

State



STATE OF  
MINNESOTA

Register

**IN THIS ISSUE:**

Licensing Requirements for Abstracters  
—Proposed Rules from the Department of Commerce

Decorative Gas Lamp Prohibition Variances  
—Adopted Rules from the Energy Agency

Mortgage Interest Rate for March, 1977  
—Notice from the Department of Commerce

Wildlife Held Captive for Public Exhibition  
—Public Opinion Sought by the Department of Natural Resources

**VOLUME 1, NUMBER 34**

**FEBRUARY 28, 1977**

## Subscribers Hotline

Phone inquiries regarding subscriptions should be directed to Marjorie Borchard at (612) 296-8239.

## How to Cite

Cite all material in the *State Register* by Volume number and page number.  
Example: Volume 2, *State Register*, page 94 (short form: 2 S.R. 94).



Individual copies of the *State Register* may be purchased at either the Office of the State Register or the Documents Section, for \$2.25.

Change of address notices, subscription or single-copy orders and undelivered copies should be sent to:

THE OFFICE OF THE STATE REGISTER  
95 Sherburne, Suite 203  
St. Paul, Minnesota 55103  
296-8239

Materials published in the *State Register* are public records under Minn. Stat. § 15.17. Individual documents may be freely copied from the *State Register*. However, the State of Minnesota has reserved a copyright to cross reference tables, tables of contents, indices, numerical lists and codification guides, as provided in RGSTR 7 of the rules of the Office of the State Register.

The *State Register* is the official publication of the State of Minnesota. It contains all executive orders, rules and notices filed with the Office of the State Register as of noon of the second Thursday preceding the Monday of publication. The text of documents published in the *State Register* is to be accorded the following presumptions:

- (1) The rule or order was duly adopted, issued or promulgated;
- (2) The rule or order was duly filed with the Secretary of State and available for public inspection at the day and hour endorsed thereon; and
- (3) The copy of the rule or order published in the *State Register* is a true copy of the original.

Judicial notice shall be taken of material published in the *State Register*.

The *State Register* is published weekly, on Monday, by the State of Minnesota, Department of Administration, Office of the State Register, Suite 203, 95 Sherburne Avenue, St. Paul, Minnesota 55103, pursuant to Minn. Stat. § 15.0411. In accordance with expressed legislative intent that the *State Register* be self-supporting, the subscription rate has been established at \$110 per year, and \$85 per year for second and additional subscriptions, postpaid to points in the United States. Second class postage paid at St. Paul, Minnesota.

Copyright © 1977 State of Minnesota

Rudy Perpich  
Governor

Richard L. Brubacher,  
Commissioner,  
Department of Administration

George T. Morrow, II,  
Director,  
Office of the State Register

# Contents

## Rules

### Energy Agency

Adopted Rules Governing Decorative Gas Lamp Prohibition Variances .....	1264
---	------

## Proposed Rules

### Department of Commerce

#### Board of Abstracters

Proposed Rules Governing Licensing Requirements and Code of Ethics for Abstracters .....	1268
--	------

## Official Notices

### Department of Commerce

#### Banking Division

Notice of Maximum Lawful Rate of Interest for Mortgages for the Month of March, 1977 .....	1271
--	------

## Department of Natural Resources

Notice of Intent to Solicit Outside Opinion Regarding Rules for Captive Wildlife Exhibits .....	1271
Notice of Intent to Solicit Outside Opinion on Policies for Managing State Parks .....	1271

## EQC Monitor

### Environmental Quality Council

Notice of Actions Taken at the February 8, 1977 Meeting .....	1273
Notice of Receipt of Petition for EIS Dome Pipeline Project .....	1273

# List of MSAR Rules Affected\*

List of rules within the Manual of State Agency Rules affected by documents published in the State Register during the current quarter beginning January 1, 1977:

### Board of Accountancy

Accy 5, 8, 12, 18-19, 30, 40, 43-46, 50, 60, 63, 70-74, 80-84, 110-112, 120-121, 140-141, 150-151, 220-429 (proposed) .....	1236
---	------

