

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

Eileen A. Gaiovnik, being first duly sworn, hereby deposes and says:

That at the City of St. Paul, county and state aforementioned, on the 19th day of April, 1978, she did serve the Report of Hearing Examiner, AGR-78-009-SM

upon The Commissioner of Agriculture by personally handing to Randall Young, Director of Planning and Development for the Department of Agriculture, said Report of Hearing Examiner.

Eileen A. Gaiovnik

Subscribed and sworn to before me this 19th day of April, 1977.

Steve M. Mihalchick

STEVE M. MIHALCHICK
NOTARY PUBLIC - MINNESOTA
ANOKA COUNTY
My Commission Expires Dec. 29, 1982

STATE OF MINNESOTA

DEPARTMENT OF AGRICULTURE

IN THE MATTER OF THE PROPOSED ADOPTION)	AFFIDAVIT OF RECEIPT OF
OF RULES OF THE DEPARTMENT OF AGRICULTURE)	THE SECRETARY
GOVERNING WEATHER MODIFICATION)	OF STATE'S LIST

Nancy A. Orlich being duly sworn on oath deposes and says:

1) That she is an employee of the Department of Agriculture of the State of Minnesota.

2) That on the 1st day of February, 1978, she went to the Secretary of State"s Office for the State of Minnesota and requested a current list of all representatives of associations or other interested groups or persons who had registered their names with the Secretary of State for the purpose of obtaining notices of public hearing relating to the promulgation of rules pursuant to M.S. 15.0412.

3) That on the 1st day of February, 1978, in response to the above request, the Secretary of State provided her with such a list, a copy of which is attached hereto and incorporated by reference.

Further affiant sayeth not. Nancy A. Orlich

Subscribed and sworn to before me this
10th day of February, 1978,
Notary Public, Joan LeDuc
Ramsey County, Minnesota
My Commission Expires

JOAN LeDUC
Notary Public, Ramsey Co., Mn.
MY COMMISSION EXPIRES
August 14, 1981

STATE OF MINNESOTA

DEPARTMENT OF AGRICULTURE

IN THE MATTER OF THE PROPOSED ADOPTION)
OF RULES OF THE DEPARTMENT OF AGRICULTURE) AFFIDAVIT OF MAILING
GOVERNING WEATHER MODIFICATION)

Nancy A. Orlich being first duly sworn, deposes and says:

That on the 3rd day of February, 1978, at the City of St. Paul, County of Ramsey, State of Minnesota, she served the attached Notice of Hearing by depositing in the United States mail at said City of St. Paul, a true and correct copy thereof properly enveloped, with postage prepaid, to all persons and associations at the addresses listed on the attached Certificate of the Secretary of State.

Nancy A. Orlich

Subscribed and sworn to before me this
10th day of February, 1978,
Notary Public, Joan LeDuc
Ramsey County, Minnesota
My Commission Expires

JOAN LeDUC
Notary Public, Ramsey Co., Mn.
MY COMMISSION EXPIRES
August 14, 1981

STATE OF MINNESOTA
DEPARTMENT OF AGRICULTURE

IN THE MATTER OF THE PROPOSED ADOPTION)
OF RULES OF THE DEPARTMENT OF AGRICULTURE) NOTICE OF HEARING
GOVERNING WEATHER MODIFICATION)

NOTICE IS HEREBY GIVEN that a public hearing in the above-entitled matter will be held in the Herbert Room of the Atwood Center, St. Cloud State University, St. Cloud, Minnesota on March 9, 1978, at 9:00 a.m.; and in Room 204 of the Lecture Center, Southwest State University, Marshall, Minnesota on March 9, 1978 at 2:00 p.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 Steve Mihalchick, Office of Hearing Examiners, 1745 University Avenue, Room 300, Saint Paul, Minnesota 55104, phone (612) 296-8112 either before the hearing or after the hearing until the record is closed. The record will remain open for five working days after the public hearings end or for a longer period not to exceed 20 days if ordered by the Hearing Examiner.

The proposed rules, if adopted, would establish licensing and permitting standards and procedures for weather modification operators requirements for notification of proposed weather modification operations to county boards and the public, and content requirements for reports to be submitted by weather modification operators. Copies of the proposed rules are now available and one free copy may be obtained by writing to the Minnesota Department of Agriculture, 420 State Office Building, Saint Paul, Minnesota 55155. Additional copies will be available at the door on the date of the hearing. The department's authority to promulgate the proposed rules is contained in Minn. Stat. sec. 42.04 (Supp., 1977). A "statement of need" explaining why the department 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 Minnesota Statutes; Chapter 10A, requires each lobbyist to register with the Ethical Practices Board within five days after he commences lobbying. Lobbying includes attempting to influence rule making by communicating or urging others to communicate with public officials. A lobbyist is generally any individual who spends more than $250.00 per year for lobbying or any individual who is engaged for pay or authorized to spend money by another individual or association and who spends more than $250.00 per year or five hours per month at lobbying. The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 41 State Office Buidling, Saint Paul, Minnesota 55155, phone (612) 296-5615.

