P.L. 96-79) for continued funding as the designated Health Systems Agency for Minnesota Region V, for which the Metropolitan Council intends to apply by April 2, 1983.

The 1983 Annual Implementation Plan has been developed from specific action recommendations in the current Health Systems Plan. It serves as the work program for the community during 1983 to attain the long-range goals in the systems plan. The 1983 Annual Implementation Plan proposes three objectives for the year. They are:

- Collect and analyze price, cost, access and other indicators from Metropolitan Area hospitals necessary for establishing a more competitive health care system. This objective is to be carried out by the actions of the Council of Community Hospitals, Minnesota Blue Cross/Blue Shield, Area hospitals and the Health Planning Board.
- Develop a series of demonstration projects resulting in community and system changes necessary for a more affordable regional health care system. This objective is to be carried out by the Minnesota Coalition on Health Care Costs and the governing body of the Twin City Community Program for Affordable Health Care.
- Train approximately 8,300 persons aged 25 to 64 who live in areas targeted for coronary heart disease prevention programs. This objective is to be accomplished by the Minneapolis, St. Paul and Hennepin County Community Health Department.

Jan. 12, 1983	Planning Committee of the Metropolitan Health Planning Board—review the proposed plan.
Jan. 24, 1983	Human Resources Committee of the Metropolitan Council—review and recommend acceptance of the proposed plan for public hearing.
Jan. 26, 1983	Planning Committee of the Metropolitan Health Planning Board—review and recommend acceptance of the proposed plan for public hearing.
Jan. 26, 1983	Metropolitan Health Planning Board—review and accept the proposed plan for public hearing.
Jan. 27, 1983	Metropolitan Council—review and accept the proposed plan for public hearing.
March 2, 1983	Public hearing.
March 9, 1983	Planning Committee of the Metropolitan Health Planning Board—review and recommend adoption of the final plan.
March 14, 1983	Human Resources Committee of the Metropolitan Council—review and recommend adoption of the final plan.
March 16, 1983	Hearing record closes.
March 23, 1983	Metropolitan Health Planning Board—review and adopt final plan.
March 24, 1983	Metropolitan Council—review and adopt final plan.

STATE OF MINNESOTA  
State Register and Public Documents Division  
117 University Avenue  
St. Paul, Minnesota 55155

## ORDER FORM

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**Briefly/Preview**—Senate news and committee calendar; published weekly during legislative sessions. Contact Senate Public Information Office, Room B29 State Capitol, St. Paul MN 55155, (612) 296-0504.

**Perspectives**—Publication about the Senate. Contact Senate Information Office.

**Weekly Wrap-Up**—House committees, committee assignments of individual representatives, news on committee meetings and action, House action and bill introductions. Contact House Information Office, Room 8 State Capitol, St. Paul, MN, (612) 296-2146.

**This Week**—weekly interim bulletin of the House. Contact House Information Office.

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