### Department of Agriculture

Agr 543-547 .....	1055
-------------------	------

### Department of Commerce

Abs 2 .....	1268
-------------	------

### Department of Education

EDU 120-123 .....	1163
-------------------	------

### Environmental Quality Council

MEQC 21-41 .....	1093
------------------	------

### Department of Health

MHD 200, 201, 203-251 .....	1162
-----------------------------	------

### Livestock Sanitary Board

LSB 32 (proposed) .....	1129
-------------------------	------

### Board of Pharmacy

Pharm 1-4, 6-13, 21, 23, 25-28, 31, 33, 36, 37, 40, 41, 43-46, 51, 61, 101-106, 111-118 (proposed) .....	1137
--	------

### Pollution Control Agency

APC 4, 11 .....	1111
-----------------	------

### Board of Psychology

Psych 2, 7 .....	1118
------------------	------

### Department of Public Safety

Liq 1-36, 38, 39, 56, 67, 71, 73, 75, 83, 84, 92, 95, 98, 100, 123 (proposed) .....	1071
SafAd 96-105 .....	1057
Mo Veh 58 (proposed) .....	1136
DES 90, 91, 94 .....	1179

### Department of Public Service

PSC 2, 5, 106, 120, 122-124, 128, 179-183, 212, 215, 219, 280-282, 284, 286, 287, 295, 296, 298-303, 311, 313-315, 317-326, 328-335, 410-418, 420-423 (proposed) .....	968
--	-----

### Department of Public Welfare

DPW52 (proposed) .....	1001
DPW 90, 91, 94, 104, 125-128 .....	1180

### Department of Transportation

Hwy 32 .....	1057
--------------	------

\*New rules, both proposed and adopted, and which have never been disseminated or published, are not included in the List of MSAR Rules Affected. Rules which are listed as "uncodified" have been disseminated, but have never been published in the MSAR.

# RULES

## Energy Agency Decorative Gas Lamp Prohibition Variances

### Chapter 20

**EA 2001 Purpose of rules.** The purpose of these rules is to specify the contents of applications for variances to the statutory prohibition on use of decorative gas lamps and to specify the criteria according to which variances shall be granted pursuant to Laws of 1976, ch. 333 § 6 ([to be]) codified as Minn. Stat. § 116H.12 subd. 3b).

### EA 2002 Applicability of rules.

A. Beginning April 21, 1977, no person shall use any device installed for the purpose of producing illumination by burning natural, mixed, or LP gas and utilizing either a mantle or an open flame, unless a variance has been granted pursuant to these rules.

B. Beginning April 21, 1977, no person shall provide replacement parts or service intended to maintain the operation of a decorative gas lamp unless the owner of such lamp has been granted a variance pursuant to these rules.

C. Exception. These rules shall not apply to portable camp lanterns utilizing fuel oil, white gas, or LP gas.

### EA 2003 Application procedures and timing.

A. Each applicant for a variance shall apply in the form prescribed by the director. See rule EA 2021.

B. The director shall make a decision on the variance application within 30 days of receipt of the application, provided the application as filed is complete.

C. The director shall notify an applicant within 15 days of the receipt of an application if the application is not complete. Upon such notification, the applicant may correct the deficiencies and resubmit the application. A decision shall be made on the revised application within 30 days of the date of resubmission ([, assuming it is then complete]).

D. Upon making his decision, the director shall notify the applicant, the applicant's natural or LP gas supplier, and appropriate local law enforcement agencies.

E. Each variance granted by the director ([shall be nontransferable and nonassignable and]) shall be valid

for a period of four years, commencing from the date of the variance grant, provided, however, that a variance granted pursuant to rule EA 2011 B.1. shall be valid for the lifetime of the recipient.

**EA 2004 Definitions.** For purposes of these rules, the following definitions shall apply:

A. "Agency" means the Minnesota Energy Agency;

B. "Applicant" means the person submitting an application for a variance to the prohibition on use of decorative gas lamps;

C. "AMC per GLPG" means average marginal cost per gallon of LP gas. It is the annual cost to a person purchasing one additional gallon of LP gas per month for one year divided by 12;

D. "AMC per KWH" means average marginal cost per kilowatt hour. It is the annual cost to a person purchasing one additional kilowatt hour of electricity each month for one year divided by 12;

E. "AMC per MCF" means average marginal cost per thousand cubic feet of natural or mixed gas. It is the annual cost to a person purchasing one additional MCF of natural or mixed gas each month for one year divided by 12;

F. "BTU" means British thermal unit, a common unit of energy measurement which is used in these rules for comparative purposes. For purposes of these rules one MCF of natural or mixed gas shall be considered to contain one million BTU's and one gallon of LP gas shall be considered to contain 93,000 BTU's;