STATE OF MINNESOTA

Bill Walker
Commissioner of Agriculture

Date: January 23, 1978

STATE OF MINNESOTA

DEPARTMENT OF AGRICULTURE

IN THE MATTER OF THE PROPOSED ADOPTION)
OF RULES OF THE DEPARTMENT OF AGRICULTURE) ORDER FOR HEARING
GOVERNING WEATHER MODIFICATION)

IT IS HEREBY ORDERED that a public hearing on the above-captioned rules be held in the Herbert Room of the Atwood Center, St. Cloud State University, St. Cloud, Minnesota on March 9, 1978, at 9:00 a.m.; and in Room 204 of the Lecture Center, Southwest State University, Marshall, Minnesota on March 9, 1978 at 2:00 p.m. and continuing until all persons have had an opportunity to be heard.

IT IS FURTHER ORDERED that a Notice of Hearing be mailed to all persons, representatives of associations, and other interested groups who have registered their names with the Secretary of State for that purpose.

IT IS FURTHER ORDERED that the Notice of Hearing be published in the State Register.

STATE OF MINNESOTA

Bill Walker

Commissioner of Agriculture

Date: January 23, 1978

STATE OF MINNESOTA
DEPARTMENT OF AGRICULTURE

IN THE MATTER OF THE PROPOSED ADOPTION)
OF RULES OF THE DEPARTMENT OF AGRICULTURE) NOTICE OF HEARING
GOVERNING WEATHER MODIFICATION)

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STATE OF MINNESOTA

Bill Walker
Commissioner of Agriculture

Date: January 23, 1978

PROPOSED RULES
WEATHER MODIFICATION
CHAPTER 25

3 MCAR 1.0600 General.

A. Purpose and Authority. The rules contained herein are adopted pursuant to Minn. Stat. ch. 42 (Laws 1977, ch. 426) by the Commissioner of Agriculture to implement procedures and conditions for the licensing and permitting of weather modification operators and operations, criteria for submission of operational reports, and financial liability limits. The procedures and criteria specified in these rules are in addition to those set forth in the Act itself. Any violation of these rules is a misdemeanor pursuant to Minn. Stat. sec. 42.12.

B. Definitions. For purposes of these rules, the following definitions, as well as those in the Act, shall apply:

1. "The Act" means Minn. Stat. secs. 42.01 through 42.14 (Supp., 1977);

2. "Operational area" means that geographic area and the atmosphere there above wherein a person or persons place or attempt to place any substance in the atmosphere or clouds within the atmosphere, for the purpose of producing, or attempting to produce, a certain modifying effect and the geographic area and the atmosphere there above wherein the weather is intended to be modified.

3. "Project office" means the Minnesota office of the person conducting weather modification activities in Minnesota.

4. "Managing agent" means that individual who shall be located in Minnesota during the duration of the operation and who shall directly supervise and/or conduct the weather modification activity in Minnesota.

3 MCAR 1.0601 Licensing.

A. Application for License. No person as defined in Minn. Stat. shall engage in any weather modification activity within the State of Minnesota without first obtaining a license as prescribed in the Act and these rules.

1. Application for license shall be made under oath on forms provided by the Commissioner. Such application shall contain, but shall not be limited to, the following:

a. Name, business address, and phone number of the applicant;

b. Name of the applicant's chief executive officer;

c. Name(s), business address(es), and phone number(s) of all the applicant's managing agents;

d. Project office address(es) and phone number(s);

e. A list of other states in which the applicant is currently licensed;

f. Documentary evidence demonstrating that the applicant meets the qualifications set forth in Minn. Stat. sec. 42.06;

g. A list of all adversary proceedings both pending and settled involving the applicant in any court or administrative agency; and,

h. The length of time applicant has been in the business of conducting weather modification activities.

2. All applicants shall comply with the requirements set forth by the Secretary of State for conducting business in the state.

3. The Commissioner may require an applicant additionally to demonstrate educational and experience qualifications by successful completion of a written and/or an oral examination.

4. Each application shall be accompanied by a fee of $100 unless waived by the Commissioner.

B. Change of Managing Agent. The applicant or licensee shall notify the Commissioner of a change in the responsible personnel. The replacement must meet the same requirements as set forth in the Act and this rule for managing agent.

C. Licenses shall be valid for one year from the date of issuance.

D. Renewal shall be automatic upon the following conditions:

1. Receipt of a request for renewal by the licensee, including any changes from the original application;

2. Receipt of the $100 license fee, if applicable;

3. Compliance with all the requirements necessary for issuance of an original license; and,

4. Verification by the Commissioner that evidence has not become available that would raise doubts as to the qualifications of the licensee.

3 MCAR 1.0602 Permits.

A. Application for Permit. No person shall conduct any weather modification operation within the State of Minnesota without first obtaining a permit as prescribed in the Act and these rules. Each operation shall require a separate application and permit.

