

83 March 21

# STATE REGISTER

STATE OF MINNESOTA

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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>			
39	Monday Mar 14	Monday Mar 21	Monday Mar 28
40	Monday Mar 21	Monday Mar 28	Monday Apr 4
41	Monday Mar 28	Monday Apr 4	Monday Apr 11
42	Monday Apr 4	Monday Apr 11	Monday Apr 18

\*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.

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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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### 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.
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**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:

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Issues 14-25, inclusive	Issues 40-51, inclusive
Issue 26, cumulative for 1-26	Issue 52, cumulative for 1-52
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# EXECUTIVE ORDERS

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## Executive Order No. 83-6

### Providing for Public Approval Requirement of Internal Revenue Code for the Port Authority, City of Winona

WHEREAS, Section 103(k) of the Internal Revenue Code of 1954, as amended (the "Code"), requires that all industrial development revenue bonds issued after December 31, 1982 satisfy certain public approval requirements prior to their issuance; and

WHEREAS, the Port Authority of Winona (the "Port Authority") has heretofore created the Riverbend Industrial Development District (the "District") within the City of Winona and in connection therewith has adopted a Tax Increment Financing Plan (the "Plan"); and

WHEREAS, pursuant to the Minnesota Tax Increment Financing Act, Minnesota Statutes, Sections 273.71 to 273.78 (the "Act"), the City of Winona upon notice duly published conducted a public hearing on the Plan after which the Plan was approved pursuant to the Act; and

WHEREAS, pursuant to the Plan the Port Authority proposes to issue its \$1,050,000 Tax Increment Revenue Bonds, Series 1983-A (the "Bonds") the proceeds of which will be used to finance certain costs of redevelopment and related costs in connection with the District for the purpose of promoting industrial and economic development within the City of Winona; and

WHEREAS, the Port Authority has been advised by its legal counsel that the proposed Bonds qualify as industrial development revenue bonds for the purposes of the Code and that regulations being considered by the Internal Revenue Service, when issued, may impair the tax exempt status of the Bonds unless the State of Minnesota takes action to provide additional public approval under the provisions of Section 103(k) of the Code; and

WHEREAS, the action taken by the State of Minnesota pursuant to this ORDER is consistent with the laws of the State of Minnesota and within the authority vested in the Governor of the State of Minnesota, and best serves the interest of the State of Minnesota and the City of Winona.

NOW, THEREFORE, BE IT ORDERED by the Governor of the State of Minnesota as follows:

1. The public hearing heretofore conducted by the City of Winona pursuant to the Act with respect to the Plan for the Riverbend Industrial Development District of the Port Authority shall be deemed to have been taken for the State of Minnesota for the purposes of conducting the public hearing required under Section 103(k) of the Code.

2. Issuance of the Bonds by the Port Authority is hereby approved by the State of Minnesota for the purpose only of satisfying the public approval requirements of Section 103(k) of the Code and for no other purpose.

3. This ORDER and the approval herein granted shall not be construed as imposing any liability upon the Governor or the State of Minnesota, whether or not this ORDER satisfied the public approval requirements of Section 103(k) of the Code.

4. Neither this ORDER nor any agreement executed for the purposes of implementing the same shall impose any obligation on the Governor or his designee to approve any bond issue forwarded to him for approval as provided herein.

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 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 fourth day of March, 1983.



## **Executive Order No. 83-7**

### **Providing for the Establishment of the Governor's Council on Rural Development**

#### **Amending Executive Order No. 83-5**

I, RUDY PERPICH, Governor of the State of Minnesota by virtue of the authority vested in me by the Constitution and applicable statutes, hereby issue this Executive Order;

WHEREAS, Executive Order No. 83-5 was issued on February 14, 1983, providing for the establishment of the Governor's Council on Rural Development; and

WHEREAS, it is necessary to amend and clarify Executive Order No. 83-5;

NOW, THEREFORE, I order:

Section 2.1 amended as follows and the addition of Section 4 and 5:

2.1 The following individuals shall each designate a representative to advise the Council: The Commissioner of Commerce; the Assistant Commissioner of Energy; the Assistant Commissioner of Planning; the Director of the Housing Finance Agency; the Commissioner of Agriculture; the Director of the Pollution Control Agency; the Commissioner of Economic Security; the Commissioner of Health; the Commissioner of Transportation; the Commissioner of Public Welfare; the Commissioner of Corrections; the Commissioner of the Department of Natural Resources; and the Commissioner of Education.

The University of Minnesota; the Minnesota State University System; the Private College Council; the U.S. Department of Agriculture, State Rural Development Committee; the U.S. Department of Housing and Urban Development; the Minnesota Soil and Water Conservation Board; and the Council on the Economic Status of Women shall each be asked to appoint a technical representative to the Council.

4. The Commissioner of the Department of Commerce, with the approval of the Council Chairperson, shall hire an Executive Director who will be in the unclassified state service.

5. The terms of the Council members and representatives to the Council shall begin with the effective date of this Order and shall expire March 31, 1987. This Order repeals Executive Order No. 80-9.

Pursuant to Minnesota Statutes 1978, Section 4.035, this Order shall be effective fifteen (15) days after its publication in the *State Register* and filing with the Secretary of State and shall

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remain in effect until it is rescinded by proper authority or it expires in accordance with Section 4.035, Subdivision 3.

IN TESTIMONY WHEREOF, I have hereunto set my hand on this Fourth day of March, 1983.



### Executive Order No. 83-8

#### Providing for the Establishment of the Governor's Advisory Commission on Appointments; Repealing Executive Order No. 80-10

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, qualified persons should be encouraged to serve on boards and committees of state agencies; and

WHEREAS, opportunities for such service should be increased for citizens of Minnesota; and

WHEREAS, women, youth, minorities, elderly, handicapped, and others who traditionally may not have served on such boards and committees should be encouraged to serve; and

NOW, THEREFORE, I order:

1. That there be established a Governor's Appointments Advisory Commission to State Multi-Member Agencies (boards, commissions, councils, committees, authorities, and task forces) and that the Commission consist of eleven members; one member from each congressional district, two members at large, and the Lieutenant Governor designated as Chair.

2. That the Commission shall assist the Governor in considering applicants for appointments to multi-member agencies as provided in Minnesota Statutes, Section 15.0597, and that it may consider applicants for other advisory committees and task forces.

3. That the Commission recommend to the Governor the names of three to five applicants for each vacancy it deems most qualified and best able to serve the interests of the people of Minnesota.

4. That the Commission members may be reimbursed for expenses as provided in Minnesota Statutes 1978, Section 15.0593.

5. That the members be appointed by and serve at the pleasure of the Governor for terms as designated by the appointing authority.

6. That the Commission shall establish its own rules of procedure.

7. That Executive Order No. 80-10 be repealed.

Pursuant to Minnesota Statutes 1982, Section 4.035, this Order shall be effective 15 days after publication in the *State Register* and filing with the Secretary of State and shall remain in

effect until it is rescinded by proper authority or it expires in accordance with Section 4.035, Subdivision 3.

IN TESTIMONY WHEREOF, I hereunto set my hand this 15th day of March, 1983.



### **Executive Order No. 83-9**

#### **Providing for the Establishment of the Governor's Council on Fire Prevention and Control; Repealing Executive Order No. 79-6**

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, it is vital for state government to encourage the development of the best possible fire protection for the people of the State of Minnesota; and

WHEREAS, to achieve this goal requires a concerted effort to improve existing delivery systems at state, federal, and local levels and to provide new services and directions; and

WHEREAS, there presently exists a complex array of agencies and organizations involved in the delivery of fire prevention and control services in Minnesota; and

WHEREAS, no single state agency coordinates the delivery of these services; and

WHEREAS, Minnesota can improve the coordination, quantity, and quality of the delivery of these services by creating a liaison body to the United States Fire Administration.

NOW, THEREFORE, I order:

1. That there be established the Governor's Council on Fire Prevention and Control, consisting of fifteen members to be appointed by the Governor. Members shall be representatives of persons employed in the fire prevention and control occupations, persons engaged in teaching fire prevention and control, representatives of state and municipal government units, and other special interest groups involved in fire prevention and control on a permanent basis. The following individuals or their designees shall serve in an ex-officio, non-voting capacity: The Director of the Division of Vocational Technical Education in the Department of Education, the Director of the Division of Forestry in the Department of Natural Resources, the Director of the State Building Code Division in the Department of Administration, the Director of the Division of Emergency Services in the Department of Public Safety, the State Fire Marshal, and the Director of the University of Minnesota Fire Center.

2. That membership terms, removal of members, compensation of members, and filling of vacancies be in accordance with Minnesota Statutes 1978, Section 15.0593.

3. That the Council advise the Governor, the Commissioner of Public Safety, and other state agencies and political subdivisions of the development, administration, and scope of fire protection research and fire prevention and control; the needs of Minnesota's fire suppression

## EXECUTIVE ORDERS

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and control services; the development and provision of coordinated programs of education and training for such fire suppression and control services and for the general public.

4. That the Council, in performing its duties, shall receive assistance from the Minnesota State Fire Marshal, the Minnesota Department of Education, and other state agencies where appropriate.

5. That the Council shall serve as Minnesota's principal contact with the United States Fire Administration for purposes of the application and receipt of federal funds issued by the United States Fire Administration and shall facilitate direct and accurate communication with the United States Fire Administration. The Council shall disburse such funds to carry out the purposes for which the funds are received in accordance with all laws of the state except where federal laws, rules, or regulations differ.

6. That this Order does not preclude other state agencies from applying for, receiving, accepting, and expending funds available through the above-named federal agency where said agencies are authorized under law and independently of this Order to accept such funds.

This Order repeals Executive Order No. 79-6.

Pursuant to Minnesota Statutes 1982, Section 4.035, this Order shall be effective 15 days after publication in the *State Register* and filing with the Secretary of State and shall remain in effect until it is rescinded by proper authority or it expires in accordance with Section 4.035, Subdivision 3.

IN TESTIMONY WHEREOF, I hereunto set my hand this 15th day of March, 1983.



## Executive Order No. 83-10

### **Providing for the Administration of Certain State and Federally Funded Programs by the Department of Economic Security; Repealing Executive Order No. 79-11**

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 United States of America, pursuant to the Job Training Partnership Act, has made available to the State of Minnesota funds to provide a system of state and local programs that provide job training, employment opportunities, education and other services for economically disadvantaged, unemployed and underemployed persons; and,

WHEREAS, the United States of America pursuant to the Omnibus Budget Reconciliation Act, 1981, has made available to the State of Minnesota Community Services Block Grant funds for the purpose of providing for state level and statewide advocacy, policy development, coordination, and implementation of state and federally funded anti-poverty programs, and funds for the Low Income Home Energy Assistance Program, and funds for Low Income Residential Weatherization Programs under Title IV of the Energy Conservation and

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Production Act, Section 231 of the National Energy Conservation Policy Act, and Title III of the Windfall Profits Tax Act; and,

WHEREAS, the United States of America, pursuant to Title V Older Americans Act, as amended, has made available funds to the State of Minnesota for the purpose of promoting useful part-time opportunities in community service activities for unemployed persons over 55 years of age; and,

WHEREAS, the Department of Economic Security, as established by Minnesota Statutes, Section 268.011, has been charged with broad responsibility for income and employment policies for the State of Minnesota.

NOW, THEREFORE, I order:

1. The Department of Economic Security shall be the state agency to act for the Governor in applying for, receiving and accepting funds granted to the State of Minnesota for the operation of the programs under the federal Job Training Partnership Act, the Federal Omnibus Budget Reconciliation Act—Community Services Block Grant Funds, and Low Income Home Energy Assistance Funds, the Federal Older Americans Act, and the Low Income Residential Weatherization funds under Title IV of the Energy Conservation and Production Act, the National Energy Conservation Policy Act, and Title III of the Windfall Profits Tax Act; and to be the sole state agency for the purposes of administering all programs formerly administered by the former Governor's Manpower Office under Federal and State law, and to disperse such funds to carry out the purposes for which the funds are received.

2. The Department of Economic Security shall provide staff support to the Governor's Job Training Council.

Pursuant to Minnesota Statutes 1982, Section 4.035, this Order shall be effective 15 days after publication in the *State Register* and filing with the Secretary of State and shall remain in effect until it is rescinded by proper authority or it expires in accordance with Section 4.035, Subdivision 3.

IN TESTIMONY WHEREOF, I hereunto set my hand this 15th day of March, 1983.



### Executive Order No. 83-11

#### Providing for the Assignment of Duties to State Agencies under the Land and Water Conservation Fund Act of 1965 (P.L. 94-422); Repealing Executive Order No. 79-14

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 proper administration of the federal Land and Water Conservation Fund Act of 1965 (P.L. 88-578) required the assignment of specific duties to various state agencies.

NOW, THEREFORE, I order:

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1. The Department of Natural Resources be designated to be the state agency to act for me, in applying for, receiving and accepting federal funds granted to the State of Minnesota from the federal "Land and Water Conservation Fund Act of 1965", Public Law 94-422, and to disburse such funds to carry out the purposes for which the funds are received in accordance with Minnesota Statutes 1978, Section 86.71, with the exception of the authority and responsibility for the administration of the portion of the monies made available to be distributed to local units of government as stated in Section 86.71, Subdivision 4.

2. The powers in Minnesota Statutes 1978, Section 86.71, Subd. 4, for the administration of the portion of the monies made available to be distributed to local units of government are hereby designated to the Department of Energy, Planning, and Development in accordance with Laws 1969, Chapter 1139, Section 48, Subd. 7, g, and include the following responsibilities:

a. The signing of all project proposals, project agreements, billings, final progress reports and correspondence pertinent to local units of government provided the Department of Natural Resources is furnished a copy of all approved project agreements and amendments.

b. The maintenance of project records including fiscal records for local units of government projects.

c. The responsibility of performing final and compliance inspections and auditing local units of government records on all projects.

d. The establishment of rules, regulations and procedures pertinent to administering the Fund to local units of government subject to the approval of the State Liaison Officer.