G. "Complete Application" means an application which satisfies all of the requirements of these rules;

H. "Conversion Cost" means the dollar cost of 1) adapting a decorative gas lamp to one producing light by electrical energy or 2) replacing a gas lamp with an electrical fixture that will provide an equivalent amount of light for the same location;

I. "Director" means the director of the Minnesota Energy Agency;

J. "Decorative Gas Lamp" means any device installed for the purpose of illumination by burning natural, mixed, or LP gas and utilizing either a mantle or an open flame, but does not include a portable gas camp lantern or [[gas]] lamp;

K. "Home Owner" means one or more persons, jointly or severally, in whom is vested a legal or bene-

## RULES

icial interest in a dwelling no more than one half the square footage of which is occupied by tenants;

[[K.]] L. "KWH" means kilowatt hour (1,000 watt hours), a common unit of measurement for electrical energy. One kilowatt hour of electricity is equivalent to 3,412 BTU's;

[[L.]] M. "LP Gas" means liquefied petroleum gas or propane;

[[M.]] N. "MCF" means 1,000 cubic feet, a common quantity for measurement of natural gas;

[[N.]] O. "Person" means any individual, partnership, corporation, joint stock company, unincorporated association or society, municipal corporation or any government or governmental subdivision, unit or agency, other than a court of law;

P. "Tenant" means any person who is occupying a dwelling under any agreement, lease, or contract, whether oral or written, and for whatever period of time, which requires the payment of moneys as rent for the use of the dwelling unit, and all other regular occupants of such dwelling unit;

[[O.]] Q. "Utility" means any entity engaged in the generation, transmission, or distribution of electric energy and any entity engaged in the transmission or distribution of natural or synthetic natural gas, including, but not limited to, a private investor-owned utility or a public or municipally owned utility.

### EA 2011 Variance criteria.

**A. Open-flame decorative gas lamps. No variance shall be granted for open-flame decorative gas lamps** [[shall receive a variance from the director]].

**B. Decorative gas lamps with incandescent mantles. The director shall grant a variance to an applicant** [[for]] who owns decorative gas lamps with incandescent mantles if the applicant satisfies either of the following criteria:

1. Any home owner who is at least 65 years of age as of the effective date of these rules and who resides at the location listed in response to rule EA 2021 A.2. shall receive a variance upon filing a complete application. In the case of joint ownership, the age of only the older owner shall be considered.

2. Any person who does not meet the criteria in rule EA 2011 B.1. above shall receive a variance only if the lamp(s) for which the variance is sought cannot be economically converted to electricity; however, that person shall receive, without application therefor, a construction season variance valid until September 30, 1977. A lamp (lamps) cannot be economically converted to electricity if the total conversion cost (see rule EA 2031) exceeds the total economic benefit of conversion (see rule EA 2032).

3. Any person whose dwelling is illuminated by decorative gas lamps because it is not served by an electric utility is deemed unable to economically convert such lamps to electricity and to have been granted a variance pursuant to these rules, which variance shall be effective only so long as that dwelling is not served by an electric utility.

### EA 2021 Form of application.

**A. Each applicant requesting a variance pursuant to rule EA 2011 B.1. shall submit the following information:**

1. the name of the owner of the decorative gas lamp(s) for which a variance is requested;
2. the complete address of the property where the lamp(s) is located;
3. the number of gas lamps at the location listed in response to rule EA 2021 A.2. above for which the applicant is seeking a variance;
4. the complete name of the [[company or]] utility that provides gas burned by the gas lamp(s); and
5. the birth date of the owner requesting the variance.

**B. Each applicant requesting a variance pursuant to rule EA 2011 B.2. shall supply the following information:**

1. the name of the owner of the decorative gas lamp(s) for which a variance is requested;
2. the complete address of the owner of the lamp(s) and of the property where the lamp(s) is located. If decorative gas lamps are identified by different street addresses but are at physically contiguous locations one

**KEY:** New rules and material proposed to be added to an existing rule are printed in **boldface**. Material proposed to be deleted from an existing rule is printed in [single brackets]. Underlining indicates additions to proposed rules, while [[double brackets]] indicate matter stricken from proposed rules. Existing material is printed in standard type face.