1. Application for permit shall be made under oath on forms provided by the Commissioner. Such application shall contain, but not be limited to:

a. Name, business address, and phone number of the applicant;

b. Name of the applicant's chief executive officer;

c. Name, address, and phone number of the applicant's managing agent;

d. Project office address and phone number;

e. A description of the method to be used in placing the substance into the atmosphere or clouds within the atmosphere;

f. Demonstration that the applicant and the applicant's managing agent, by his/her knowledge of meteorology, cloud physics, and field experience, has the qualifications to conduct a weather modification operation using the method by which the applicant plans to place the substance into the atmosphere or clouds within the atmosphere;

g. The applicant's purpose and the anticipated effects of the operation; and,

h. Information set forth in Minn. Stat. sec. 42.09, subd. 9.

2. Each application shall be accompanied by:

a. A fee for $100; and,

b. Proof of notification of county boards and publication of "notice of intent" to engage in weather modification activities as required in sec. B. of this rule;

c. Proof of financial responsibility demonstrating the applicant's ability to respond to damages for liability which might reasonably result from the operation for which the permit is sought. This proof shall be in the form of a liability insurance policy in the amount set by the Commissioner commensurate with the extent of the operation, the person's experience, and adequate protection for the public, or such other proof as the Commissioner may require;

d. A copy of all contractual agreements, including all financial agreements; and,

e. Copies of approval from the county boards of all counties required to give approval under Minn. Stat. sec. 42.05.

3. The applicant shall have filed in a timely manner all reports and documents required under the Act or these rules for all previous operations.

B. Notice.

1. "Notice of Intent." Upon the filing of a permit application, the applicant shall publish a "notice of intent" to engage in weather modification activities in each county of which all or part may be within the proposed operational area. The "notice of intent" shall be published for a period of not less than two consecutive weeks in all "legal newspapers" and newspapers of general circulation in the area. In addition, the use of radio and television spot announcements shall be encouraged. The notice shall:

a. Describe the proposed operation area;

b. Describe the area which might reasonably be effected;

c. Specify the period of operation which need not be continuous, including starting and ending dates;

d. Describe the general method of operation;

e. Describe the intended effect of the operation;

f. State that complete details of the application for a permit will be available for examination in the Department of Agriculture;

g. State that the Commissioner will receive written comments on the proposed operation for ten (10) days before determining whether to order and notice an informal hearing for the purpose of determining whether to issue a permit for the proposed operation; and,

h. Contain other information prescribed by the Commissioner.

2. Notice of County Boards. Upon the filing of a permit application, the applicant shall notify in writing the county board of each county of which all or part may be within the proposed operational area and counties contiguous thereto. Such notice shall include all information required on the permit application.

C. No applicant shall be granted a permit without first filing with the Commissioner resolutions from the county board of each county in the operational area approving such operation in or over their respective counties. Except under the provisions of Minn. Stat. sec. 42.09, subd. 4, the Commissioner may issue a permit only after a period of at least ten (10) days has transpired from the date that the notice requirements set forth in this rule have been met.

D. A permit may not be assigned or transferred by the holder.

E. The Commissioner may place or amend conditions and restrictions on any permit at any time necessary to protect the environment or the public health, welfare, or safety. Any revision in an existing permit shall be made only after proper notice and hearing pursuant to Minn. Stat. ch. 15, except as provided for in Minn. Stat. sec. 42.11, subd. 1 (b).

F. Before a permitee may modify the boundaries of a project for which a permit has previously been obtained, the permitee must make application to the Commissioner and meet the requirements set forth in 3 MCAR 1.0602 A-E.

G. The permit shall be valid for one year from the date of issuance or until the operation terminates, whichever first occurs.

H. Renewal. Permits may be renewed by the Commissioner upon the following conditions:

1. Receipt of a request for renewal by the permitee including any changes from the original permit;

2. Receipt of the $100 permit fee; and,

3. The permitee meets all the requirements necessary for issuance of an original permit.

3 MCAR 1.0603 Reports.

A. All persons engaged in weather modification shall:

1. Maintain at their project office a current (within 24 hours) log of all operations. This log shall be available for inspection during normal working hours or at other reasonable hours by persons authorized by the Commissioner. The log shall include:

a. Date of the operation;

b. Location of the operation, including flight tracks;

c. Type, rate, and amount of artificial cloud seeding material used;

d. Time during which each weather modification device was activated;

e. Total hours of operation of each unit of equipment; and,

f. Other information requested by the Commissioner.

2. File monthly with the Commissioner and with the county board of each county of which all or part may be within the operation area and counties contiguous thereto:

a. Reports of weather modification activities. Such reports shall be filed no later than the 15th day of the following month and shall contain a tabulation and summary of the daily operational logs for the preceding month.

b. Preliminary report within thirty (30) days after the end of each calendar year or within thirty (30) days after the end of an operation, whichever occurs first, and a final report on the operation no later than ninety (90) days thereafter. Such reports shall contain:

(1) The name, business address, and phone number of the person engaged in the weather modification activity;

(2) The name, Minnesota address, and phone number of the responsible person;

(3) Information regarding the permitee's qualifications for performing the operation;

(4) The scope of the operation as set forth in the permit;

(5) The total number of days on which operations were conducted;

(6) The total number of seeding or other modification missions attempted and completed;

(7) The total number of hours of operation of each type of weather modification equipment;

(8) The total amount of each seeding agent used;

(9) Any significant environmental or public health, welfare, or safety impacts caused by the operation; and,

(10) Such other information as may be required by the Commissioner.