3. Notwithstanding the powers granted to the Department of Energy, Planning and Development in paragraph 2, the Assistant Commissioner for Planning of Natural Resources shall be a State Liaison Officer for all Federal LAWCON Funds received and shall have the following authority:

a. Responsibility for the overall fund and assign the local unit of government portion to the Department of Energy, Planning and Development.

b. Assignment to the Department of Energy, Planning and Development of blocks of project numbers to utilize on their projects.

c. Total responsibility for the state's comprehensive outdoor recreation plan. Establishment of guidelines outlining the general policy and priorities on which the fund will operate and review assignment of project priorities for compliance.

d. Responsibility for all requests for federal contingency funds.

This Order repeals Executive Order No. 79-14.

Pursuant to Minnesota Statutes 1982, Section 4.035, this Order shall be effective 15 days after publication in the *State Register* and filing with the Secretary of State and shall remain in effect until it is rescinded by proper authority or it expires in accordance with Section 4.035, Subdivision 3.

IN TESTIMONY WHEREOF, I hereunto set my hand this 15th day of March, 1983.





**Executive Order No. 83-12****Providing for the Establishment of the Governor's Job Training Coordinating Council**

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 Job Training Partnership Act, Public Law 97-300, herein after referred to as JTPA, established programs to prepare youth and unskilled adults for entry into the labor force and to afford job training to those economically disadvantaged individuals and other individuals facing serious barriers to employment, who are in special need of such training to obtain productive employment; and,

WHEREAS, it is vital that state and local units of government closely coordinate their efforts to develop plans which meet the locally determined needs, recommend meaningful programs to alleviate employment problems, reduce duplication and gaps in employment and training services, and effectively and economically utilize state and federal employment and training funds; and,

WHEREAS, employment and training programs need to be integrated with all human services to assist the economically disadvantaged, unemployed, and underemployed; and,

WHEREAS, it is required by JTPA to establish a State Job Training Coordinating Council made up of representatives of business and industry, the State Legislature, state agencies and organizations, units of local government, organized labor, community-based organizations, clients and the general public to plan, coordinate and monitor the provision of employment and training services.

NOW, THEREFORE, I order:

1. The formation of the Governor's Job Training Coordinating Council.

a. This Council, in accordance with the provisions of JTPA, shall be composed of representatives of business and industry, the State Legislature, state agencies, local units of government, labor, agriculture, community-based organizations, the client community, related boards and councils and the general public.

b. The Council shall be appointed by the Governor, who shall designate one nongovernmental member thereof to be Chairperson. In making appointments to the Council, the Governor shall ensure that the membership of the Council reasonably represents the population of the state.

c. The Council shall not operate programs or provide services directly, but shall exist solely to plan, coordinate, and monitor the provision of such programs and services.

d. The Council shall recommend a Governor's coordination and special services plan; recommend substate service delivery areas to the Governor; plan certain resource allocations; provide management guidance and review for all programs in the state; develop linkages with other programs; coordinate activities with private industry councils, and develop the Governor's Coordination and Special Service Plan and recommend variations in performance standards; advise the Governor and local entities on job training plans and certify the consistency of such plans; review the operation of programs conducted in each service delivery area and make recommendations with respect to ways to improve the effectiveness of such programs; review and comment on the state plan developed for the state employment service agency; make an annual report to the Governor and issue other reports as it deems advisable;

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identify the employment and training and vocational educational needs through the state; review plans of all state agencies providing employment and training, and related services and provide comments and recommendations on the effectiveness and relevancy of employment and training and related service delivery systems in the state; and perform all other functions required of it under JTPA.

e. The Council shall meet at least five times annually and shall be authorized to determine its operating procedures in accordance with state and federal statutes and regulations.

2. All state departments and agencies shall cooperate with the Council established in this Executive Order.

Pursuant to Minnesota Statutes 1982, Section 4.035, this Order shall be effective 15 days after publication in the *State Register* and filing with the Secretary of State and shall remain in effect until it is rescinded by proper authority or it expires in accordance with Section 4.035, Subdivision 3.

IN TESTIMONY WHEREOF, I hereunto set my hand this 15th day of March, 1983.



### **Executive Order No. 83-13**

#### **Providing for the Establishment of an Employee Assistance Program for State Employees, Creating a "Governor's Committee on State Employee Assistance"; Repealing Executive Order No. 79-18**

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 state recognizes that chemical dependency and other problems not directly associated with one's job function can have an effect on an employee's job performance, and

WHEREAS, the state believes it is in the interest of the employee, the employee's family, and the State of Minnesota to provide an employee service which deals with such problems.

NOW, THEREFORE, I order:

1. An Employee Assistance Program be established which shall serve state employees and their spouses, particularly if they are chemically dependent, by:

a. training and retraining supervisors and union officials to identify job performance problems of employees and refer those employees to diagnostic and referral counselors; and

b. designating diagnostic and referral services to accept supervisors' and union officials' referrals, and self-referrals made by employees and their families, make initial diagnosis, and refer employees and spouses to the appropriate modicum of care.

2. The Department of Administration shall serve as coordinator and be responsible for the overall design and implementation of the Employee Assistance Program.

3. An advisory committee to be known as the "Governor's Committee on State Employee Assistance" shall be appointed and convened by the Governor and will formulate recommendations concerning the operational policies of the Employee Assistance Program, with special emphasis on chemical dependency. This committee of no more than fifteen members shall include representatives of the executive and legislative branches, and of the labor unions which represent the employees of the State of Minnesota. Permissible expenses for the members shall be paid from the funds appropriated for this program.

This Order repeals Executive Order No. 79-18.

Pursuant to Minnesota Statutes 1982, Section 4.035, this Order shall be effective 15 days after publication in the *State Register* and filing with the Secretary of State and shall remain in effect until it is rescinded by proper authority or it expires in accordance with Section 4.035, Subdivision 3.

IN TESTIMONY WHEREOF, I hereunto set my hand this 15th day of March, 1983.



## **Executive Order No. 83-14**

### **Providing for the Delegation of Health Planning and Development Authority to the Minnesota Department of Energy, Planning and Development and for the Creation of a Statewide Health Coordinating Council; Repealing Executive Order No. 79-26**

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, health planning and development is of concern and importance to the state; and

WHEREAS, federal law directs state participation in health planning and development activities and in the allocation of health resources; and

WHEREAS, Minnesota Statutes, Section 4.07, permits the Governor, or any agency designated by him, to comply with any and all requirements to enable the application for, the receipt of, and the acceptance of such federal funds.

NOW, THEREFORE, I order:

1. That pursuant to P.L. 96-79, as amended, the National Health Planning and Development Act, Section 1524, there be established a Statewide Health Coordinating Council whose members are appointed by the Governor and whose responsibility it will be to perform those functions provided for in Section 1524.

2. That pursuant to P.L. 96-79, as amended, the Department of Energy, Planning and Development be designated as the State Health Planning and Development Agency and be assigned the authority and responsibility to execute the provisions of Sections 1521, 1522, and 1523 of that Act, and to coordinate and supervise the administration of any of those functions which may be assigned to another state agency as required for the implementation of the Act

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and to coordinate the network of the health systems agencies in the state referenced in Minnesota Statutes, Section 145.74, as the State Health Planning and Development Agency.

3. That further, pursuant to 42 U.S.C. Section 1320a-1, as amended, the Agency be designated as the state agency whose responsibility and authority will be to prepare and submit to the Secretary of Health and Human Services, findings and recommendations on capital expenditures for health care facilities in the state.

4. That further, pursuant to P.L. 94-484, the Health Professions Educational Assistance Act of 1976, the Agency be responsible for performing the Governor's review of health manpower shortage area designations.

This Order repeals Executive Order No. 79-26.

Pursuant to Minnesota Statutes 1982, Section 4.035, this Order shall be effective 15 days after publication in the *State Register* and filing with the Secretary of State and shall remain in effect until it is rescinded by proper authority or it expires in accordance with Section 4.035, Subdivision 3.

IN TESTIMONY WHEREOF, I hereunto set my hand this 15th day of March, 1983.



### Executive Order No. 83-15

#### Providing for the Delineation of Development Region Boundaries; Repealing Executive Order No. 79-29

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, intergovernmental cooperation on a regional basis is an effective and necessary means of uniting local governments in common problem solving, thereby better serving all citizens of the state; and

WHEREAS, the delineation of development regions is assigned, by statute, to the Governor; and

WHEREAS, development regions have been delineated by Executive Orders in accordance with the law; and

WHEREAS, it is desirable to restate the delineation of development regions so that interested and concerned parties who, because of statutory and other references, need a single, convenient, and authoritative resource document identifying the counties within each development region;

NOW, THEREFORE, I order:

1. That Region 1 consist of the counties of Kittson, Roseau, Marshall, Pennington, Red Lake, Polk, and Norman.

2. That Region 2 consist of the counties of Lake of the Woods, Beltrami, Hubbard, Clearwater, and Mahnommen.

3. That Region 3 consist of the counties of Koochiching, Itasca, St. Louis, Lake, Cook, Carlton, and Aitkin.
4. That Region 4 consist of the counties of Clay, Becker, Ottertail, Wilkin, Grant, Douglas, Stevens, Pope, and Traverse.
5. That Region 5 consist of the counties of Cass, Wadena, Crow Wing, Morrison, and Todd.
6. That Region 6E consist of the counties of Kandiyohi, Meeker, Renville, and McLeod.
7. That Region 6W consist of the counties of Big Stone, Swift, Chippewa, Lac qui Parle, and Yellow Medicine.
8. That Region 7E consist of the counties of Mille Lacs, Kanabec, Pine, Isanti, and Chisago.
9. That Region 7W consist of the counties of Stearns, Benton, Sherburne, and Wright.
10. That Region 8 consist of the counties of Lincoln, Lyon, Redwood, Pipestone, Murray, Cottonwood, Rock, Nobles, and Jackson.
11. That Region 9 consist of the counties of Sibley, Nicollet, Le Sueur, Brown, Watonwan, Blue Earth, Waseca, Martin, and Faribault.
12. That Region 10 consist of the counties of Rice, Goodhue, Wabasha, Steele, Dodge, Olmsted, Winona, Freeborn, Mower, Fillmore, and Houston.
13. That Region 11 consist of the counties of Anoka, Ramsey, Washington, Hennepin, Carver, Scott, and Dakota.

This Order repeals Executive Order No. 79-29.

I further order that nothing in this Order shall modify or eliminate those exceptions duly made by and through appropriate authority.

Pursuant to Minnesota Statutes 1982, Section 4.035, this Order shall be effective 15 days after publication in the *State Register* and filing with the Secretary of State and shall remain in effect until it is rescinded by proper authority or it expires in accordance with Section 4.035, Subdivision 3.

IN TESTIMONY WHEREOF, I hereunto set my hand this 15th day of March, 1983.



## **Executive Order No. 83-16**

**Providing for a Governor's Planning Council on Developmental Disabilities and Assigning Responsibilities to the Department of Energy, Planning, and Development; Repealing Executive Order No. 79-32**

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:

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WHEREAS, provision of services to persons with developmental disabilities is of concern and importance to the state; and

WHEREAS, Public Law 91-517, as amended (P.L. 94-103, P.L. 95-602, P.L. 97-35), directs state participation in assisting developmentally disabled people, provides funds for such assistance, and requires the establishment of a planning council and the preparation of a state plan; and

WHEREAS, no state agency has been designated by law to apply for, to receive, to accept, and to expend federal funds for such purposes.

NOW, THEREFORE, I order:

1. That, in accordance with Public Law 91-517, as amended, there be established the Governor's Planning Council on Developmental Disabilities, whose responsibility it shall be to supervise the development of an annual state plan describing the quality, extent, and scope of needed services being provided or to be provided, to persons with developmental disabilities; to monitor and evaluate the implementation of the state plan, and to review state service plans for the developmentally disabled; and

2. That, pursuant to Minnesota Statutes, Section 4.07, the Department of Energy, Planning, and Development be designated the state agency to act for the Governor in applying for, receiving, accepting, and expending federal funds granted to the State of Minnesota by Public Law 91-517, as amended; and

3. That the Department of Energy, Planning, and Development be designated as the responsible agency to provide staff and other administrative assistance to the Governor's Planning Council on Developmental Disabilities, and to carry out all other responsibilities relating to the developmental disabilities program as required under state and federal law.

This Order repeals Executive Order No. 79-32.

Pursuant to Minnesota Statutes 1982, Section 4.035, this Order shall be effective 15 days after publication in the *State Register* and filing with the Secretary of State and shall remain in effect until it is rescinded by proper authority or it expires in accordance with Section 4.035, Subdivision 3.

IN TESTIMONY WHEREOF, I hereunto set my hand this 15th day of March, 1983.



### **Executive Order No. 83-17**

#### **Assigning Emergency Responsibilities To State Agencies; Repealing Executive Order No. 81-3**

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, Natural Disasters and Industrial Accidents may occur in any part of the State; and,

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WHEREAS, potential enemies of the United States have the capability to attack this State and the United States;

NOW, THEREFORE, I order:

1. Each department, independent division, bureau, board, commission, and independent institution of the State government, hereinafter referred to as agencies, shall prepare and disseminate to all employees appropriate plans and instructions for:

- a. The protection of personnel, equipment, supplies, and public records in a disaster.
- b. The carrying on of such of its normal services as may be needed in a disaster.
- c. Carrying out the emergency assignments made by this Order.

2. The responsibility for emergency planning shall rest with the head of each agency. Draft copies of completed plans shall be submitted to the Director, Division of Emergency Services, Department of Public Safety, for review and coordination.

3. Each agency assigned specific disaster responsibilities shall assign competent personnel of the agency to develop necessary emergency plans and to staff the State and Regional Emergency Operating Centers and Assistance Centers. These personnel shall be available for planning, training, and operations, and are authorized time off or compensation for services outside regular working hours as the head of the agency may direct.

4. The assignments of agencies for other than war-caused emergencies are made in Appendix 1 of this Order. These assignments anticipate the need to provide assistance to specific areas of the State affected by disaster. The assignments for a war-caused emergency are made in Appendix 2 of this Order. These assignments are based on the need for complete mobilization of all of the State's resources in such a disaster.

This Order repeals Executive Order No. 81-3.

Pursuant to Minnesota Statutes 1978, 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 it is rescinded by proper authority or it expires in accordance with Section 4.035.

IN TESTIMONY WHEREOF, I hereunto set my hand on this 15th day of March, 1983.