# RULES

application shall suffice. However, where lamps are located on properties which are not physically contiguous, separate applications must be submitted;

3. the number of gas lamps at the location listed in response to rule EA 2021 B.2. above for which the applicant is seeking a variance;

4. for each gas lamp considered in the response to rule EA 2021 B.3. above, the number of mantles and whether the mantles are inverted or upright;

5. for each gas lamp considered in the response to rule EA 2021 B.3. above, the manufacturer and the model number, if available;

6. the complete name of the utility that [[provides]] supplies the gas burned by the gas lamp(s);

7. the complete name of the utility that supplies the applicant with electricity;

8. the total conversion cost for lamps considered in the response to rule EA 2021 B.3. above (see rule EA 2031); and

9. the total economic benefit of conversion for lamps considered in the response to rule EA 2021 B.3. above (see rule EA 2032).

C. Each application for a variance shall be verified, signed, and notarized.

**EA 2031 Conversion cost.** The total conversion cost can be established only by submitting with the application for variance complete copies of two independent, [[certified]] signed bids from licensed electricians for converting the gas lamps to electricity. The bids must be detailed — simple dollar figures are not sufficient. If the applicant owns 10 or more decorative gas lamps which primarily provide security lighting, the applicant shall also provide with the application two independent, [[certified]] signed bids from licensed electricians for replacing the gas lamps with high efficiency electric lighting, such as fluorescent, mercury vapor, or high or low pressure sodium lamps.

**EA 2032 Economic benefit of conversion.**

A. The total economic benefit of conversion will be the sum of the economic benefits of conversion of all gas lamps for which the applicant is requesting a variance. Economic benefit varies with the number of mantles, the placement of the mantles — inverted or upright, and the fuel used — natural or LP gas. Alternative methods of determining the economic benefit of conversion are provided below. The applicant may accept and use the

figure provided in the appropriate sub-paragraph lettered a or c, or the applicant may choose the alternative form provided in the appropriate sub-paragraph lettered b. If the applicant chooses to follow the latter alternative, the formula may be used in any of three ways. First, the applicant may make the necessary calculations. In that case, all the calculations and all figures used must be shown and included with the application with the source of all figures indicated. Second, the applicant may use the formula with the AMC figures obtained from the applicant's utilities. In that case, the applicant must attach to the application the written statements from the applicant's electric utility and gas utility or supplier by which the applicant obtained the AMC figures. Third, the applicant may provide to the Energy Agency the applicant's total gas bill and total electric bill for the past 12 months expressed in dollars. The Agency staff will estimate the economic benefit of conversion for applicant's lamp(s) by using the bill totals provided and the current rates per unit of energy assessed by applicant's utilities for an average house with the same total electric and gas bills.

B. Gas lamps with one mantle.

1. Gas lamps burning natural gas. An applicant whose gas lamp burns natural gas may use as the economic benefit of conversion for each gas lamp, any of the following numbers:

a. \$255, [[or]]

b. the quantity determined from the formula:  $(168 \times \text{AMC per MCF for natural gas}) - (1460 \times \text{AMC per KWH for electricity})$ , or

c. \$170, if equipped with an automatic turndown device installed before 1975.

2. Gas lamps burning LP gas. An applicant whose gas lamp burns LP gas may use as the economic benefit of conversion for each gas lamp, either of the following numbers:

a. \$550, or

b. The quantity determined from the formula:  $(1805 \times \text{AMC per GLPG}) - (1460 \times \text{AMC per KWH for electricity})$ .

C. Gas lamps with two inverted mantles.

1. Gas lamps burning natural gas. An applicant whose gas lamp burns natural gas may use as the economic benefit of conversion for each gas lamp, either of the following numbers:

# RULES

a. \$230, or

b. The quantity determined from the formula:  
 $(168 \times \text{AMC per MCF of natural gas}) - (2190 \times \text{AMC per KWH for electricity})$ .

2. Gas lamps burning LP gas. An applicant whose gas lamp burns LP gas may use as the economic benefit of conversion for each gas lamp, either of the following numbers:

a. \$525, or

b. the quantity determined from the formula:  
 $(1805 \times \text{AMC per GLPG}) - (2190 \times \text{AMC per KWH for electricity})$ .