STATE OF MINNESOTA

DEPARTMENT OF AGRICULTURE

IN THE MATTER OF THE PROPOSED ADOPTION)	CERTIFICATE OF DELIVERY
OF RULES OF THE DEPARTMENT OF AGRICULTURE)	SECRETARY
GOVERNING WEATHER MODIFICATION)	OF STATE LIST

I hereby certify that the attached 484 Labels, 5 sheets constitute the complete list of persons, associations, and other interested groups who as of 11:00 o'clock A M., this 1st day of February, 1978, have requested pursuant to M.S. 1974, Sec. 15.0412, that their names be placed on file with the Secretary of State for the purpose of receiving notice of public hearing on proposed rules on the subject captioned above.

SECRETARY OF STATE

Joan Anderson Growe

By Cheri S. Mattson

STATE OF MINNESOTA
OFFICE OF HEARING EXAMINERS

FOR THE DEPARTMENT OF AGRICULTURE

In the Matter of the Proposed Adoption of Rules of the Department of Agriculture Governing Weather Modification.

REPORT OF HEARING EXAMINER

The above-entitled matter came on for hearing on March 9, 1978 at 9:00 a.m. in the Herbert Room of the Atwood Center, St. Cloud State University, St. Cloud, and at 2:00 p.m. in Room 204 of the Lecture Center, Southwest State University, Marshall, before Steve M. Mihalchick, Hearing Examiner assigned by the Chief Hearing Examiner.

This is a rules hearing pursuant to Minn. Stat. Ch. 15 to determine whether the proposed rules should be adopted.

Appearing for the Department of Agriculture were Randall Young, Director of Planning and Development, and Richard G. Semonin, Consultant.

Pursuant to Minn. Stat. § 15.0412, subd. 4, this Report shall be available for review to all affected individuals upon request for at least five days.

The Department shall, if it proposes to adopt the rules as originally proposed or amended, submit the complete hearing record, including its Findings and Order, to the Chief Hearing Examiner no earlier than five days subsequent to the receipt of this Report. This submission shall clearly indicate any changes made to the rules as originally proposed, preferably in the format that will be submitted to the State Register for publication. The Chief Hearing Examiner shall complete his review and submit his report to the Department on the issues of substantial changes in the rule and compliance with Minn. Stat. § 15.0412 within ten calendar days. Thereafter, the Department shall be responsible for filing the rules with the Attorney General and for notifying persons who have indicated that they wish to be notified of such filing.

Based upon all the records and proceedings herein, the Examiner makes the following:

FINDINGS OF FACT

PROCEDURAL REQUIREMENTS

1. On January 23, 1978, the Department filed the following documents with the Chief Hearing Examiner:

(a) A copy of the proposed rules;
(b) The Order for Hearing; and
(c) The Notice of Hearing.

2. On February 6, 1978, a Notice of Hearing and a copy of the proposed rules were published at 2 State Register 1459.

3. On February 3, 1978, the Department mailed the Notice of Hearing to all persons and associations who had registered their names with the Secretary of State for the purpose of receiving such notice.

4. On February 10, 1978, the Department filed the following documents:

(a) The Affidavit of Receipt of the Secretary of State's list;
(b) The Affidavit of Mailing;
(c) The Secretary of State's Certificate; and
(d) The Statement of Need and Evidence, including the names of witnesses to be called.

The documents were available for inspection at the Office of Hearing Examiners from the date of filing to the date of the hearing. No one inspected those documents during that period.

5. On March 9, 1978, at the first hearing, the Department filed a copy of the Notice of Intent to Solicit Outside Opinion Regarding Weather Modification published at 2 State Register 74 (July 11, 1977), and material received in response to that Notice.

6. The record remained open through March 16, 1978, for the receipt of written comments and statements. Only two comments were received by the Hearing Examiner; neither dealt with the subject matter of the proposed rules, namely, licensing and reporting procedures and requirements. The comments dealt more with the wisdom of the legislation, one saying that weather modification should be controlled and one suggesting that weather modification should be prohibited.

STATUTORY AUTHORITY

7. Minn. Stat. § 42.04, subd. 1:

"The commissioner of agriculture may;

(a) pursuant to chapter 15, adopt rules necessary to implement the license and permit program established pursuant to sections 42.01 to 42.14; . . . ."

Minn. Stat. § 42.04, subd. 2, provides in part:

"The commissioner of agriculture shall:

* * *

(b) by rule adopted pursuant to chapter 15, require persons engaged in weather modification to submit reports of their activities and operations and any other information deemed necessary; . . . ."

Minn. Stat. § 42.12, provides:

"Any person violating any of the provisions of sections 42.01 to 42.14 or of any rule promulgated thereunder is guilty of a misdemeanor, and each day such violation continues constitutes a separate offense."