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## EXECUTIVE ORDER NO. 83-17

### APPENDIX 1—NATURAL DISASTER ASSIGNMENTS

#### PART I—DEPARTMENT OF PUBLIC SAFETY DIVISION OF EMERGENCY SERVICES

- Section 1-101 The Director of Emergency Services shall serve as the State Coordinating Officer, and the Assistant Directors shall serve as the Deputy State Coordinating Officers, for all Presidential Declared Emergency and/or Major Disasters.
- Section 1-102 The Director of Emergency Services shall serve as the State Hazardous Mitigation Coordinator, coordinating all hazardous mitigation action requirements from the Federal Emergency Management Agency, through responsible State agencies, with local government.
- Section 1-103 The Division of Emergency Services shall monitor operations of the State portion of the National Warning System and coordinate any actions determined to be necessary to maintain service or extend coverage within the State.
- Section 1-104 Either directly or through its Regional Coordinators, the Division of Emergency Services shall assist local communities that desire to construct flood protection works in completing all prerequisite actions and obtain concurrence of the Department of Natural Resources, Department of Transportation, and Pollution Control Agency in any project before requesting construction assistance from the U.S. Army Corps of Engineers.
- Section 1-105 Comprehensive emergency management training and education needs and requirements shall be coordinated by the Division of Emergency Services. These needs and requirements shall be reflected in the guidance provided by the Division concerning the courses desired and their content.
- Section 1-106 The Division of Emergency Services shall establish an emergency procedure for receiving notification of any type of disaster within the State and alerting State agencies to respond to these disasters.
- Section 1-107 When a major natural disaster threatens or has occurred, the Division of Emergency Services shall activate the State Emergency Operating Center. Regional Coordinators shall establish an Emergency Operating Center in or adjacent to the disaster area, as required, to coordinate field operations. The Division shall notify State Agencies with responsibilities in emergency operations when the State and/or Regional Emergency Operating Centers are or will be activated in order that they may provide staff.
- Section 1-108 The Division of Emergency Services shall coordinate Damage Assessment requests for Federal Disaster Assistance on behalf of political subdivisions and State agencies.
- Section 1-109 Once a determination has been made after a Presidential Declaration of a Major Disaster to establish Disaster Assistance Centers, the Division of Emergency Services in conjunction with the State Coordinating Officer, shall assist in notifying the State agencies that will provide representatives to the Center to deal directly with the needs of individual victims and in coordinating their activities thereafter.
- Section 1-110 The Division of Emergency Services, in conjunction with the State Coordinating Officer, shall assist political



subdivisions in preparing and processing project applications for Federal assistance in repairing and restoring essential public facilities.

- Section 1-111 The Division of Emergency Services shall notify the Governor and Executive Council when staff of other State agencies are involved in disaster operations.
- Section 1-112 The Division of Emergency Services shall administer the Individual and Family Grant Program as provided under Public Law 93-288.
- Section 1-113 The Division of Emergency Services and/or the State Coordinating Officer shall be responsible for the review and coordination of the emergency operating plans of the agencies given assignments by this order. A current copy of these plans in the form of Standard Operating Procedures will be filed at the State Emergency Operating Center.
- Section 1-114 The Division of Emergency Services will coordinate the charitable agencies' activities as they pertain to the Foreign Disaster Relief Program.
- Section 1-115 The Division of Emergency Services will implement procedures for petroleum shortages, petroleum allocation, and insure compliance and enforcement, if necessary, of existing regulations to be enacted pertaining to petroleum shortages and petroleum allocation.
- Section 1-116 The Division of Emergency Services will prepare procedures for the development of requests to the State Executive Council for financial assistance under provisions of Minnesota State Statute 9.061, the "Calamity Act."

#### DIVISION OF CRIMINAL APPREHENSION

- Section 1-121 The Division of Criminal Apprehension shall be responsible for the dissemination of warning of Natural Disasters and Industrial Accidents over the Minnesota Law Enforcement Teletype Network.
- Section 1-122 The Division of Criminal Apprehension will provide support to the State Patrol in assisting local government in law enforcement in a disaster in accordance with the State emergency plan.

#### DIVISION OF FIRE MARSHAL

- Section 1-131 The Division of Fire Marshal will assist local government in planning for emergency rescue operations and fire protection and obtaining fire fighting and rescue assistance in an emergency in accordance with the State emergency plan.
- Section 1-132 The Division of Fire Marshal will coordinate with the Department of Education, Vocational Training/Field Services Division and the Department of Natural Resources for training to local government in emergency fire and rescue operations.

#### DIVISION OF STATE PATROL

- Section 1-141 The State Patrol Division is responsible for Law Enforcement and Traffic Control on all Interstate and State Trunk Highways in an emergency.
- Section 1-142 The State Patrol Division shall assist local police agencies with available resources in Law Enforcement and Traffic Control when requested by proper local authority to do so.
- Section 1-143 The State Patrol Division shall act as Net Control for the National Warning System (NAWAS) within the State for the dissemination of a major emergency or natural disaster warning.
- Section 1-144 The State Patrol Division shall be responsible for protection of the personnel in the Capitol Complex during an emergency, and shall prepare plans and procedures to accomplish this protection.
- Section 1-145 The Division of State Patrol will assist in Hazard Mitigation efforts as deemed necessary to reduce the perils of potential hazards that endanger the citizens of the State of Minnesota.

#### CAPITOL SECURITY DIVISION

- Section 1-151 The Capitol Security Division of the State Emergency Law Enforcement Services shall be responsible for providing protection to property, and equipment in the Capitol Complex during an emergency and shall prepare plans and procedures to accomplish this.
- Section 1-152 The Capitol Security Division will provide twenty-four hour security for the State Emergency Operating Center during an emergency.
- Section 1-153 The Capitol Security Division will provide Duty Officer response for all hours other than the normal scheduled hours of the Division of Emergency Services.

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## PART II—DEPARTMENT OF ADMINISTRATION

- Section 1-201 The Department of Administration, Telecommunications Division, shall serve as the Emergency Telecommunications Service and shall coordinate planning of Statewide telecommunications systems and services for emergency operations, as necessary, during a declared emergency.
- Section 1-202 The Department of Administration shall provide architects and engineers to prepare damage assessment and damage survey reports of public buildings damaged by disaster in accordance with the State emergency plan.
- Section 1-203 The Department of Administration shall administer the State self insurance program as it relates to Federal Disaster Assistance, as set forth under P/L 93-288.

## PART III—DEPARTMENT OF TRANSPORTATION DIVISION OF AERONAUTICS

- Section 1-301 The Division of Aeronautics will establish restricted flights over disaster areas when requested by the State Division of Emergency Services or other appropriate authority.
- Section 1-302 The Division of Aeronautics will coordinate flights with the Civil Air Patrol in Search and Rescue Missions.
- Section 1-303 The Division of Aeronautics will coordinate civilian air transportation and military air transportation in an emergency disaster situation.
- Section 1-304 The Division of Aeronautics will provide personnel to prepare damage survey reports for airports and airport facilities damaged in any type of major disaster.
- Section 1-305 The Division of Aeronautics will provide air transportation and/or reconnaissance as required by the Division of Emergency Services in a buildup of Declared Disaster Situation.

## OPERATIONS DIVISION

- Section 1-311 The agency shall be responsible for the plans, supervision, direction, and control of emergency engineer services in disaster operations.
- Section 1-312 Under certain emergency conditions, the Operations Division shall make available the Maintenance Construction Communication System for use as the Division of Emergency Services Command Net.
- Section 1-313 The Operations Division is responsible for debris and wreckage removal from all Interstate and State Trunk Highways and for other assistance to political subdivisions on other roadways as may be required.
- Section 1-314 The Operations Division shall provide any highway clearances and waivers required to expedite the transportation of temporary housing or other high priority materials.
- Section 1-315 When an emergency diking project is proposed in the State, the Operations Division shall determine the impact of the planned construction on the Interstate and State Trunk Highway systems, and recommend approval or disapproval of the project before work begins.
- Section 1-316 The Operations Division shall provide engineers to prepare damage assessment and damage survey reports of damage to roads, streets, and highway facilities caused by a disaster.
- Section 1-317 The Operations Division, working with the State Health Department, shall provide protective action and shall monitor radioactive incidents on the roadways of the State, whether created by a nuclear power plant or transportation accident.
- Section 1-318 The Operations Division will assist in Hazard Mitigation efforts as deemed necessary to reduce the perils of potential hazards that endanger the citizens of the State of Minnesota.

## DIVISION OF PUBLIC TRANSPORTATION

- Section 1-321 The Division of Public Transportation shall prepare plans for receiving and disseminating to appropriate agencies information concerning the shipment of chemical, radiological, and other materials that are potentially hazardous.
- Section 1-322 The Division of Public Transportation will be responsible for the coordinating of all rail, bus, and truck transportation in the State during an emergency, including emergency transportation in the disaster area.

## DIVISION OF OFFICE OF PLANNING

- Section 1-331 The Division of Office of Planning will coordinate with the Public Services Commission for emergency operations of ports and pipelines in a major emergency or natural disaster.

PART IV—DEPARTMENT OF AGRICULTURE

- Section 1-401 The Department of Agriculture shall provide guidance for the use of agricultural land and crops affected by natural disaster or peacetime accidents or incidents.
- Section 1-402 The Department of Agriculture, with the assistance of the Board of Animal Health, shall provide guidance for the use of farm animals affected by natural disaster or peacetime accidents or incidents involving hazardous chemicals.
- Section 1-403 The Department of Agriculture will gather and assemble damage estimates for the Division of Emergency Services on agriculture for Disaster Declarations.

PART V—DEPARTMENT OF COMMERCE

- Section 1-501 The Insurance Division of the Department of Commerce shall develop a plan to provide for representation at such assistance centers as deemed necessary by the State Division of Emergency Services' Director to furnish information relative to insurance claim procedures to persons affected by the disaster.
- Section 1-502 The Consumer Services Section of the Department of Commerce shall provide for representation at such assistance centers as deemed necessary by the State Division of Emergency Services' Director to provide consumer information to disaster victims.

PART VI—DEPARTMENT OF EDUCATION

- Section 1-601 The Department of Education shall encourage local school districts to cooperate with local government authorities to insure the preparation of plans for the protection of school children in an emergency. These plans shall include shelter facilities for students in schools, or evacuating them to their homes.
- Section 1-602 When public elementary or secondary school facilities have been damaged or destroyed by a major disaster, the Department of Education shall assist local education districts in preparing and submitting a request for a financial assistance grant from the Federal government as appropriate.
- Section 1-603 The Department of Education, Child Nutrition Section, shall have the legal responsibility for Federal government food commodities. The Department of Public Welfare shall be responsible for coordinating these provisions to victims in the disaster area.
- Section 1-604 The Department of Education will assist local government in training for emergency fire and rescue operations in coordination with the State Fire Marshal, and the Department of Natural Resources.

PART VII—DEPARTMENT OF HEALTH

- Section 1-701 The Department of Health shall establish standards, guidelines, and plans for the establishment of State, Regional, and local systems of emergency care, including training programs for emergency care physicians, nurses, ambulance, police, fire, and rescue personnel.
- Section 1-702 The Department of Health, in cooperation with the office of Electronic Communications of the Operations Division of the Department of Transportation, shall develop a statewide emergency medical services radio communications system.
- Section 1-703 The Department of Health, through its district representatives, shall assist in the marshaling of emergency medical resources, including hospitals, blood banks, ambulance services, and packaged disaster hospitals to respond to disasters.
- Section 1-704 The Department of Health shall provide assistance to the local health officer to insure the safety of food and water for human consumption during and immediately after a disaster.
- Section 1-705 The Department of Health shall contact and secure services of appropriate technical personnel including engineers and Environmental Health Specialists, health physicists and chemists in the field to meet the health needs of the disaster area. Such staff will be responsible for determination of safety of water supplies, the overall determination of the safety of condition prior to reoccupancy.
- Section 1-706 The Department of Health shall provide engineers and Environmental Health Specialists to prepare damage survey reports of health and public water facilities damaged by disaster. The engineers will assist communities in determining the cost estimates to repair or replace damaged health facilities and public water distribution systems so Federal financial assistance can be requested under Public Law 93-288.
- Section 1-707 The Department of Health shall be responsible for providing guidance on protective action levels and medical assistance to local health authorities in areas affected by accidents or incidents involving explosions, radioactive materials, nuclear power plants, or hazardous chemicals.

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Section 1-708 The Department of Health shall coordinate food service activities with Federal and State agencies having responsibilities for food resources in an emergency, specifically food inspection, coordinating with hotel and restaurant inspection in mass feed facilities.

Section 1-709 The Department of Health will assist in Hazard Mitigation efforts as deemed necessary to reduce the perils of potential hazards that endanger the citizens of the State of Minnesota.

### PART VIII—DEPARTMENT OF ECONOMIC SECURITY DIVISION OF JOB SERVICES

Section 1-801 The Division of Job Services shall be responsible for coordinating and directing the use of manpower within the State during disaster operations from State and Region Emergency Operating Centers.

Section 1-802 The Division of Job Services shall prepare plans to provide unemployment assistance to eligible individuals whose unemployment results from a disaster declared under the Disaster Relief Act of 1974 (Public Law 93-288). It will also arrange for payment of benefits under regular unemployment compensation laws to eligible individuals in cases where a natural disaster has not been declared.

### PART IX—DEPARTMENT OF MILITARY AFFAIRS

Section 1-901 The Department of Military Affairs shall prepare plans and procedures to support civil authorities in an emergency. Upon instructions from the Office of the Governor and within its capabilities, the Department shall render assistance to civil authorities within the State of Minnesota for domestic disasters, law enforcement, continuance of vital public service, and rescue and communication support in an emergency.

### PART X—DEPARTMENT OF NATURAL RESOURCES

Section 1-1001 The Department of Natural Resources shall be responsible for coordinating the Flood Plain Management Program and the National Flood Insurance Program in Minnesota.

Section 1-1002 The Department of Natural Resources shall serve as Deputy Hazard Mitigation Coordinator for flood disaster. The Department of Natural Resources will be responsible for developing and disseminating the flood hazard mitigation plan, for assuring that the provisions of the plan are implemented and for providing hazard mitigation training for disaster staff and affected local officials.