D. Gas lamps with three inverted mantles.

1. Gas lamps burning natural gas. An applicant whose gas lamp burns natural gas may use as the economic benefit of conversion for each gas lamp, either of the following numbers:

a. \$345, or

b. the quantity determined from the formula:  
 $(241 \times \text{AMC per MCF for natural gas}) - (2738 \times \text{AMC per KWH for electricity})$ .

2. Gas lamps burning LP gas. An applicant whose gas lamp burns LP gas may use as the economic benefit of conversion for each gas lamp either of the following numbers:

a. \$765, or

b. the quantity determined from the formula:  
 $(2590 \times \text{AMC per GLPG}) - (2738 \times \text{AMC per KWH for electricity})$ .

E. Gas lamps with more than one upright mantle.

1. Gas lamps burning natural gas. An applicant whose gas lamp burns natural gas may use as the economic benefit of conversion for each gas lamp, either of the following numbers:

a. \$255 times the number of mantles in each gas lamp, or

b. the quantity determined from the formula:  
 $((168 \times \text{AMC per MCF for natural gas}) - (1460 \times \text{AMC per KWH for electricity})) \times (\text{the number of mantles in each gas lamp})$ .

2. Gas lamps burning LP gas. An applicant whose gas lamp burns LP gas may use as the economic benefit of conversion for each gas lamp, either of the following numbers:

a. \$550 times the number of mantles in each gas lamp, or

b. the quantity determined from the formula:  
 $((1805 \times \text{AMC per GLPG}) - (1460 \times \text{AMC per KWH for electricity})) \times (\text{the number of mantles in each gas lamp})$ .

F. Gas lamps with more than three inverted mantles.

1. Gas lamps burning natural gas. An applicant whose gas lamp burns natural gas may use as the economic benefit of conversion for each gas lamp, either of the following numbers:

a. \$115 times the number of mantles in each gas lamp, or

b. the quantity determined from the formula:  
 $((84 \times \text{AMC per MCF for natural gas}) - (1095 \times \text{AMC per KWH for electricity})) \times (\text{the number of mantles in each gas lamp})$ .

2. Gas lamps burning LP gas. An applicant whose gas lamp burns LP gas may use as the economic benefit of conversion for each gas lamp, either of the following numbers:

a. \$263 times the number of mantles in each gas lamp, or

b. the quantity determined from the formula:  
 $((903 \times \text{AMC per GLPG}) - (1095 \times \text{AMC per KWH for electricity})) \times (\text{the number of mantles in each gas lamp})$ .

**KEY:** New rules and material proposed to be added to an existing rule are printed in **boldface**. Material proposed to be deleted from an existing rule is printed in [single brackets]. Underlining indicates additions to proposed rules, while [[double brackets]] indicate matter stricken from proposed rules. Existing material is printed in standard type face.

# PROPOSED RULES

## Department of Commerce Board of Abstracters

### Licensing Requirements and Code of Ethics for Abstracters

#### Notice of Hearing

Notice is hereby given that a public hearing in the above-entitled matter will be held in the Department of Commerce Hearing Room, Fifth Floor, Metro Square Building, St. Paul, Minnesota on April 12, 1977 commencing at 10:00 a.m. and continuing until all persons have had an opportunity to be heard.

All interested or affected persons will have an opportunity to participate. Statements may be made orally and written materials may be submitted at the hearing. In addition, written materials may be submitted by mail to Peter Erickson, Room 300, 1745 University Avenue, St. Paul, Minnesota, Phone 296-8118, either before the hearing or within 20 days after the close of the hearing.

The proposed rules, if adopted, would define abstract of title, abstract office, board, licensed abstracter; established meetings; require the employment of licensed abstracters' establish a temporary license; require a license for each county in which an abstracter does business; define deceptive, fraudulent or dishonest practices; and establish standards of conduct. Copies of the proposed rules are now available and one free copy may be obtained by writing to the Minnesota Abstracters' Board of Examiners, Fifth Floor, Metro Square Building, St. Paul, Minnesota. Additional copies will be available at the door on the date of the hearing. The board's authority to promulgate the proposed rules is contained in Minn. Stat. §§ 386.63 and 388.70. A "statement of need" explaining why the board feels the proposed rules are necessary and a "statement of evidence" outlining the testimony they will be introducing will be filed with the Hearing Examiners Office at least 25 days prior to the hearing and will be available there for public inspection.