3 MCAR 1.0600 - GENERAL

8. Section 1.0600 A, Purpose and Authority, cites Minn. Stat. Ch. 42 and states that the rules are adopted to implement procedures and conditions for licensing and permitting weather modification operators and operations criteria for submission of operational reports and financial liability limits. It further states that the rules are in addition to the requirements of the act itself and that any violation of the rules is a misdemeanor. This is a reasonable introductory rule. The portion referring to the misdemeanor portion of the statute is especially necessary and crucial in order to inform the public of the potential penalties for violations of the rules.

9. Section 1.0600 B, Definitions, defines the terms "the Act", "operational area", "project office" and "managing agent". These terms were not defined in the Act and are necessary in order to clarify the meaning of the rules and to minimize duplicative language. The term "operational area" is necessary in order to set forth the geographic area to which the operator will be required to give notice and for which the operator will be required to give information to the Department. The proposed

definition includes both the area in which the weather modifying substance is discharged and the area in which the weather is intended to be modified. It is reasonable and necessary to include both these areas within the definition because the public and the county boards in both areas may have legitimate concerns regarding such operations and have a right to be notified.

3 MCAR 1.0601 - LICENSING

10. Section 1.0601 A., Application for License, essentially restates the provisions of Minn. Stat. § 42.06, subd. 1, that no person as defined in Minnesota Statutes may engage in any weather modification activity without first obtaining a license. The Department testified that it knew of no resident weather modification operators. Therefore, it is necessary that these rules be as fully informative as possible to persons outside the State of Minnesota who are unlikely to have ready access to our statutes. The same need is reflected later in the rule in that contents of applications for licenses and permits are made uniform with those of other states to the extent possible. This is done both for the convenience of the applicants and to borrow from the expertise of those other states. There are, however, a number of places within the rules that refer to specific requirements of the Act, contrary to this need to be fully informative (e.g., § 1.0601 A.1.f.). In this particular section, restatement of the language of the statute is crucial for potential applicants to fully understand the meaning and effect of the rules.

There appears to be a typographical error in the proposed rule in that it fails to specify the particular section of Minnesota Statutes in which the word "person" is defined. It apparently was intended to be Minn. Stat. § 42.02, subd. 2, and it should be so modified.

11. Section 1.0601 A.1., as originally proposed provided in part:

> "1. Application for license shall be made under oath on forms provided by the commissioner. Such application shall contain, but shall not be limited to, the following;"

Subitems a through h then listed the required information and will be discussed below. At the hearing, the Department proposed to delete the proviso "but shall not be limited to" because they felt, and the Examiner agrees, that the term was too open-ended and provided no criteria by which the propriety of a request for additional information could be measured. In lieu of that provision, the Department proposed to add the following subitem:

> "i. Other information deemed relevant and necessary by the commissioner."

That is little more than a superficial change but the Examiner finds it to be necessary and reasonable under the situation. The weather modification licensing and reporting program is new in Minnesota. At the time of the hearing, permanent personnel had not yet been hired by the Department to carry out the program. It is quite possible that the Department may determine that some item has been left off of the list proposed here. There is little danger of any undue burden being placed upon the applicants because of the conditions that the Commissioner must meet.

12. Subitems a, b, c and d are name and address-type information necessary for the administrative functions of identifying and locating the applicant and for processing of the application. Subitem e requires a list of other states in which the applicant is currently licensed. Under Minn. Stat. § 42.08, the Department may be required to perform an investigation of the applicant's operation. This information would facilitate such investigation and is readily available to the applicant. Other states, for example, Illinois and North Dakota, have the same requirement. Subitem f requires documentary evidence demonstrating the qualifications set forth in Minn. Stat. § 42.06. Subitem g requires a list of all adversary proceedings, both pending and settled, in which the applicant is involved and subitem h requires the length of time the applicant has been in business. These items are all necessary in order to fulfill or verify the license requirements of the statute or to provide information helpful to the conduct of investigations. These requirements are all found in other states, again particularly Illinois and North Dakota, and are

reasonable. The Examiner would note, however, that use of the word "settled" may be confusing for it may refer only to situations in which some type of agreement was reached between the parties. The use of a word such as "closed" or "completed" would be an improvement and not a substantial change.

13. Section 1.0601 A.2. requires that: "All applicants shall comply with the requirement set forth by the Secretary of State for conducting business in the state." This provision was included as an informational item to highlight to applicants, particularly out-of-state firms, that there are filing requirements of the Secretary of State. This provision is reasonable and necessary.

14. Section 1.0601 A.3. allows the Commissioner to require applicants to demonstrate educational or experience qualifications by successful completion of a written and/or oral examination. A similar rule is found in Utah, Texas, Kansas, Illinois and North Dakota. The Department stated that in situations where information on the application or obtained through an investigation indicates that the applicant may not meet the educational or experience qualifications set forth in the Act, an examination is a necessary and reasonable means of determining qualifications.