Section 1-1003 The Department of Natural Resources shall assist State and local units of government in applying for grants from the Federal government for the purposes of accomplishing hazard mitigation for flood damage reduction.

Section 1-1004 The Department of Natural Resources is responsible for debris and wreckage removal from State waterways and forested areas.

Section 1-1005 When an emergency diking project is proposed in the State, the Department of Natural Resources shall determine the impact of the planned construction on the flood plain and recommend approval or disapproval of the project before work begins.

Section 1-1006 The Department of Natural Resources shall serve as Deputy Hazard Mitigation Coordinator for fire disasters where the fire is grassland and forest.

Section 1-1007 The Department of Natural Resources shall provide personnel and equipment support to the State Patrol in emergency law enforcement and traffic control operations, when requested by the Director of Emergency Services.

Section 1-1008 The Department of Natural Resources shall provide personnel and equipment support to the State Fire Marshal in emergency rescue operations, when requested by the Director of Emergency Services.

Section 1-1009 The Department of Natural Resources is responsible for coordinating fire suppression activities in forested and grassland areas in the State.

Section 1-1010 The Department of Natural Resources shall assist State and local governments in applying for grants from the Federal government for the purpose of reimbursing expenses actually incurred by a property owner in the removal of timber damaged by a major disaster.

Section 1-1011 The Department of Natural Resources shall prepare procedures for providing communications support in a disaster area with Department equipment.

Section 1-1012 The Department of Natural Resources shall provide engineers to prepare damage survey reports of debris clearance, emergency protective measures, and damage to dikes, levees, irrigation works, drainage facilities, and public buildings in the disaster area.

Section 1-1013 The Department of Natural Resources will assist local government in training for emergency fire and rescue operations in full coordination with the State Fire Marshal and the Department of Education.

PART XI—POLLUTION CONTROL AGENCY

Section 1-1101 The Pollution Control Agency shall, upon instructions from the office of the Governor, waive, modify, or suspend the enforcement rules of the agency for areas stricken by the disaster and for the necessary duration, as might be appropriate, for the existing situation. This required action will be to relieve or expedite recovery operations or divert an even greater disaster from occurring.

Section 1-1102 The Pollution Control Agency shall provide engineers to prepare damage assessment and damage survey reports of damage to public owned waste disposal systems in the disaster area.

Section 1-1103 When an emergency diking project is proposed in the State, the Pollution Control Agency shall review the environmental effects likely to occur from the planned construction and recommend modifications, approval, or disapproval of the project, before work begins.

Section 1-1104 The Pollution Control Agency shall maintain a current spills contingency plan including notification system and procedures for coordinating the control and cleanup of spills of polluting substances.

PART XII—STATE HOUSING FINANCE AGENCY

Section 1-1201 The Minnesota Housing Finance Agency shall be responsible for the coordination of State and local efforts to provide temporary housing for disaster victims, in accordance with provisions of the State emergency plan.

Section 1-1202 The Minnesota Housing Finance Agency will coordinate home improvement grants and low cost home improvement loans as available to home owners of low and moderate incomes as allowed in the Agency's Home Improvement Program.

PART XIII—DEPARTMENT OF REVENUE

Section 1-1301 The Department of Revenue shall provide for representation at such assistance centers as deemed necessary by the State Division of Emergency Services' Director to provide guidance to disaster victims on the effect of their loss on their State taxes.

Section 1-1302 The Department of Revenue shall certify tax losses sustained as a result of a natural disaster, if the disaster is of the magnitude to require such information.

PART XIV—DEPARTMENT OF PUBLIC WELFARE

Section 1-1401 The Department of Public Welfare shall be responsible for coordinating the provision of government commodity foods and food stamps to victims in the disaster area. Legal responsibility for Government commodities is placed with the Minnesota Department of Education, Child Nutrition Section.

Section 1-1402 The Department of Public Welfare shall provide for representation at such assistance centers as deemed necessary by the Director of the State Division of Emergency Services to receive and process applications for the Individual and Family Grant Program from disaster victims.

Section 1-1403 The Governor's Citizens Council on Aging (Aging Program Division) will provide representation at the Disaster Assistance Center and the disaster area, as deemed necessary by the State Director of Emergency Services to assist and identify the elderly disaster victims.

Section 1-1404 The Department of Public Welfare will assist in Hazard Mitigation efforts as deemed necessary to reduce the perils of potential hazards that endanger the citizens of the State of Minnesota.

Section 1-1405 The Department of Public Welfare shall be responsible for coordinating plans and procedures for providing congregate care facilities with local government in an emergency resulting from a disaster situation.

PART XV—STATE ENERGY AGENCY

Section 1-1501 The State Energy Agency will develop a plan for allocation and conservation of energy resources during Energy Emergencies in coordination with energy suppliers in the State for the Division of Emergency Services. The State Energy Agency shall provide staff and relevant information to the Division of Emergency Services to assist in implementation of the plan in an emergency.

Section 1-1502 The State Energy Agency shall develop a package of Public Information Releases for use in an Energy Emergency as requested by the Division of Emergency Services.

PART XVI—DEPARTMENT OF ECONOMIC DEVELOPMENT

Section 1-1601 The Department of Economic Development shall provide the Division of Emergency Services with an

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estimate of the immediate economic impact of a disaster and where applicable provide estimated projections of long range effects in a major emergency or natural disaster. This shall include the accessibility and coordination of data from and through other State agencies of non-confidential nature that is relevant to the emergency under consideration.

## PART XVII—STATE AUDITOR

Section 1-1701 The State Auditor shall be responsible for conducting the State audit of project applications submitted by political jurisdictions for Federal disaster assistance. The audits will be conducted in accordance with generally accepted auditing standards and the appropriate audit guidelines for Federal Disaster Assistance.

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### APPENDIX 2—WAR EMERGENCY ASSIGNMENTS

#### PART I—DEPARTMENT OF PUBLIC SAFETY

##### DIVISION OF EMERGENCY SERVICES

Section 2-101 The Division of Emergency Services shall be responsible for the coordination of all emergency functions of the State and shall review all emergency plans submitted by other agencies for coordination and shall approve all such plans on behalf of the Governor, except those of a military nature.

Section 2-102 The Division of Emergency Services shall prepare a comprehensive plan describing the purpose, policies, objectives, program emphasis, and legal basis for its day-to-day operations and a plan for emergency operations during a national emergency that will insure the maximum possible protection for all people. This plan shall be in consonance with Federal guidance and shall serve as a guide to political subdivisions and

agencies in the development of emergency plans and programs. The plan will coordinate the actions of all agencies of government to make the most efficient use of Federal, State, and local resources.

- Section 2-103 The Division of Emergency Services shall provide technical guidance and assistance to other agencies and political subdivisions in the preparation of their plans for pre-emergency, emergency, and recovery operations.
- Section 2-104 Federal assistance to the State or political subdivisions of the State for emergency purposes shall be coordinated through the Division of Emergency Services. The procedures for accepting this assistance in the form of services, equipment, supplies, material, or funds, under the limitations set by law will be established by the Division.
- Section 2-105 It shall be the responsibility of the Division of Emergency Services to keep the Governor and the Legislature, when in session, informed of any actual or impending disaster. This warning, information, or guidance will be transmitted by the most expeditious means to political subdivisions as required in the interest of public safety.
- Section 2-106 The emergency training and education needs and requests of other agencies and political subdivisions will be coordinated by the Division of Emergency Services with the agency doing the training. These needs and requests will be reflected in the Division's advice and guidance to support training agencies concerning the needed courses, their content, and the teaching methods to be used.
- Section 2-107 The Division of Emergency Services shall maintain Regional offices in geographical sections of the State, as provided in the Minnesota Civil Defense Act of 1951, and the State Emergency Plan, to reinforce emergency operations in stricken areas. These area operations will serve as an extension of State government to insure continuity of government and support to all areas of the State.
- Section 2-108 The Division of Emergency Services shall act as the State coordinating agency with Federal agencies and others having emergency responsibilities in the area of assistance to individuals, supply, conservation, and management of resources in a national emergency.
- Section 2-109 The Division of Emergency Services shall be responsible for the operation of State level programs in economic stabilization and assistance to the counties in establishing economic stabilization programs.
- Section 2-110 The Division of Emergency Services shall be responsible for designating alternate emergency operating sites, in succession, for emergency control should the State Emergency Operating Center become inoperable.
- Section 2-111 The Division of Emergency Services shall be responsible for the operation of the Radiological Defense (RADEF) Service of State disaster operations. The State Radiological Defense Officer shall be the chief of RADEF Service.

#### DIVISION OF CRIMINAL APPREHENSION

- Section 2-121 The Criminal Apprehension Division shall be responsible for the dissemination of warning over the Minnesota Law Enforcement Teletype Network.
- Section 2-122 The Criminal Apprehension Division shall be responsible for the coordination of the Enforcement Division of the Law Enforcement Service in the State during disaster operations. These activities will be carried out by several agencies with related day-to-day functions.
- Section 2-123 The Criminal Apprehension Division shall assign personnel as Law Enforcement Division Chiefs of the Law Enforcement Services at the State and Regional Operating Centers.

#### DIVISION OF FIRE MARSHAL

- Section 2-131 The Division of Fire Marshal shall have the responsibility of coordinating plans and procedures for emergency fire and rescue services during a war caused emergency, and shall assign personnel to State and Region Emergency Operating Centers as Chief of the Fire and Rescue Service.
- Section 2-132 The State Fire Marshal shall be the Chief of the State Fire and Rescue Service and shall coordinate its emergency operations.
- Section 2-133 The Division of Fire Marshal shall provide guidance to the political subdivisions of the State in the development of local emergency plans involving fire and rescue operations.

#### DIVISION OF STATE PATROL

- Section 2-141 The Chief of the State Patrol shall be the Chief of the Law Enforcement Service and shall coordinate its emergency operations in the State.

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- Section 2-142 The State Patrol Division shall have the responsibility for the operation of the National Warning System (NAWAS) within the State.
- Section 2-143 The State Patrol Division shall assign personnel as Law Enforcement Chiefs of the State and Regional Operating Centers.
- Section 2-144 The State Patrol Division shall prepare plans and procedures for the enforcement of Emergency Highway Traffic Regulations from State and Regional Emergency Operating Centers during national emergencies.
- Section 2-145 The State Patrol Division shall provide guidance to local law enforcement agencies in developing their emergency plans.
- Section 2-146 The State Patrol Division shall be responsible for protection of the personnel in the Capitol Complex during an emergency, and shall prepare plans and procedures to accomplish this protection.

### CAPITOL COMPLEX SECURITY DIVISION

- Section 2-151 The Capitol Security Division of the State Emergency Law Enforcement Service shall be responsible for providing protection to property and equipment in the Capitol Complex during an emergency, and shall prepare plans and procedures to accomplish this.
- Section 2-152 The Capitol Security Division will provide twenty-four hour security for the State Emergency Operating Center during a national emergency.
- Section 2-153 The Capitol Security Division will provide Duty Officer response for all hours other than the normal hours scheduled for emergency operations of the Division of Emergency Services.

### LIQUOR CONTROL DIVISION

- Section 2-161 The Liquor Control Division shall provide support to the Emergency Law Enforcement Service of the State during a national emergency for State and Regional Emergency Operating Centers.

### PART II—DEPARTMENT OF ADMINISTRATION

- Section 2-201 The Department of Administration is responsible for the administrative services of State government from a protected operating center during national emergency. They shall assign the administrative staff, equipment, materials, and personnel needed for emergency operations.
- Section 2-202 The Department of Administration is responsible for the management of Administrative Services to State government in a national emergency. These services include, but are not limited to, stenographic, printing and duplicating, maintenance, and feeding at State and Region Emergency Operating Centers.
- Section 2-203 Computer services needed for survival operations and resource management in an emergency will be furnished by the Department of Administration. These services include the use of computer facilities and support staff to provide needed information on a twenty-four hour basis during and immediately following the emergency.
- Section 2-204 The Department of Administration, Telecommunications Division, shall serve as the Emergency Telecommunications Service, and shall coordinate the planning of Statewide telecommunications systems and services for emergency operations, as necessary, during a national emergency.

### PART III—DEPARTMENT OF TRANSPORTATION DIVISION OF AERONAUTICS

- Section 2-301 The Division of Aeronautics shall have a plan for the utilization of aircraft available for emergency operations in accordance with Federal guidance.
- Section 2-302 The Division of Aeronautics is responsible for providing and coordinating the use of air transportation resources within the Transportation Service of State government during a national emergency at State and Regional Emergency Operating Centers.
- Section 2-303 The Division of Aeronautics will provide liaison with the Civil Air Patrol and Federal Aviation Agency and military in coordinating special emergency missions, such as search and rescue or aerial radiological monitoring.
- Section 2-304 The Division of Aeronautics shall maintain current records of airport facilities, aircraft registrations, and licensed pilots that could be used to provide transportation to various parts of the State in the event of a national emergency.
- Section 2-305 The Division of Aeronautics will provide Air Transportation and/or reconnaissance as required by the Division of Emergency Services in buildup to/or in the event of a national emergency.



**OPERATIONS DIVISION**

- Section 2-311 The Operations Division shall be responsible for the plans, supervision, direction, and control of engineering services in emergency operations, and shall assign personnel to State and Regional Emergency Operating Centers.
- Section 2-312 Under national emergency conditions, the Division of Operations shall make available the Maintenance Construction Communication System for use as the Emergency Services Command Net.
- Section 2-313 The Operations Division is responsible for debris and wreckage removal from all Interstate and State Trunk Highways and for assistance to political subdivisions on other roadways.
- Section 2-314 The Operations Division shall provide any highway clearances and waivers required to expedite the transportation of high priority materials and personnel during periods of declared emergencies, including mass relocation of the populace.
- Section 2-315 The Operations Division shall prepare Emergency Highway Traffic Regulation plans and procedures for the regulation of highway travel during periods of emergency operations.
- Section 2-316 The Operations Division shall be responsible for radiological monitoring as needed during a national emergency.

**DIVISION OF PUBLIC TRANSPORTATION**

- Section 2-321 The Division of Public Transportation shall prepare plans and procedures for coordination of all rail, bus, truck and water transportation in the State during a national emergency.
- Section 2-322 The Division of Public Transportation will coordinate and direct the operations of the Transportation Service during a national emergency from State and Regional Emergency Operating Centers.