Please be advised that pursuant to Minn. Stat. § 10A.01, subd. 11 (1974) any individual engaged for pay or other consideration for the purpose of representing persons or associations attempting to influence administrative action, such as the promulgation of these rules, must register with the State Ethics Commission as a lobbyist within five days of the commencement of such activity by the individual.

K. Benjamin Skurdal, Secretary-Treasurer

#### Rules as Proposed

Abs. 1 remains unchanged.

Abs. 2 [Certificates of registration] **Change of name on license.** A change of name on a [certificate] license must be accompanied by payment of \$50.00 even though an examination may be waived.

Abs. 3 **Definitions.** For the purposes of these rules and regulations, the terms:

A. "Abstract of title" shall mean a compilation in ordering arrangement of the materials and facts of record affecting the title to a specific piece of land, issued under a certificate certifying to the matters therein contained.

B. "Abstract office" shall mean a place of business wherein abstracts of title are made, compiled or sold.

C. "Board" shall mean the Minnesota Abstracters' Board of Examiners.

D. "Licensed abstracter" means any official, person, firm or corporation obtaining licenses pursuant to the terms of Minn. Stat. §§ 386.61 to 386.76 (1976); and includes (1) present duly qualified and acting county recorders not now prohibited by law from the business of making abstracts; (2) any person, firm or corporation engaged in the business of making abstracts of title and issuing certificates showing ownership of, or interest in, or liens upon any lands in the State of Minnesota, whether registered or not.

Abs. 4 **Meetings.** The board shall hold its annual meeting on the 1st Tuesday in May of each year. Examinations shall be conducted by the board or its authorized representatives at each annual meeting. The board may schedule an emergency meeting and conduct an examination for good cause shown for any applicant upon 30 days written notice to the applicant and board members. The board may hold special meetings at such other times as may be necessary and as it may determine. All meetings shall be called by the secretary-treasurer.

Abs. 5 **Employing licensed abstracters.** Every person, firm or private corporation engaged in the business of abstracting in one county only shall have in its employ a person who is a licensed abstracter. Every person, firm or private corporation engaged in the business of abstracting in more than one county in this state shall have at least one person who is a licensed abstracter for each county in which it maintains an abstract office, provided that no person may satisfy this requirement for more than one abstract office. No licensed abstracter may fulfill the requirements of this section for more than



## PROPOSED RULES

one company at any one time. Every person, firm or private corporation engaged in the business of abstracting shall comply with the requirements of this section within six months after the effective date of these regulations.

**Abs. 6 Temporary license.** The board may, upon application to it by any person succeeding to the ownership of any abstract business by any means other than by purchase, or any person, who by reason of the incapacity of any licensed abstracter owner of any abstract business, is required to assume the operation of such abstract business, grant to such person, without examination, a temporary license. Each application for a temporary license shall be accompanied by an affidavit setting forth the applicant's name, address, occupation, length of and place of employment, and his experience in preparing, compiling, and selling abstracts of title. The fee for such temporary license shall be \$25.00. Such license shall expire six months after its date or upon the expiration of 60 days after the next regularly scheduled examination which could be taken by the applicant, whichever period is longer. The board shall notify such applicant by mail of the time and place of such examination.

**Abs. 7 License required.** No person, firm or private corporation shall engage in the business of making abstracts of title and issuing certificates showing ownership of, or interest in, or liens upon any lands in the State of Minnesota, whether registered or not, without first obtaining a license and a bond or abstracter's liability insurance policy pursuant to Minn. Stat. §§ 386.61 to 386.76 (1976) for each county in which he is doing business as an abstracter.

**Abs. 8 Disclosure.** Every abstract of title to real property in the State of Minnesota shall contain the following disclosure affixed to or stamped on a prominent place on the abstract of title:

“This abstract of title is an accurate history of the record title of the property described therein and does not necessarily represent that the title is good and marketable”.