The Examiner finds that the Department has failed to demonstrate the reasonableness of this section. Minn. Stat. § 42.06, subd. 2, states that the Commissioner shall issue licenses only to applicants who demonstrate good character, adequate education, and sufficient competence in the fields of meteorology and applied physics. It then prescribes some minimums in terms of years of experience and certain educational degrees. Nowhere in these rules has the Department chosen to add any additional requirements or define in any manner what the terms "adequate education" or "sufficient competence" mean in relation to licensing. (Some standards are provided for permits.) In Section 1.0601 A.1.f., the applicant is only required to submit evidence that he or she meets the qualifications of the statute. The qualifications set forth in the statute are objective minimums

which need not and cannot be measured by examination. If the Department is going to impose some additional standards on quality of education and experience, those standards must be adopted through the rulemaking process.

15. Section 1.0601 A.4. requires that each application be accompanied by a fee of $100. This repeats the statute but is crucial to the submission of a proper application and the understanding of the applicants.

16. Section 1.0601 B., change of managing agent, originally required the applicant or licensee to notify the Commissioner of a change in its "responsible personnel" and stated that the replacement must meet the same requirements of the Act and rule as a managing agent. At the hearing, the Department suggested that the term "responsible personnel" should be changed to "managing agent". This change is reasonable because the definition of managing agent essentially means "responsible personnel". Minn. Stat. § 42.06 requires that if the applicant is an organization, the required competence must be demonstrated by the individuals who are to supervise and conduct the weather modification. In order to assure that this provision of the Act is followed, it is necessary and reasonable to require the operator to notify the Commissioner of changes of individuals who supervise and conduct the operations.

17. Section 1.0601 D. states that renewal will be automatic upon receipt of a request for renewal which shall include any changes from the original application; receipt of the $100 license fee (as required by Minn. Stat. § 42.06, subd. 3); compliance with all the requirements necessary for issuance of an original license; and verification by the Commissioner that evidence has not become available that would raise doubts as to the qualifications of the licensee.

The Examiner finds that the fourth provision of this section is unreasonable because it is contrary to the statute. Minn. Stat. § 42.06, subd. 3, states:

> "The commissioner may renew a license annually if the applicant has the qualifications necessary for issuance of an original license and pays a fee of $100."

However, Minn. Stat. § 42.07 specifically lists the grounds upon which the Commissioner may refuse to renew a license and the procedure for doing so. That section, as is fairly typical, equates failure to renew a license with suspension or revocation of a license and makes it subject to the procedural requirements of the Administrative Procedures Act. These include, among other things, notice, hearing and a burden upon the agency to demonstrate non-entitlement to the license. The fourth provision of this section is contrary to the statutory requirements and must be deleted. It may be helpful if the rule made reference to § 42.07.

3 MCAR § 1.0602 - PERMITS

18. Minn. Stat. § 42.09 requires a permit for each operation. Section 1.0602 A. states the requirements for the application for such permits. The information required by the rule is necessary for the administrative processing of the applications and for the Department to evaluate the applicant's qualifications for the permit. Two sections deserve particular comment. Section 1.0602 A.1.f., requires the application to contain a demonstration of competency in the specific type of operation to be conducted under the permit. This requirement is necessary to assure protection of the environment and the contracting party and is reasonable under the general provision of Minn. Stat. § 42.06, subd. 2, that licensees show "sufficient competence". While the Department did not propose any standards of competence beyond that of the statute for licensing, it is particularly necessary and reasonable to require a showing of competence in the specific type of operation to be conducted. The rule is flexible enough to allow the Applicant to provide the evidence he deems appropriate.

Section 1.0602 A.2.c. requires the applicant to have a liability insurance policy in the amount set by the Commissioner commensurate with the extent of the operation, the person's experience and adequate protection of the public. Minn. Stat. § 42.09, subd. 2, requires that the applicant for a permit demonstrate

to the satisfaction of the commissioner that he has the ability to respond to damages for liability which might reasonably result from the operation. In order to assure the general public financial protection for damages, it is necessary and reasonable to require that the operator carry liability insurance. Because of the potential for large claims resulting from an operation, and the liquid nature of net assets, a net assets statement showing the resources available for liability satisfaction is not considered by the Department to be adequate. Further, it would be impossible to set a single amount to cover all operations. The proposed rule provides the necessary flexibility along with reasonable standards to be applied by the Department in determining the amount of insurance to be carried.

19. Section 1.0602 D.1. describes the contents of and method of publication of a "Notice of Intent" which must be published upon the filing of a permit application. Minn. Stat. § 42.09, subd. 7, allows the Commissioner to hold informal hearings on a permit application in the geographic area of the proposed operation. In order to aid the Commissioner in determining if such a meeting would be beneficial, it is necessary to inform the public of the pending application and to solicit public reaction. The information required by the rule is necessary and reasonable in order to inform the public of the proposed operation. The requirement for at least two weeks' notice in the "proposed operational area" (as the rule was modified at the hearing) is similar to the requirement of Minn. Stat. § 42.05, and is reasonable.

20. Section 1.0602 D.2., requiring notice to county boards in the proposed operational area and contiguous thereto, and section 1.0602 C., requiring resolutions from the county board of each county in the operational area approving the proposed operation, are necessary to implement the requirements of Minn. Stat. §§ 42.05 and 42.09, subd. 1.