**DIVISION OF OFFICE OF PLANNING**

- Section 2-331 The Division of Planning will coordinate with the Public Service Commission for operations of ports and pipelines.

**PART IV—DEPARTMENT OF AGRICULTURE**

(Where domestic animals are involved, the Animal Health Board is responsible.)

- Section 2-401 The Department of Agriculture is responsible for supervision of the Food Supply Service and the protection of farm animals, land and crops, during a national emergency from State and Regional Emergency Operating Centers.
- Section 2-402 The Department of Agriculture shall develop plans and procedures for a statewide food supply and distribution program in order to maintain adequate emergency food supplies. These plans will make provisions for the control and distribution of primary and secondary foods.
- Section 2-403 The Department of Agriculture is responsible for a statewide program for the decontamination and salvage of animals and crops exposed to radioactive fallout and the use of agriculture land contaminated by radioactive fallout, to include decontamination methods, cultivation guidance and type of crop to be grown.
- Section 2-404 The Department of Agriculture will coordinate food service activities with Federal agencies that have responsibilities for food resources in a national emergency.

**PART V—DEPARTMENT OF COMMERCE**

- Section 2-501 The Banking Division shall develop emergency plans and provide the necessary staff to support the State's responsibility in emergency banking and fiscal matters of the economic stabilization program as established by the Federal Reserve Bank of Minneapolis and the Federal Reserve System.

**PART VI—DEPARTMENT OF EDUCATION**

- Section 2-601 The Department of Education shall encourage and assist school districts throughout the State in preparing plans for mass care centers in support of emergency operations.
- Section 2-602 The Department of Education shall be responsible for encouraging and assisting school districts throughout the State in preparation of plans for protecting school children in a national emergency.

**PART VII—DEPARTMENT OF HEALTH**

- Section 2-701 The Department of Health is responsible for statewide management of emergency health and medical services

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and resources during a national emergency. This responsibility includes the assignments of a Health and Water Service Chief and other qualified personnel to State and Region Emergency Operating Centers.

Section 2-702 The Department of Health shall develop standards, guidelines, and plans for the establishment of State, Regional, and local systems of emergency care for the critically ill and injured.

Section 2-703 The Department of Health shall prepare plans and procedures for providing emergency health service during a disaster. These plans shall include provisions for blood program, disease control, sewage, and waste disposal, the handling of radioactive materials, potable water supply, and mass burial of casualties.

### **PART VIII—DEPARTMENT OF ECONOMIC SECURITY** **DIVISION OF JOB SERVICES**

Section 2-801 The Division of Job Services will prepare plans and procedures for the use of manpower within the State during national emergencies. The plan shall establish procedures for obtaining individual skills available.

Section 2-802 The Division of Job Services will coordinate and direct the operations of the Employment Service during a national emergency from State and Region Emergency Operating Centers.

### **PART IX—DEPARTMENT OF MILITARY AFFAIRS**

Section 2-901 The Department of Military Affairs shall prepare plans and procedures to provide non-federalized National Guard and State Guard forces to support civil authorities in emergency operations. This support will encompass assistance to civil defense in order to assist in restoring essential facilities, preventing loss of life and suffering, and taking of necessary action to assist in restoration of civilian government as required.

### **PART X—DEPARTMENT OF NATURAL RESOURCES**

Section 2-1001 The Department of Natural Resources is responsible for preparing plans and procedures for radiological, chemical, and biological monitoring of lakes, animals, forest, and grasslands in its area of jurisdiction and assigning personnel to State and Regional Emergency Operating Centers to assist in emergency operations.

Section 2-1002 The Department of Natural Resources, Division of Forestry, shall be responsible for Fire and Rescue Service in their areas of jurisdiction under the direction of the Chief of Fire and Rescue Service.

Section 2-1003 The Department of Natural Resources shall provide support to the State Law Enforcement Services from their Enforcement Division for such periods of the national emergency as the Governor may direct.

Section 2-1004 The Department of Natural Resources shall establish plans for the conservation and distribution of surface and underground waters in the State in emergencies.

Section 2-1005 The Department of Natural Resources shall assign the State climatologist to the Intelligence Services for the reporting of weather conditions and related data as they pertain to the existing situation.

### **PART XI—POLLUTION CONTROL AGENCY**

Section 2-1101 The Pollution Control Agency shall be responsible for providing support to the Department of Health in national emergency operations in the detection of pollution caused by radiological, chemical and biological agents.

Section 2-1102 The Pollution Control Agency shall assist the Department of Health in preparing plans and procedures for the detection and control of radiological, chemical, and biological contamination in national emergencies.

Section 2-1103 The Pollution Control Agency shall, upon instructions from the Office of the Governor, waive, modify, or suspend the enforcement, rules and regulations of the agency in a national emergency as deemed necessary.

### **PART XII—STATE HOUSING FINANCE AGENCY**

Section 2-1201 The State Housing Finance Agency shall be responsible for coordinating emergency construction and housing activities within the State during a period of national emergency, and shall assign personnel to State and Regional Emergency Operating Centers.

Section 2-1202 The State Housing Finance Agency shall assign personnel to the Construction and Housing Division of the Engineering Services.

### **PART XIII—DEPARTMENT OF REVENUE**

Section 2-1301 The Petroleum Division of the Department of Revenue has the responsibility for assisting the Energy Service in the management of all fuel resources within the State in an emergency.

Section 2-1302 The Petroleum Division of the Department of Revenue shall provide staff for the Energy Service at the State and Regional Emergency Operating Centers.

Section 2-1303 The Alcohol, Tobacco, and Special Taxes Division, and Field Operations Division shall be assigned to the Chief of Economic Stabilization Service for assignment in compliance activities.

PART XIV—DEPARTMENT OF PUBLIC WELFARE

Section 2-1401 The Department of Public Welfare shall be responsible for preparing plans and procedures for providing congregate care during an emergency. Included is the responsibility for providing Congregate Care Service Chiefs for State and Regional Emergency Operating Centers.

PART XV—STATE ENERGY AGENCY

Section 2-1501 The State Energy Agency shall develop a plan for the emergency management of all energy resources in the State during a national emergency. The Agency shall provide staff and relevant information to the Division of Emergency Services for the Energy Service of the State.

PART XVI—DEPARTMENT OF ECONOMIC DEVELOPMENT

Section 2-1601 The Department of Economic Development will be in charge of the essential services and be responsible for emergency industrial production, and shall prepare plans and procedures for controlling this production from State and Regional Emergency Operating Centers in coordination with the Federal government.

Section 2-1602 The Department of Economic Development is responsible for providing staffing support to the Economic Stabilization Service in disaster operations.

PART XVII—ATTORNEY GENERAL

Section 2-1701 The Attorney General shall be responsible for providing legal advice and opinions for State emergency operations as Chief of Legal Services at the Emergency Operating Center.

Section 2-1702 The Attorney General shall perform legal advisory functions to include preparing and reviewing proclamations and special regulations as issued by the Governor in a national emergency.

PART XVIII—DEPARTMENT OF EMPLOYEE RELATIONS

Section 2-1801 The Department of Employee Relations will support the State Employment Services during a national emergency at State and Regional Emergency Operating Centers and will assist in the development of emergency employment utilization plans.

PART XIX—DEPARTMENT OF FINANCE

Section 2-1901 The Department of Finance shall provide staffing for the State and Regional Emergency Operating Centers.

Section 2-1902 The Department of Finance shall appoint the Chief of the Fiscal Services.

Section 2-1903 The Department of Finance shall develop proper plans for Fiscal Services for the State of Minnesota in a national emergency.

## **Executive Order No. 83-18**

### **Providing for the Establishment of a Governor's Council on a Quality Environment and Resource Recycling**

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, Minnesotans take pride in their state and have an active concern for maintaining and improving its ecological and economic environment; and

WHEREAS, it is recognized that quality environment and a genuine commitment to sound resource utilization will provide a more favorable climate for business enterprise in the state; and

WHEREAS, there is an increasing awareness on the part of individuals and organizations of the need to take greater responsibility for their environment; and

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WHEREAS, an organized program of resource recycling and community revitalization would greatly enhance efforts already underway that emphasize our quality of life; and

WHEREAS, efforts to facilitate and encourage public and private initiatives in these areas are both promising and beneficial;

NOW, THEREFORE, I order:

1. The establishment of the Governor's Council on a Quality Environment, pursuant to Minnesota Statutes 15.0593 and other applicable state statutes.

a. The Council shall be composed of fifteen members appointed by the Governor who shall be experienced or interested in resource recycling and community revitalization.

b. The chairperson of the Council shall be appointed by the Governor from among the members.

c. The Commissioners of Agriculture, Education, Natural Resources, Transportation, Energy, Planning and Development, and the Executive Director of the Pollution Control Agency, or their designees, are hereby instructed to work with the Council to accomplish its aims set forth below.

d. Members of the Council shall not receive per diem, but may be reimbursed for travel and other ordinary and necessary expenses.

2. The Council is charged as follows:

a. To identify and find ways to coordinate and make more effective existing and proposed programs for recycling.

b. To identify and find ways to coordinate and make more effective existing and proposed programs for community revitalization.

c. To identify and find ways to coordinate and make more effective existing and proposed programs of public information and awareness in these areas.

d. Where necessary to meet identified needs in these areas, to recommend additional programs to augment those already existing or proposed.

e. To coordinate and encourage efforts in both the public and private sector to plant trees, for aesthetic enjoyment and for economic benefit, by maintaining and increasing the urban forest.

f. To plan, organize, coordinate and direct a Keep Minnesota Beautiful Program, and to recommend steps to make this program a continuing effort.

g. To report its accomplishments and recommendations to the Governor and Legislature on or before February 1, 1984.

3. The Council is authorized to solicit, receive and disburse on behalf of the state, funds to further the purposes for which it is established.

4. The chairperson may, subject to approval by the Council, appoint advisory committees composed of individuals who have interest or expertise to assist it in its work. Such appointees shall receive no reimbursement.

5. The Council may, subject to the availability of funds, contract with such individuals and organizations as may be able to assist in carrying out the duties of the Council.

Pursuant to Minnesota Statutes 1982, Section 4.035, this Order shall be effective 15 days after publication in the *State Register* and filing with the Secretary of State and shall remain in

effect until it is rescinded by proper authority or it expires in accordance with Section 4.035, Subdivision 3.

IN TESTIMONY WHEREOF, I hereunto set my hand this 15th day of March, 1983.



## **Executive Order No. 83-19**

### **Providing for the Establishment of a Governor's Council on County Financial Accounting and Reporting Standards (COFARS) Repealing Executive Order No. 82-6**

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 State Auditor, the Intergovernmental Information Systems Advisory Council and representatives of numerous state and county governmental agencies have worked toward the development of an accounting system to improve the fiscal management and reporting capabilities of county government; and

WHEREAS, this joint intergovernmental effort has resulted in the development of the County Financial Accounting and Reporting Standards (COFARS) system; and

WHEREAS, it is necessary to assure that the implementation of COFARS is conducted with the full cooperation of the involved state and county governmental agencies; and

NOW, THEREFORE, I order:

1. The establishment of a Governor's Council on County Financial Accounting and Reporting Standards (COFARS) pursuant to Minnesota Statutes 1982, Sections 4.035 and 15.093 and other applicable statutes.

2. The Task Force shall be composed of thirteen members appointed by the Governor and shall consist of:

a. One representative from each of the following state agencies and offices: Office of the State Auditor, Revenue Department, Health Department, Department of Public Welfare, Department of Corrections, and the Department of Transportation.

b. One member representing the following offices of county government from the counties of Minnesota: county auditor, department of social services, county health department, department of community corrections, county engineer, and a county financial officer.

c. One member representing the Minnesota Association of Counties who must be a county commissioner.

Representatives of county government shall be selected to maximize the representation of different counties and different regions of the state. The Chairperson of the Council shall be the State Auditor.

3. The Council shall provide assistance to the counties of the state in adoption of the

## EXECUTIVE ORDERS

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County Financial Accounting and Reporting Standards (COFARS) system and shall provide a forum for representatives of the counties and state to work together to develop uniform standards for financial reporting. The Committee shall assist the Governor in recommending to the State Auditor changes in the chart of accounts necessitated by changes in financial reporting standards. All agencies of state government are directed to submit to the Council for its review and comment any proposed changes in their fiscal reporting requirements for counties. The Council shall undertake such other advisory duties related to charts of accounts and data standards as it deems necessary and shall make recommendations to the Governor, State Auditor and other appropriate individuals and agencies.

4. The Council shall prepare a report to the Governor and State Auditor one year from the effective date of this Order describing the activities of the Council and recommending any necessary changes in the financial reporting requirements for counties.

Pursuant to Minnesota Statutes 1982, Section 4.035, this Order shall be effective 15 days after publication in the *State Register* and filing with the Secretary of State and shall remain in effect until it is rescinded by proper authority or it expires in accordance with Section 4.035, Subdivision 3.

This Order repeals Executive Order No. 82-6.

IN TESTIMONY WHEREOF, I hereunto set my hand this 15th day of March, 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 Public Safety State Fire Marshal Division

### Proposed Rules Governing Markings Required on Vehicles Having Concealed Pressurized Flammable Gas Tanks

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

Notice is hereby given that the State Department of Public Safety is proposing to adopt the above entitled rules without a public hearing. The Commissioner of Public Safety has determined that the proposed adoption of these rules will be noncontroversial in nature and has elected to follow procedures set forth in Minn. Stat. § 15.0412, subdivision 4h.

Persons interested in these rules shall have 30 days to submit comments on the proposed rules. The proposed rules may be modified prior to final adoption if modifications are supported by the data and views submitted to the Department of Public Safety and do not result in a substantial change in the proposed language.

Unless seven or more persons submit written requests for a public hearing on the proposed rules within the 30-day comment period, a public hearing will not be held. The written request must be specific on which rule(s) a hearing is desired. Identification of the particular objection, the suggested modifications, and the reasons or data relied upon to support the suggested modifications are desired. In the event a public hearing is required, the department will proceed according to the provisions of Minn. Stat. § 15.0412, subdivision 4-4f.