**Abs. 9 Fraudulent, deceptive or dishonest practices.** The methods, acts and practices contained herein or similar thereto shall be presumed fraudulent, deceptive or dishonest if engaged in by the abstracter or his agent and shall constitute grounds for denial, suspension or revocation of the license of the abstracter:

A. Making any material misstatement in the application for a license or in any information furnished to the board;

B. Causing to be published advertising whether written or printed communication or any communication by recorded telephone message, radio, television, picture or similar means, which is misleading or inaccurate in any material manner;

C. Procuring, or attempting to procure, an abstracter's license for themselves or any person by fraud, misrepresentation or deceit;

D. Violating any law, rule, regulation or ordinance of this state or any of its political subdivisions, including the State Board of Abstracters, or the United States Government, or any agency thereof relating to the practice of abstracters;

E. Making a false statement as to the existence or amount of the bond or abstracter's liability insurance policy filed with the board;

F. Representing that he has a license or bond or abstracter's liability insurance policy when he, in fact, does not;

G. Falsifying an abstract of title, or any entry therein, or the certification of an abstract;

H. Engaging in any other conduct which constitutes dishonest actions in his practice as a licensed abstracter which endangers the interest of the public;

I. Nothing contained herein shall limit the authority of the board to take formal action against an abstracter for the use of fraudulent, deceptive or dishonest activities of a type not specifically described herein.

**Abs. 10 Standards of conduct.** The methods, acts, or practices set forth herein shall be standards of conduct governing the activities of abstracters under this section. The failure to comply with said standards shall constitute grounds for denial, suspension or revocation of the license of such person, or censure of said abstracter. Abstracters shall:

A. Refrain from using his name or certification on an abstract, the preparation of which he was not directly responsible for;

**KEY:** New rules and material proposed to be added to an existing rule are printed in **boldface**. Material proposed to be deleted from an existing rule is printed in [single brackets]. Underlining indicates additions to proposed rules, while [[double brackets]] indicate matter stricken from proposed rules. Existing material is printed in standard type face.

## **PROPOSED RULES**

---

---

**B. Refrain from engaging in any discriminatory practices prohibited by law in the conduct of his business;**

**C. Employ competent abstracters and employees;**

**D. Provide proper training and instruction for all employees;**

**E. Refrain from splitting fees, accepting or paying referral fees for abstracting services.**

# OFFICIAL NOTICES

## Department of Commerce Banking Division

### Maximum Lawful Rate of Interest for Mortgages for the Month of March, 1977

Notice is hereby given that the Banking Division, Department of Commerce, State of Minnesota, pursuant to the Conventional Home Loan Assistance and Protection Act, Laws of 1976, ch. 300, hereby determines the maximum lawful rate of interest for home mortgages for the month of March, 1977, is Eight and Three-Quarters (8.75) percent.

Robert A. Mampel  
Commissioner of Banks

## Department of Natural Resources

### Notice of Intent to Solicit Outside Opinion Regarding Rules for Captive Wildlife Exhibits

The Department of Natural Resources is drafting rules establishing a permit system and standards of care and treatment of wildlife held captive for public exhibition. The rules are authorized by Minn. Stat. 1974, § 97.611.

The department invites interested persons or groups to provide information, comment and advice on the subject, in writing or orally, to

William H. Longley  
Department of Natural Resources  
Third Floor Centennial Building  
Saint Paul, Minnesota 55155  
Telephone: (612) 296-2855.

Statements must be received within 20 days after this notice is published in the State Register. Written statements will be made part of the public hearing record.

The rules apply to the care and treatment of living mammals, birds, reptiles and amphibians held captive for public exhibition in connection with any commercial enterprise, excluding displays owned by any city, county, or the

State of Minnesota, any publicly owned zoo or wildlife exhibit, any privately owned traveling zoo or circus, or any pet shop.

David B. Vesall,  
Director  
Division of Fish and Wildlife

## Department of Natural Resources

### Notice of Intent to Solicit Outside Opinion on Policies for Managing State Parks.

The Outdoor Recreation Act of 1975 (Laws of 1975, ch. 353; Minn. Stat. ch. 86A supp. 1975), requires the Commissioner of Natural Resources to develop policies for state parks, and to adopt them as rules.

These policies for natural state parks and recreational state parks are now being drafted, and the department invites interested persons and groups to provide information, comment and advice on the subject, in writing or orally, to

Merle DeBoer  
Department of Natural Resources  
B-95 Centennial Building  
Saint Paul, Minnesota 55155  
Telephon: (612) 296-6079

Statements will be accepted until August 1, 1977. Written material will become part of the record of the chapter 15 rules hearing on the policies, which will be noticed after August 1.

The policies apply to all natural and recreational state parks. They provide guidelines for individual park management plans. They address management of natural resources, construction and development of structures, facilities and programs, maintenance of natural resources and facilities, and the operation of state park programs.