21. Section 1.0602 D. prohibits assignment or transfer of a permit. This provision is necessary and reasonable to assure

that the requirements of the Act and the rules are met by the "person" conducting the operation.

22. Section 1.0602 E. broadly states the powers given to the Commissioner under Minn. Stat. § 42.11 to revise the conditions and limits of a permit. It does not restate the language of the statute and is necessary here in order to advise permit holders of that power.

23. Section 1.0602 F. requires a permitee to apply to the Commissioner and meet the requirements for a permit before he may modify the boundaries of a project for which a permit has been obtained. This is a reasonable administrative procedure that allows for the inclusion of additional areas without having to secure an additional permit, while at the same time requiring the revised operation to meet the same requirements as the original operation.

24. Section 1.0602 G. restates the last sentence in Minn. Stat. § 42.09, subd. 1, that "the permit shall be valid for one year or until the operation terminates, whichever first occurs." This restatement is crucial to a complete understanding of the permit process.

25. Section 1.0602 H. states that permits may be renewed by the Commissioner upon receipt of a request for renewal, including any changes from the original permit; receipt of the statutory $100 permit fee; and if the permitee meets all the requirements necessary for issuance of an original permit. Minn. Stat. § 42.10, subd. 2, states:

> "The commissioner shall, subject to chapter 15, refuse to renew a permit if it appears from the operational records and reports of the permitee that an original permit would not be issuable for the operation, or if the permitee has violated any provision of sections 42.01 to 42.14 or of any rules promulgated thereunder."

The proposed rule is not contrary to the statute, but it does leave the impression that the Commissioner could arbitrarily refuse to renew a permit. The Examiner would suggest, therefore, that a sentence be added at the end of this section such as the following:

"The commissioner may refuse to renew a permit under the provisions of Minn. Stat. § 42.10, subd. 2."

3 MCAR 1.0603 - REPORTS

26. Section 1.0603 A.1. requires that a current log be kept of all operations showing the date; location; type, rate and amount of seeding material; time of activation; and total hours of operation of each unit of equipment. As originally proposed, it also required "other information requested by the Commissioner." At the hearing, the Department modified that provision to read, "Other information deemed necessary and relevant by the Commissioner." Section 1.0602 A.2.a. requires that a tabulation and summary of the daily logs be filed monthly with the Commissioner and the county board of each county within the operational area and contiguous thereto. The log and summary report requirements are similar to those of a number of other states and are necessary so that the Department can ensure ongoing compliance with the Act and rules. The requirement for "other information," while somewhat vague, is reasonable at this point in time because this is a new program and because it contains sufficient safeguards to prevent its abuse by the Department.

27. Section 1.0603 A.2.b. requires a preliminary report within 30 days after the end of each calendar year or the end of an operation, and a final report within 90 days thereafter, containing information by which the Department can evaluate the operation. Such information is necessary in order that the Department can meet its statutory duty to evaluate weather modification programs and enforce the requirements of the Act and rules. The information required is reasonable and is similar to that required by other states. Again, a provision is included requiring "Other information deemed necessary and relevant by the Commissioner" which the Examiner finds reasonable for the reasons stated above.

CONCLUSIONS

1. Timely and adequate notice of the hearing was properly served and published by the Department. All other substantive and procedural requirements have been fulfilled.

2. The Department has demonstrated its statutory authority to adopt the proposed rules.

3. Except as noted in the Findings, the Department has demonstrated the need for and reasonableness of the proposed rules by an affirmative presentation of the facts.

4. The suggestions made by the Examiner are not intended to preclude the Department from making its own non-substantial changes or improvements to the rules.

RECOMMENDATION

The Hearing Examiner recommends that the proposed rules be modified as suggested in the Findings, and that so modified, they be adopted.

Dated this 17th day of April, 1978.

STEVE M. MIHALCHICK
Hearing Examiner

STATE OF MINNESOTA
DEPARTMENT OF AGRICULTURE

IN THE MATTER OF THE PROPOSED)
ADOPTION OF RULES OF THE)
DEPARTMENT OF AGRICULTURE)
GOVERNING WEATHER MODIFICATION)

STATEMENT OF
NEED AND EVIDENCE

The above captioned rules are not amendments to existing rules of the Department of Agriculture.

The need to adopt these rules arises from Minn. Stat. ch. 42 (supp., 1977) relating to weather modification. The Act establishes jurisdiction and authority with the Commissioner of Agriculture over the regulation of weather modification operators and operations in the State.

The Department will call Richard G. Seminon, Champagne, Illinois, as an outside witness to testify.

The Department will be represented by the following staff: Darryl L. Anderson, Assistant Commissioner; Randall Young, Director of Planning and Development; and Peter Hong, Special Assistant Attorney General.

The Department intends to introduce no manuals, books, scientific treaties, or other documents into evidence.

INTRODUCTION:

The Weather Modification Act requires the Commissioner of Agriculture to accept rules requiring persons engaged in weather modification to submit reports of their activities and operations and any other information deemed necessary; and also allows the Commissioner of Agriculture to adopt rules necessary to implement the license and permit program established by the Act.