Persons who wish to submit comments or a written request for a public hearing, or persons who wish to receive a copy of this notice and/or a copy of the proposed rules, should address their correspondence to the address below and include the name of the rulemaking:

Diane Hamilton  
Department of Public Safety  
211 Transportation Building  
St. Paul, MN 55155

The department's authority to adopt the proposed rules is contained in Minn. Stat. § 169.762. A statement of need and reasonableness that describes the need for and reasonableness of each provision of the proposed rules and identifies the data and information relied upon to support the proposed rules has been prepared and is available from the Department of Public Safety upon request.

Upon adoption of the final rules without a public hearing, the proposed rules, this notice, the statement of need and

**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

reasonableness, all written comments received, and the final rules as adopted will be delivered to the Attorney General for review as to form and legality, including the issue of substantial change. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the final rules as proposed for adoption, should submit a written request to the above address.

Please be advised that Minn. Stat. chapter 10A requires each lobbyist to register with the State Ethical Practices Board within five days after he or she commences lobbying. Minn. Stat. § 10A.01, subdivision 11 defines a lobbyist as any individual: (a) engaged for pay or other consideration, or authorized by another individual or association to spend money, who spends more than five hours in any month or more than \$250, not including his own travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials; or (b) who spends more than \$250, not including his own travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials. The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 41 State Office Building, St. Paul, Minnesota 55155, telephone (612) 296-5615.

The department estimates that there will be no cost to local public bodies in the state to implement the rules for the two years immediately following their adoption, within the meaning of Minnesota Statutes Section 15.0412, subdivision 7.

A copy of the proposed rules is attached to this notice.

Paul J. Tschida  
Commissioner of Public Safety

### Rules as Proposed (all new material)

#### 11 MCAR § 1.5080 Purpose and scope.

A. Purpose. The purpose of 11 MCAR §§ 1.5080-1.5084 is to prescribe the standard abbreviation and symbol required to be displayed on the exterior of any vehicle carrying liquefied petroleum gas fuel or natural gas in a concealed tank.

B. Scope. The scope of 11 MCAR §§ 1.5080-1.5084 is intended to be consistent with Minnesota Statutes, section 169.762.

#### 11 MCAR § 1.5081 Pressurized flammable gas.

“Pressurized flammable gas” includes liquefied petroleum gas, compressed natural gas, and liquefied natural gas.

#### 11 MCAR § 1.5082 Warning symbols required.

The marking required by Minnesota Statutes, section 169.762, must be displayed on the exterior of a vehicle carrying pressurized flammable gas in a concealed area, whether the gas is the primary fuel or secondary fuel.

#### 11 MCAR § 1.5083 Symbol design.

A. The required warning symbol must be of a design illustrated as follows:



Compressed natural  
gas



Liquefied petroleum  
gas



Liquefied natural  
gas

B. The following specifications apply to each of the warning symbols:

1. The symbol must be diamond-shaped, 2½ inches in height, and four inches in width at its highest and widest points respectively.
2. The letters and border must be silver in color.
3. The background must be black in color.
4. The letters within the symbol must be a minimum of one inch in height.
5. The entire symbol, including letters, background, and border, must be made of reflectorized material and not fade or wash away when exposed to weather or other adverse elements.

#### 11 MCAR § 1.5084 Symbol placement.

A minimum of two warning symbols is required to be displayed. The warning symbols must be displayed in the places specified in A. If the symbols cannot be clearly displayed or effectively applied to those locations they may be displayed in the places specified in B. Display at least two symbols as follows:



- A. one warning symbol on the extreme left (driver's) side of the rear-facing portion of the rear bumper, and one warning symbol on the extreme right (passenger) side of the front-facing portion of the front bumper; or
- B. one warning symbol at least 12 inches but not more than 30 inches above the ground on the rear of the vehicle near the left (driver's) side and one warning symbol at least 12 inches but not more than 30 inches above the ground on the front of the vehicle near the right (passenger) side.

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**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.

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**Revenue Department  
Petroleum Division****Adopted Rule Governing Special Fuel Requirements**

The rule proposed and published at *State Register*, Volume 7, Number 23, pp. 899-901, December 6, 1982, (7 S.R. 899) is adopted as proposed.

February 25, 1983

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**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.

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**Department of Corrections****Notice of Requests for Proposals for Violent Partner Programs and Nonshelter Services for Battered Women**

Notice is hereby given that the Department of Corrections intends to engage the services of grantees 1) to assist communities in developing strategies to prevent persons from assaulting their partners or 2) to provide systems/class advocacy and/or nonshelter community education services addressing the issue of battering in Minnesota communities.

These projects will be financed out of funds to be made available by the Minnesota Legislature. A total of \$114,500 for violent partner programs and \$92,400 for nonshelter services may be available pending legislative allocation. The Department of

## STATE CONTRACTS

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Corrections prefers to fund two or more one-year grants from violent partner funds and two or more one-year grants from nonshelter service funds. Any nonprofit corporation is eligible to apply. Proposals must be received by April 25, 1983.

Direct inquiries to:

Maggie Arzdorf-Schubbe, Director  
Program for Battered Women  
Minnesota Department of Corrections  
430 Metro Square Building  
St. Paul, Minnesota 55101  
(612) 296-6463

## Metropolitan Transit Commission

### Notice of Request for Proposals for Sale of Advertising on MTC Bus Schedules

It is the intent of the Metropolitan Transit Commission (MTC) to receive proposals from a qualified advertising company for the purpose of entering into a contract for the exclusive right and privilege to sell advertising on MTC route schedules.

The Metropolitan Transit Commission prints 4.8 million schedules each year. These schedules provide service information on 123 MTC routes. MTC schedules are distributed on MTC buses and in locations within the MTC taxing district. Because each bus carries only the schedule for that route, it is possible to focus the advertising on a particular schedule on the area which the bus serves.

Prospective proposers may receive a complete Request for Proposals for Advertising on MTC Bus Schedules by writing to the:

Director of Communications  
Metropolitan Transit Commission  
801 American Center Building  
150 East Kellogg Blvd  
St. Paul, Minnesota 55101

Deadline for the receipt of proposals is April 22, 1983.

## 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 Cable Communications Board

### Solicitation of Outside Opinion Concerning Proposed Statewide Cable Communications Development Plan

The Minnesota Cable Communications Board (MCCB) is soliciting outside opinion from all interested and affected persons concerning adoption of the state agency's proposed 5-year statewide cable communications development plan.

The board is assigned in Minnesota Statutes, Chapter 238, to promote the rapid development of the cable communications industry responsive to community and public interest, and to provide regulatory oversight of cable communications while protecting cable operations from undue restraint and regulation.

Minnesota Statutes § 238.05, subdivision 1 (1982) requires the board to ". . . develop and maintain a statewide plan for development of cable communications services setting forth the objectives which the board deems to be of regional and state concern."

Pursuant to its statutory duty to develop and maintain a plan, the board has drafted a comprehensive re-write of its statewide plan addressing Minnesota's social and economic goals, new cable market development, citizen participation, cable system ownership and control, cable system franchising, local rate regulation, localized services, cable system interconnection and regional programming, system line extension, re-franchising and franchise renewal, cable service obstruction, and subscriber and user privacy protection.

The draft document contains 14 chapters giving background information, discussing policy considerations, and setting forth goals and objectives relative to public interest potentials of cable communications within the state of Minnesota.

Copies of the draft plan are available for public inspection during normal business hours in the board offices at 500 Rice Street (at University Avenue) in St. Paul.

Copies of the draft are also available for inspection on a short term loan basis. Persons wishing to receive a review copy through the mail may call the board office at (612) 296-2545, or may write to the Minnesota Cable Communications Board, 500 Rice Street, St. Paul, MN 55103.

Written comments concerning the board's proposed plan may be submitted to Rochelle Barnhart, Chairman, Minnesota Cable Communications Board, 500 Rice Street, St. Paul, MN 55103.

Oral comments concerning the proposed plan will be received by the board at a public hearing to be held during its regular meeting on April 8, 1983, 500 Rice Street (at University Avenue), St. Paul, commencing at 9 a.m.

## **Department of Economic Security Governor's Job Training Council**

### **Notice of Proposed Designation of Service Delivery Areas to Operate under the Job Training Partnership Act**

On March 14 the Governor approved the recommendation of the Governor's Job Training Council regarding designation of service delivery areas (SDAs) which will operate under the Job Training Partnership Act (PL97-300). An SDA will administer the job training program for its geographic area. It will develop a plan for delivery of job training services and submit it to the Governor who will fund the plan in accordance with a formula established under the Act. The proposed designation is as follows:

1. NORTHWEST: Economic Development Region I
2. NORTHEAST: Economic Development Region III, exclusive of Duluth
3. DULUTH AREA: The City of Duluth
4. WEST CENTRAL: Economic Development Regions II, IV, and V operated by Rural Minnesota CEP, Incorporated
5. EAST CENTRAL: Economic Development Regions VI East, VII East, and VII West exclusive of Wright County
6. SOUTHWEST: Economic Development Regions VI West and VIII
7. SOUTH CENTRAL: Economic Development Region IX
8. SOUTHEAST: Economic Development Region X
- Metropolitan Area: Economic Development Region II
9. The City of St. Paul
10. The City of Minneapolis
11. The Counties of Carver, Scott, Anoka, and Wright
12. The Counties of Dakota, Washington, and Ramsey, exclusive of St. Paul
13. The County of Hennepin, exclusive of Minneapolis

This proposed designation is open for review and comment by all affected persons and organizations for 23 days from the date of its publication (March 21, 1983). Comments from individuals and applications from unit(s) of local government intending to apply for designation as an SDA must be received by 4:30 p.m. on Tuesday, April 12, 1983, at the Governor's Job Training Office, 690 American Center Building, 150 East Kellogg, St. Paul, Minnesota 55101. Every geographic area of the State must be included in an SDA. No unit(s) of local government can be designated as an SDA until a formal application has been approved by the Governor.

## OFFICIAL NOTICES

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A package of informational materials, forms and instructions to apply for designation as an SDA are available from:

Dixie L. Diehl, Director  
Governor's Job Training Office  
690 American Center Building  
150 East Kellogg Boulevard  
St. Paul, Minnesota 55101  
(612) 296-8004

Any questions regarding SDA designation or the contents of this notice should be directed to:

Dixie L. Diehl, Director  
Governor's Job Training Office  
690 American Center Building  
150 East Kellogg Boulevard  
St. Paul, Minnesota 55101  
(612) 296-8004

Units of local government who are unable to deliver a completed, signed application by April 12, 1983, must apply for a special waiver by March 30, 1983. Details are available from the Governor's Job Training Office.

### **Department of Education Special Services Division**

#### **Notice of Application for Planning Grant with the Public Telecommunications Facilities Program**

The Special Services Division of the State Department of Education is applying for a telecommunications planning grant to develop an overall state plan for educational use of telecommunications within the State of Minnesota. The state plan would address the uses, funding, operation and governance of educational telecommunications. A copy of the application is available from:

Dr. Lowell Tornquist  
Office of Planning and Policy Research  
714 Capitol Square Building  
550 Cedar Street  
St. Paul, MN 55101

The following is the address to which commenting parties should send their comments:

Public Telecommunications Facilities Program  
NTIA/DOC, Room 4625  
Washington, D.C. 20230

### **State Board of Education Department of Education Instruction Division**

#### **Notice of Public Review of Minnesota's Preschool Incentive Grant Application for Fiscal Years 1984-86, Under Part B of the Education of the Handicapped Act (EHA-B)**

Minnesota's Fiscal Year 1984-86 Preschool Incentive Grant will be reviewed at the three public hearings scheduled for review of the Fiscal Year 1984-86 Minnesota State Plan for meeting the requirements of P.L. 94-142, the Education of All Handicapped Children Act.

The meetings to review the Preschool Incentive Grant will be conducted by Department of Education staff during the week of April 4-7, 1983. Each meeting will begin at 9:00 a.m. and continue until all parties have had ample opportunity to participate. The meetings will be held on the following dates:

- (1) April 4, 1983: Mankato, Minnesota  
Mankato State University  
Room 101 Centennial Student Union  
Mankato, Minnesota  
(Parking in ramp lot #4 on the southside of the Student Union)
- (2) April 5, 1983: St. Paul, Minnesota  
Sheraton-Midway Auditorium  
Highway I 94 and Hamline Avenue  
St. Paul, Minnesota
- (3) April 7, 1983: Grand Rapids, Minnesota  
Holiday Inn  
Sawmill #3  
Grand Rapids, Minnesota

The Preschool Incentive Grant outlines the goals, objectives and activities that will be implemented for meeting the educational needs of handicapped children ages three through five.

The Preschool Incentive Grant may be modified as a result of the input received. Therefore, if you are affected by the activities included in the proposed grant, you are urged to participate in the review process. An interpreter for the hearing impaired will be present upon request.

Following the agency's brief overview of the grant, all interested persons will have an opportunity to ask questions and make comments. Statements may be made orally and written material may be submitted. In addition, whether or not an appearance is made at the meeting, written comments may be submitted through April 14, 1983 to Dr. Norena Hale, State Department of Education, Instruction Division, Special Education Section, 550 Cedar Street, St. Paul, Minnesota 55101.

Copies of the Preschool Incentive Grant will be available upon request from the Special Education Section by March 21, 1983. Additional copies will be available at the meetings. If you have any questions on the content of the grant, contact Dr. Norena Hale, (612) 296-1793.

## **Pollution Control Agency**

### **Notice of Public Meeting Regarding Revisions to Minnesota's State Implementation Plan**

Notice is hereby given, that on April 26, 1983, the Minnesota Pollution Control Agency (hereinafter referred to as "agency") will hold a regularly scheduled agency meeting in the agency board room, located at 1935 West County Road B2, Roseville, Minnesota, 55113. The agency is currently scheduled to consider, among other things, a proposed revision to the State Implementation Plan (hereinafter referred to as "SIP") for the inclusion of revised operating permits that will require more stringent control of lead emissions from Gould, Inc., St. Paul, and Gopher Smelting and Refining Company, Eagan.

Notice is also hereby given, that the public is invited to attend the agency meeting on April 26, 1983, and to comment at that meeting on the proposed SIP revision. Written comment on the inclusion of these revised operating permits in the SIP may be submitted prior to the meeting and should be addressed to Douglas M. Benson, Division of Air Quality, Minnesota Pollution Control Agency, 1935 West County Road B-2, Roseville, Minnesota, 55113.