Don D. Davison, Director  
Division of Parks and Recreation

### Erratum

1. 1 S.R. 188: change "\$50" to "\$500" at DPW 44 D. 12. e. (1).

## Environmental Quality Council

### Actions Taken at the February 8, 1977 Meeting

1. Found Environmental Assessment (EA) with addendum on the Potlatch proposed Little Pony River Timber Harvest adequate and determined no Environmental Impact Statement (EIS) is required. (Note: the Department of Natural Resources (DNR) permit will not allow cutting in the Boundary Waters Canoe Area "interior zone")

2. Found the EA on the proposed Mankato Mall adequate and determined no EIS is required.

3. Found the EA on the proposed Bluff View Labs swine facility near Elgin Township inadequate and granted time extension until soil borings can be made.

4. Approved Environmental Assessment Worksheet (EAW) form in accord with new Environmental Review rules that go into effect on February 14, 1977.

5. Approved rules for assessing the cost of EIS preparation.

6. Approved revisions of ozone monitoring plan for the North Dakota to Dickinson Cooperative Power Association/United Power Association transmission line. One Minnesota location will be moved to near Jamestown, North Dakota.

7. Approved minor route alteration in the Twin Cities to Kettle River (Minnesota Power and Light) transmission line.

8. Accepted the suggested additional route segments in the Kettle River to Forbes (MP&L-TR-1A) transmission line.

9. Adopted findings and issued a construction permit designating a transmission line route from Forbes to the International border (NSP-TR-1).

10. Resolved to allow preliminary site work at Northern States Power's (NSP) Sherco 3 and 4 (Becker) but limited to construction buildings, a construction substation and a concrete batch plant.

11. Accepted NSP's application for exemption relating to a 230 kilovolt (kV) substation near Olivia and Bird Island.

12. Determined that no EA is required on the closing of the Savage Bridge.

13. Ordered EA on Equadamog Shores development designating Cass County responsible agency.

14. Found Final EIS on Calhoun Isles high rise/high density development adequate.

### Receipt of Petition for EIS Dome Pipeline Project

The Environmental Quality Council (EQC) received a petition on February 17, 1977, for an Environmental Impact Statement (EIS) on the Dome Pipeline project in southern Minnesota.

The project involves two parallel pipelines extending in Minnesota from the North Dakota border (Traverse County) to the Iowa border (Mower County). The pipeline, originating in Western Canada, will carry liquid hydrocarbons to systems serving Ontario, Michigan and Ohio.

The EQC previously reviewed an environmental assessment on the Dome Pipeline project and passed a resolution on January 20, 1975 that no EIS was required.

**At the March 8, 1977 meeting, the EQC will determine whether this petition is subject to the new environmental review program rules which became effective on February 13, 1977.**

STATE OF MINNESOTA  
OFFICE OF THE STATE REGISTER  
95 Sherburne, Suite 203  
St. Paul, Minnesota 55103

**SUBSCRIPTION ORDER FORM**

\$110.00—annual subscription to the *State Register*—53 issues (non-refundable)

**SAVE MONEY ON ADDITIONAL SUBSCRIPTIONS:**

\$85.00—second subscription and additional subscriptions (each)

I would like \_\_\_\_\_ subscriptions at a total cost of \$\_\_\_\_\_. I have enclosed that amount in a check or money order made out to: "Minnesota State Treasurer."

Name of Company or Organization \_\_\_\_\_

Attention to: \_\_\_\_\_

Street \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Telephone \_\_\_\_\_

**NOW AVAILABLE:  
STATE REGISTER BINDERS**

**3½ Inch Durable Plastic  
Self-locking Binders**

STATE OF MINNESOTA  
OFFICE OF THE STATE REGISTER  
95 Sherburne, Suite 203  
St. Paul, Minnesota 55103

**BINDER ORDER FORM**

*State Register* Binder \$5.00 + \$.20 sales tax, for a total of \$5.20, or include your tax exempt no. \_\_\_\_\_

I would like \_\_\_\_\_ binder(s), at a total cost of \$\_\_\_\_\_. I have enclosed that amount in a check or money order made out to: "Minnesota State Treasurer."

Name of Company or Organization \_\_\_\_\_

Attention to: \_\_\_\_\_

Street \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Telephone \_\_\_\_\_

---

House of Representatives  
Attn: Edward Burdick, Chief Clerk  
Room 211 Capitol  
St. Paul, Minnesota 55155

I