The April 26, 1983, agency meeting will be held in the agency board room at the address noted above and will begin at 9:00 a.m. An agenda for the meeting will be available by April 15, 1983. Questions regarding the proposed revision or the agency meeting should be directed to Douglas M. Benson at the address noted above or at (612) 296-7743. A copy of the agenda and operating permits may be obtained from Jayne Stilwell, also at the address noted above, and at (612) 296-7280.

In general, the purpose of revising SIP is to satisfy the requirements of the Clean Air Act, 42 U.S.C. §§ 7410 and 7502 and to ensure that air quality in the State of Minnesota meets the national ambient air quality standard for lead. The specific purposes of the operating permits are to require operation, maintenance, and materials handling at the affected facilities in such a manner as to control emissions of lead. Copies of the proposed SIP revision are available for public review during regular office hours at the above noted address.

Dated this 14th day of March, 1983.

Sandra S. Gardebring  
Executive Director

**Department of Transportation  
Technical Services Division**

**Appointment and Scheduled Meeting of a State Aid Standards Variance Committee**

Notice is hereby given that the Commissioner of Transportation has appointed a State Aid Standards Variance Committee who will conduct a meeting on Wednesday, March 30, 1983, at 9:30 a.m. in Room 818, State Transportation Building, John Ireland Boulevard, St. Paul, Minnesota.

This notice is given pursuant to Minnesota Statute § 471.705.

The purpose of the open meeting is to investigate and determine recommendation(s) for variances from minimum State Aid roadway standards as governed by 14 MCAR § 1.5032 M.4.b., Rules for State Aid Operations under Minnesota Statute, Chapters 161 and 162 (1978), as amended.

The agenda will be limited to these questions:

1. Petition of the City of St. Paul for a variance from Standards for Street Width on Front Avenue from Dale Street to Western Avenue and on Arlington Avenue from East Shore Drive to Hazelwood Street.
2. Petition of the City of St. Paul for a variance from Standards for Street Width on Lexington Parkway from University Avenue to Jessamine Street.
3. Petition of the City of Minneapolis for a variance from Standards for Street Width on Emerson and Fremont Avenues North from Plymouth to West Broadway Avenues.
4. Petition of the City of Minneapolis for a variance from Standards for Street Width on 1st Avenue South from East Lake Street to 33rd Street.
5. Petition of the City of Alexandria for a variance from Standards for Design Speed on Fairgrounds Road approximately 1,200 feet South of Third Avenue.
6. Petition of the City of Moorhead for a variance from Standards for Street Width on Bridge 5270 (Center Avenue) across the Red River of the North.
7. Petition of the City of St. Cloud for a variance from Standards for Street Width on 9th Avenue South from 8th Street to 12th Street and on 10th Street South from 7th Avenue to 10½ Avenue South.
8. Petition of the County of Big Stone for a variance from Standards for Design Speed on C.S.A.H. 21 from Trunk Highway 75 to the C.M.St.P. & P. railroad track in Odessa.
9. Petition of the County of Chisago for a variance from Standards for Design Speed on C.S.A.H. 10 from the West County Line Easterly to C.S.A.H. 8.
10. Petition of the County of Cottonwood for a variance from Standards for Design Speed on C.S.A.H. 2 between Trunk Highway 30 and C.S.A.H. 10, seven miles West of Comfrey and on C.S.A.H. 1 between Trunk Highway 30 and Brown County C.S.A.H. 17 at Comfrey, Minnesota.
11. Petition of the County of Fillmore for a variance from Standards for Design Speed on C.S.A.H. 8 between Fountain and a point approximately 2½ miles East of Fountain.
12. Petition of the County of Freeborn for a variance from Standards for Design Speed on C.S.A.H. 25 from Trunk Highway 13 to C.S.A.H. 45; on C.S.A.H. 30 from C.S.A.H. 1 to C.S.A.H. 13 at Myrtle; and on C.S.A.H. 31 from C.S.A.H. 20 to the West limits of Clarks Grove.
13. Petition of the County of Houston for a variance from Standards for Design Speed on C.S.A.H. 4 between a point approximately 3½ miles North of Spring Grove and a point approximately six miles North of Spring Grove; and on C.S.A.H. 11 from its Junction with C.S.A.H. 4 to a point approximately two miles North.
14. Petition of the County of Hubbard for a variance from Standards for Design Speed on C.S.A.H. 18 from C.S.A.H. 7, 0.5 miles North of Dorset, and Nevis Township Road No. 118, 0.3 miles West of Nevis.
15. Petition of the County of Jackson for a variance from Standards for Design Speed on C.S.A.H. 4 from C.S.A.H. 9 to Trunk Highway 86; on C.S.A.H. 6 from County Road 73 to Trunk Highway 71; and on C.S.A.H. 8 from C.S.A.H. 23 Easterly to the East County Line.
16. Petition of the County of Kanabec for a variance from Standards for Design Speed on C.S.A.H. 11 from Trunk Highway 23 and a point approximately 2½ miles Northeast of Trunk Highway 23.

17. Petition of the County of Murray for a variance from Standards for Design Speed on C.S.A.H. 12 from C.S.A.H. 30 to Trunk Highway 59, 5.5 miles North of Slayton.

18. Petition of the County of Nicollet for a variance from Standards for Design Speed on C.S.A.H. 5 from C.S.A.H. 9 to C.S.A.H. 22.

19. Petition of the County of Pope for a variance from Standards for Design Speed on C.S.A.H. 3 from Junction C.S.A.H. 18 to the South Corporate Limits of Cyrus; on C.S.A.H. 17 from Junction C.S.A.H. 18 to a point  $\frac{3}{4}$  mile North of C.S.A.H. 18; and on C.S.A.H. 18 from Trunk Highway 29 to C.S.A.H. 21.

20. Petition of the County of Rice for a variance from Standards for Design Speed on C.S.A.H. 12 from a point 0.9 miles West of Trunk Highway 60 and Trunk Highway 60; on C.S.A.H. 1 from the West Corporate Limits of the City of Dundas to Trunk Highway 13; and on C.S.A.H. 20 from C.S.A.H. 1 to Trunk Highway 3 in the City of Dundas.

21. Petition of the County of Todd for a variance from Standards for Design Speed on C.S.A.H. 11 from Trunk Highway 27 to C.S.A.H. 38, 4.7 miles West of Long Prairie.

22. Petition of the County of Wadena for a Variance from Standards for Design Speed on C.S.A.H. 9 from C.S.A.H. 22 to C.S.A.H. 26.

The cities and counties listed above are requested to follow the following time schedule when appearing before the Variance Committee:

9:30 a.m.	City of St. Paul
9:50 a.m.	City of Minneapolis
10:10 a.m.	City of Alexandria
10:30 a.m.	City of Moorhead
10:50 a.m.	City of Alexandria
11:10 a.m.	City of St. Cloud
1:00 p.m.	Big Stone County
	Chisago County
	Cottonwood County
	Fillmore County
	Freeborn County
	Houston County
	Hubbard County
	Jackson County
	Kanabec County
	Murray County
	Nicollet County
	Pope County
	Rice County
	Todd County
	Wadena County

Dated this 10th day of March, 1983.

Richard P. Braun  
Commissioner of Transportation

## Department of Transportation

### Petition of the City of St. Paul for a Variance from State Aid Standards for Street Width

Notice is hereby given that the City Council of the City of St. Paul has made a written request to the Commissioner of Transportation for variances from minimum design standards for street widths for MSAS 138 (Front Avenue) from Dale Street to Western Avenue, and for MSAS 109 (Arlington Avenue) from E. Shore Drive to Hazelwood Street.

The request is for a variance from 14 MCAR § 1.5032 H.1.c., Rules for State Aid Operations under Minnesota Statutes, Chapters 161 and 162 (1978) as amended, so as to permit a minimum street width of 40 feet with parking permitted on Front Avenue and Arlington Avenue instead of a street width of 46 feet with parking permitted.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

## OFFICIAL NOTICES

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If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated this 8th day of March, 1983.

Richard P. Braun  
Commissioner of Transportation

### **Petition of the City of St. Paul for a Variance from State Aid Standards for Street Width**

Notice is hereby given that the City Council of the City of St. Paul has made a written request to the Commissioner of Transportation for a variance from minimum design standards for street width for MSAS 159 (Lexington Avenue) from University Avenue to Jessamine Street.

The request is for a variance from 14 MCAR § 1.5032 H.1.c. Rules for State Aid Operations under Minnesota Statutes, Chapters 161 and 162 (1978) as amended, so as to permit Sunday parking from 8:00 a.m. to 1:00 p.m. on the West side of Lexington Avenue from Minnehaha South two blocks to Blair Avenue instead of no parking at any time.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated this 8th day of March, 1983.

Richard P. Braun  
Commissioner of Transportation

### **Petition of the City of Minneapolis for a Variance from State Aid Standards for Street Width**

Notice is hereby given that the City Council of the City of Minneapolis has made a written request to the Commissioner of Transportation for a variance from minimum design standards for street width for M.S.A.S. 190 (First Avenue South between East Lake Street and 33rd Street South).

The request is for a variance from 41 MCAR § 1.5032 H.1.c., Rules for State Aid Operations under Minnesota Statutes, Chapters 161 and 162 (1978) as amended, so as to permit a minimum street width of 36' feet with parking permitted on one side only instead of a street width of 38 feet with parking permitted on one side only.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated this 8th day of March, 1983.

Richard P. Braun  
Commissioner of Transportation

### **Petition of the City of Minneapolis for a Variance from State Aid Standards for Street Width**

Notice is hereby given that the City Council of the City of Minneapolis has made a written request to the Commissioner of Transportation for a variance from minimum design standards for improvements on portions of Emerson and Fremont Avenues North between Plymouth Avenue North and West Broadway Avenue.

The request is for a variance from 14 MCAR § 1.5032 H.1.c., Rules for State Aid Operations under Minnesota Statutes, Chapters 161 and 162 (1978) as amended, so as to permit a street width of 32 feet with no parking on one side of Fremont Avenue North and to permit a street width of 36 feet with no parking on one side on Emerson Avenue North.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated this 8th day of March, 1983.

Richard P. Braun  
Commissioner of Transportation



**Petition of the City of Alexandria for a Variance from State Aid Standards for Street Width**

Notice is hereby given that the City Council of the City of Alexandria has made a written request to the Commissioner of Transportation for a variance from minimum design standards for design speed on MSAS 104 (Fairgrounds Road).

The request is for a variance from 14 MCAR § 1.5032 H.1.c., Rules for State Aid Operations under Minnesota Statutes, Chapters 161 and 162 (1978) as amended, so as to permit a minimum design speed of less than 30 mph.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated this 8th day of March, 1983.

Richard P. Braun  
Commissioner of Transportation

**Petition of the City of Moorhead for a Variance from State Aid Standards for Street Width**

Notice is hereby given that the City Council of the City of Moorhead has made a written request to the Commissioner of Transportation for a variance from minimum design standards for street width on Bridge 5270 (Center Avenue) across the Red River to the North.

The request is for a variance from 14 MCAR § 1.5032 H.1.c., Rules for State Aid Operations under Minnesota Statutes, Chapters 161 and 162 (1978) as amended, so as to permit a minimum street width of 48 feet with no parking permitted instead of a street width of 52 feet with no parking permitted.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated this 8th day of March, 1983.

Richard P. Braun  
Commissioner of Transportation

**Petition of the City of St. Cloud for a Variance from State Aid Standards for Street Width**

Notice is hereby given that the City Council of the City of St. Cloud has made a written request to the Commissioner of Transportation for variances from minimum design standards for street widths for MSAS 502 (9th Avenue South) from 8th Street South to 12th Street South and for MSAS 101 (10th Street South) from 7th Avenue South to 10½ Avenue South.

The request is for a variance from 14 MCAR § 1.5032 H.1.c. Rules for State Aid Operations under Minnesota Statutes, Chapters 161 and 162 (1978) as amended, so as to permit a minimum street width of 60 feet with no parking permitted on 9th Avenue South instead of a street width of 68 feet with no parking permitted and so as to permit a minimum street width of 48 feet with no parking permitted on 10th Avenue South instead of a street width of 68 feet with no parking permitted.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated this 8th day of March, 1983.

Richard P. Braun  
Commissioner of Transportation

**Petition of Big Stone County for a Variance from State Aid Standards for Design Speed**

Notice is hereby given that the County Board of Big Stone County has made a written request to the Commissioner of Transportation for a variance from minimum design speed standards for a special resurfacing project along CSAH 21 between Trunk Highway 74, to the C. M. SP. & P. Railroad track in Odessa.

## OFFICIAL NOTICES

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The request is for a variance from 14 MCAR § 1.5032 H.1.d., Rules for State Aid Operations under Minnesota Statute, Chapters 161 and 162 (1978) as amended, so as to permit design speeds of 42, 43 and 44 miles per hour instead of a required design speed of 45 miles per hour.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated this 8th day of March, 1983

Richard P. Braun  
Commissioner of Transportation

### **Petition of Chisago County for a Variance from State Aid Standards for Design Speed**

Notice is hereby given that the County Board of Chisago County has made a written request to the Commissioner of Transportation for a variance from minimum design speed standards for a special resurfacing project along C.S.A.H. 10 from the West County Line to C.S.A.H. 8.

The request is for a variance from 14 MCAR § 1.5032 H.1.d., Rules for State Aid Operations under Minnesota Statutes, Chapters 161 and 162 (1978) as amended, so as to permit a design speed of 41 miles per hour instead of a required design speed of 45 miles per hour.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated this 8th day of March, 1983.

Richard P. Braun  
Commissioner of Transportation

### **Petition of Cottonwood County for a Variance from State Aid Standards for Design Speed**

Notice is hereby given that the County Board of Cottonwood County has made a written request to the Commissioner of Transportation for variances from minimum design speed standards for special resurfacing projects along CSAH 2 between Trunk Highway 30 and CSAH 10, 7 miles west of Comfrey and along CSAH 1 between Trunk Highway 30 and Brown County CSAH 17 at Comfrey, Minnesota.

The request is for a variance from 14 MCAR § 1.5032 H.1.d., Rules for State Aid Operations under Minnesota Statute, Chapters 161 and 162 (1978) as amended, so as to permit a design speed of 44 and 43 miles per hour instead of a required design speed of 45 miles per hour.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated this 8th day of March, 1983.

Richard P. Braun  
Commissioner of Transportation

### **Petition of Fillmore County for a Variance from State Aid Standards for Design Speed**

Notice is hereby given that the County Board of Fillmore County has made a written request to the Commissioner of Transportation for a variance from minimum design speed standards for a special resurfacing project along CSAH 8 between Fountain and a point approximately 2½ miles East of Fountain.

The request is for a variance from 14 MCAR § 1.5032 H.1.d., Rules for State Aid Operations under Minnesota Statute,

chapters 161 and 162 (1978) as amended, so as to permit design speeds of 30, 35 and 40 miles per hour instead of a required design speed of 45 miles per hour.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated this 8th day of March, 1983.

Richard P. Braun  
Commissioner of Transportation

### **Petition of Freeborn County for a Variance from State Aid Standards for Design Speed**

Notice is hereby given that the County Board of Freeborn County has made a written request to the Commissioner of Transportation for variances from minimum design speed standards for special resurfacing projects along C.S.A.H. 25 between T.H. 13, to C.S.A.H. 45; along C.S.A.H. 30 between C.S.A.H. 1 to C.S.A.H. 13 at Myrtle; and along C.S.A.H. 31 between C.S.A.H. 20 to West Limits of Clarks Grove.

The request is for variances from 14 MCAR § 1.5032 H.1.d., Rules for State Aid Operations under Minnesota Statutes, Chapters 161 and 162 (1978) as amended, so as to permit design speeds of 43, 36, and 44 miles per hour instead of a required design speed of 45 miles per hour.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated this 8th day of March, 1983.

Richard P. Braun  
Commissioner of Transportation

### **Petition of Houston County for a Variance from State Aid Standards for Design Speed**

Notice is hereby given that the County Board of Houston County has made a written request to the Commissioner of Transportation for variances from minimum design speed standards for special resurfacing projects along C.S.A.H. 4 between a point approximately 3½ miles North of Spring Grove and a point approximately 6 miles North of Spring Grove and along C.S.A.H. 11 from its Junction with C.S.A.H. 4 to a point approximately 2 miles North.

The request is for a variance from 14 MCAR § 1.5032 H.1.d., Rules for State Aid Operations under Minnesota Statutes, Chapters 161 and 162 (1978) as amended, so as to permit design speeds of 43, and 44 miles per hour instead of a required design speed of 45 miles per hour.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated this 8th day of March, 1983.

Richard P. Braun  
Commissioner of Transportation

### **Petition of Hubbard County for a Variance from State Aid Standards for Design Speed**

Notice is hereby given that the County Board of Hubbard County has made a written request to the Commissioner of Transportation for a variance from minimum design speed standards for special resurfacing projects along C.S.A.H. 18 between C.S.A.H. 7 and Nevis Township Road No. 118.

The request is for a variance from 14 MCAR § 1.5032 H.1.d., Rules for State Aid Operations under Minnesota Statutes, Chapters 161 and 162 (1978) as amended, so as to permit design speeds of 37, 38 and 43 miles per hour instead of a required design speed of 45 miles per hour.

## OFFICIAL NOTICES

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Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated this 8th day of March, 1983.

Richard P. Braun  
Commissioner of Transportation

### **Petition of Jackson County for a Variance from State Aid Standards for Design Speed**

Notice is hereby given that the County Board of Jackson County has made a written request to the Commissioner of Transportation for a variance from minimum design speed standards for a special resurfacing project along C.S.A.H. 4 between C.S.A.H. 9 and T.H. 86; along C.S.A.H. 6 between Co. Rd. 73 to T.H. 71; and along C.S.A.H. 8 between C.S.A.H. 23 to the East Co. Line.

The request is for a variance from 14 MCAR § 1.5032 H.1.d., Rules for State Aid Operations under Minnesota Statutes, Chapters 161 and 162 (1978) as amended, so as to permit design speeds of 44 and 43 miles per hour instead of a required design speed of 45 miles per hour.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated this 8th day of March, 1983.

Richard P. Braun  
Commissioner of Transportation

### **Petition of Kanabec County for a Variance from State Aid Standards for Design Speed**

Notice is hereby given that the County Board of Kanabec County has made a written request to the Commissioner of Transportation for a variance from minimum design speed standards for a special resurfacing project along C.S.A.H. 11 between T.H. 23, and a point approximately 2½ miles N.E. of T.H. 23.

The request is for a variance from 14 MCAR § 1.5032 H.1.d., Rules for State Aid Operations under Minnesota Statutes, Chapters 161 and 162 (1978) as amended, so as to permit a design speed of 40 miles per hour instead of a required design speed of 45 miles per hour.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated this 8th day of March, 1983.

Richard P. Braun  
Commissioner of Transportation

### **Petition of Murray County for a Variance from State Aid Standards for Design Speed**

Notice is hereby given that the County Board of Murray County has made a written request to the Commissioner of Transportation for a variance from minimum design speed standards for a special resurfacing project along C.S.A.H. 12 between C.S.A.H. 30 and T.H. 59, 5.5 miles North of Slayton.

The request is for a variance from 14 MCAR § 1.5032 H.1.d., Rules for State Aid Operations under Minnesota Statutes, Chapters 161 and 162 (1978) as amended, so as to permit a design speed of 42.5 miles per hour instead of a required design speed of 45 miles per hour.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated this 8th day of March, 1983.

Richard P. Braun  
Commissioner of Transportation

### **Petition of Nicollet County for a Variance from State Aid Standards for Design Speed**

Notice is hereby given that the County Board of Nicollet County has made a written request to the Commissioner of Transportation for a variance from minimum design speed standards for a special resurfacing project along CSAH 5 between CSAH 9 and CSAH 22.

The request is for a variance from 14 MCAR § 1.5032 H.1.d., Rules for State Aid Operations under Minnesota Statute, Chapters 161 and 162 (1978) as amended, so as to permit a design speed of 35 miles per hour instead of a required design speed of 45 miles per hour.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated this 10th day of March, 1983.

Richard P. Braun  
Commissioner of Transportation

### **Petition of Pope County for Variances from State Aid Standards for Design Speed**

Notice is hereby given that the County Board of Pope County has made a written request to the Commissioner of Transportation for variances from minimum design speed standards for special resurfacing projects along C.S.A.H. 3 between Jct. C.S.A.H. 18—3 miles South of Cyrus and the South Corporate Limits of Cyrus; C.S.A.H. 17 between Jct. C.S.A.H. 18—5 miles Southwest of Glenwood and a point  $\frac{3}{4}$  mile North of C.S.A.H. 18; and C.S.A.H. 18 between Jct. T.H. 29—2 miles South of Starbuck and Jct. C.S.A.H. 21—4 miles South of Glenwood.

The request is for a variance from 14 MCAR § 1.5032 H.1.d., Rules for State Aid Operations under Minnesota Statutes, Chapters 161 and 162 (1978) as amended, so as to permit a design speed of 40 miles per hour instead of a required design speed of 45 miles per hour.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated this 8th day of March, 1983.

Richard P. Braun  
Commissioner of Transportation

### **Petition of Rice County for a Variance from State Aid Standards for Design Speed**

Notice is hereby given that the County Board of Rice County has made written requests to the Commissioner of Transportation for a variance from minimum design speed standards for special resurfacing projects along C.S.A.H. 1 between the West Corporate Limits of the City of Dundas and T.H. 3 and along C.S.A.H. 20 in the City of Dundas between C.S.A.H. 1 and T.H. 3.

The request is for a variance from 14 MCAR § 1.5032 H.1.d., Rules for State Aid Operations under Minnesota Statutes, Chapters 161 and 162 (1978) as amended, so as to permit a design speed of 25 miles per hour instead of a required design speed of 30 miles per hour.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated this 8th day of March, 1983.

Richard P. Braun  
Commissioner of Transportation

## OFFICIAL NOTICES

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### **Petition of Rice County for Variances from State Aid Standards for Design Speed**

Notice is hereby given that the County Board of Rice County has made a written request to the Commissioner of Transportation for a variance from minimum design speed standards for special resurfacing projects along C.S.A.H. 12 between a point 0.9 miles West of T.H. 60 and T.H. 60.

The request is for a variance from 14 MCAR § 1.5032 H.1.d., Rules for State Aid Operations under Minnesota Statutes, Chapters 161 and 162 (1978) as amended, so as to permit a design speed of 30 miles per hour instead of a required design speed of 45 miles per hour.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated this 8th day of March, 1983.

Richard P. Braun  
Commissioner of Transportation

### **Petition of Todd County for a Variance from State Aid Standards for Design Speed**

Notice is hereby given that the County Board of Todd County has made a written request to the Commissioner of Transportation for a variance from minimum design speed standards for special resurfacing projects along C.S.A.H. 11 between T.H. 27 and C.S.A.H. 38, 4.7 miles West of Long Prairie.

The request is for a variance from 14 MCAR § 1.5032 H.1.d., Rules for State Aid Operations under Minnesota Statutes, Chapters 161 and 162 (1978) as amended, so as to permit a design speed of 43 miles per hour instead of a required design speed of 45 miles per hour.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated this 8th day of March, 1983.

Richard P. Braun  
Commissioner of Transportation

### **Petition of Wadena County for a Variance from State Aid Standards for Design Speed**

Notice is hereby given that the County Board of Wadena County has made a written request to the Commissioner of Transportation for a variance from minimum design speed standards for a special resurfacing project along C.S.A.H. 9 between C.S.A.H. 22 and C.S.A.H. 26.

The request is for a variance from 14 MCAR § 1.5032 H.1.d., Rules for State Aid Operations under Minnesota Statutes, Chapters 161 and 162 (1978) as amended, so as to permit a design speed of 40 miles per hour instead of a required design speed of 45 miles per hour.

Any person may file a written objection to the variance request with the Commissioner of Transportation, Transportation Building, St. Paul, Minnesota 55155.

If a written objection is received within 20 days from the date of this notice in the *State Register*, the variance can be granted only after a contested case hearing has been held on the request.

Dated this 8th day of March, 1983.

Richard P. Braun  
Commissioner of Transportation

## **Pollution Control Agency**

### **Application by the City of Worthington for a National Pollutant Discharge Elimination System (NPDES)/State Disposal System (SDS) Permit and for a variance from 6 MCAR § 4.8014 D.S. (Class 2C ammonia standard) and 6 MCAR § 4.8014 D.7. (Class 7 dissolved oxygen standard) for its Wastewater Treatment Facility**

Notice is hereby given that a contested case hearing concerning the above-entitled matter will be held by the Minnesota Pollution Control Agency (MPCA) on Monday, April 25, 1983, at the Community Center, 415 Ninth Street, Worthington, Minnesota 56187, commencing at 1 p.m. If necessary, the hearing will be continued at 9 a.m. on April 26, 1983, at the same location and thereafter until adjournment. In addition, evening sessions will be held at 7 p.m. on April 25, 1983, at the Multipurpose Center, 112 South Main, Lakefield, Minnesota 56150 and at 7 p.m. on April 26, 1983, at the Community Center, 415 Ninth Street, Worthington, Minnesota 56187, in order to provide an opportunity to participate for those who cannot attend the day sessions.

The City of Worthington owns and operates a trickling-filter type wastewater treatment facility located in Worthington Township, Nobles County, Minnesota. The wastewater treatment facility treats wastewater from normal domestic and municipal sources combined with one major industrial contributor. The wastewater treatment facility discharges to Okabena Creek.

Okabena Creek flows northeast from Worthington and outlets approximately 30 miles downstream in South Heron Lake, Jackson County, Minnesota. South Heron Lake outlets to Heron Lake.

The City has applied to the MPCA for reissuance of its NPDES/SDS permit for its wastewater treatment facility. The City also requested a variance for the five day biochemical oxygen demand (BOD<sub>5</sub>) and ammonia effluent limitations in the proposed permit. This constitutes a request for a variance from MPCA rules governing the Class 7 waters dissolved oxygen standard and the Class 2C waters ammonia standard.

The hearing will be held before Ms. Phyllis Reha, Office of Administrative Hearings, 400 Summit Bank Building, 310 S. 4th Avenue, Minneapolis, Minnesota 55415, telephone: (612) 341-7611, a hearing examiner appointed by the Chief Hearing Examiner of the State of Minnesota. The purpose of the hearing is to determine whether the proposed permit should be reissued and the variance granted, and, if so, the terms and conditions of the permit and the variance.

At the present time, the parties to the hearing are the City, the persons requesting the hearing (the Board of Commissioners of Jackson County and others) and the MPCA Director.

For further information regarding participation in the hearing, please contact the hearing examiner at the address or telephone number noted above. For further information regarding the permit or variance application, please contact Margaret J. Velky, Minnesota Pollution Control Agency, 1935 W. County Road B-2, Roseville, Minnesota 55113, telephone (612) 296-7229.

March 1, 1983

Sandra S. Gardebring  
Executive Director

## **Department of Public Welfare Mental Health Bureau Brainerd State Hospital**

### **Notice of Request for Proposal for Medical Services**

Notice is hereby given that the Brainerd State Hospital, Mental Health Bureau, Department of Public Welfare, is seeking the following services for the period July 1, 1983 through June 30, 1984, with option to renew for a one year period ending June 30, 1985. These services are to be performed as requested by the Administration of the Brainerd State Hospital.

This request for proposals does not obligate the state to complete the projects, and the state reserves the right to cancel the solicitation if it is considered to be in its best interest.

1. Services of a physician to provide "on call" service for an acute ward, physical examinations, make hospital rounds, and conduct clinics. The estimated amount of the contract will not exceed \$38,000.00.

2. Services of a radiologist to interpret x-rays taken at Brainerd State Hospital or special x-rays done under his/her direction at St. Joseph's Hospital, Brainerd, MN. The estimated amount of the contract will not exceed \$25,000.00.

## OFFICIAL NOTICES

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Responses must be received by 11 a.m., April 25, 1983. Direct inquiries to:

Elmer O. Davis  
Assistant Administrator (218) 828-2399  
Brainerd State Hospital  
East Oak Street  
Brainerd, MN 56401



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State Register and Public Documents Division  
117 University Avenue  
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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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