It is the purpose of these rules to interpret Minn. Stat. ch. 42 (Supp., 1977) consistent with the legislative intent behind the passage of the Act. In doing so, every attempt has been made to create a mechanism that is equitable, reasonable, and predictable to all affected parties. It should be kept in mind that these rules must be read and interpreted in conjunction with Minn. Stat. ch. 42 (Supp., 1977).

RULES JUSTIFICATION:

The format used in presenting this Statement of Need and Evidence is to first state each rule, followed by an explanation of the intent, need, and reasonableness of the rule.

3 MCAR 1.0600 General.

A. Purpose and Authority. The rules contained herein are adopted pursuant to Minn. Stat. ch. 42 (Laws 1977, ch. 426) by the Commissioner of Agriculture to implement procedures and conditions for the licensing and permitting

of weather modification operators and operations, criteria for submission of operational reports, and financial liability limits. The procedures and criteria specified in these rules are in addition to those set forth in the Act itself. Any violation of these rules is a misdemeanor pursuant to Minn. Stat. sec. 42.12.

... This section of the rule is intended to establish the authority by which the rules are promulgated by citing the statutory reference so that the public may more easily refer to it, and also to put the public on notice that there are penalties established for violations.

The Department feels that it is reasonable to provide this information to the public.

B. Definitions. For purposes of these rules, the following definitions, as well as those in the Act, shall apply:

1. "The Act" means Minn. Stat. secs. 42.01 through 42.14 (Supp., 1977);

2. "Operational area" means that geographic area and the atmosphere there above wherein a person or persons place or attempt to place any substance in the atmosphere or clouds within the atmosphere, for the purpose of producing, or attempting to produce, a certain modifying effect and the geographic area and the atmosphere there above wherein the weather is intended to be modified.

... There were a few terms which were not defined in Act which were necessary in order to clarify the meaning of the rules as well as minimizing duplicative verbage.

The term "operational area" is necessary in order to set forth the geographic area to which the operator will be required to give notice, and for which the operator will be required to provide information to the department about.

The definition includes both the area in which the substance is discharged and the area in which the weather is intended to be modified. It is necessary, the Department feels, that both these areas be included because the public and the county boards in both areas may have concerns regarding the operations and have a right to be notified of such operations.

It is reasonable to obligate the operator for notice and information for this area in that

the geographic limits of the area are definable and will be commensurate with scope of the project. It is also reasonable that the public in that area be notified of such operations.

3. "Project office" means the Minnesota office of the person conducting weather modification activities in Minnesota.

4. "Managing agent" means that individual who shall be located in Minnesota during the duration of the operation and who shall directly supervise and/or conduct the weather modification activity in Minnesota.

... These two terms are being defined simply to add clarity, and minimize verbage in the text of the rules.

3 MCAR 1.0601 Licensing.

A. Application for License. No person as defined in Minn. Stat. shall engage in any weather modification activity within the State of Minnesota without first obtaining a license as prescribed in the Act and these rules.

1. Application for license shall be made under oath on forms provided by the Commissioner. Such application shall contain, but shall not be limited to the following:

a. Name, business address, and phone number of the applicant;

b. Name of the applicant's chief executive officer;

c. Name(s), business address(es), and phone number(s) of all the applicant's managing agents;

d. Project office address(es) and phone number(s);

... These items of information which this section of the rule will require are necessary for the ministerial functions of identifying and locating the applicant and the processing of the application.

e. A list of other states in which the applicant is currently licensed;

... This informational requirement is a means of discovery necessary to perform any investigation of the applicant's operations, as authorized by Minn. Stat. sec. 42.08. The requirement is reasonable in that the applicant should reasonably be expected to have this information readily available.

f. Documentary evidence demonstrating that the applicant meets the qualifications set forth in Minn. Stat. sec. 42.06;

... This information is necessary in order to verify the licensure requirements set forth in Minn. Stat. sec. 42.06.

g. A list of all adversary proceedings both pending and settled involving the applicant in any court or administrative agency; and,

... The information required in this section of the rule is necessary as a means of discovery in conducting investigations under Minn. Stat. 42.08. This is reasonable in that the applicant has the information available.

h. The length of time applicant has been in the business of conducting weather modification activities.

... The length of time the applicant has been in the business is necessary in order to demonstrate the fulfillment of licensure requirements in Minn. Stat. sec. 42.06 and is a reasonable request for readily available information.

2. All applicants shall comply with the requirements set forth by the Secretary of State for conducting business in the state.

... This section is included as an informational item to highlight to the applicant, particularly out-of-state firms, that there are filing requirements by the Secretary of State. It is reasonable for the Department to notify the applicant through this rule of the possibility of filing obligations.

3. The Commissioner may require an applicant additionally to demonstrate educational and experience qualifications by successful completion of a written and/or an oral examination.

... In situations where information either on the application or obtained through the means of investigation indicate that the applicant may not meet the educational and experience qualifications set forth in the Act, an examination is a necessary and reasonable means of determining qualifications.

4. Each application shall be accompanied by a fee of $100 unless waived by the Commissioner.

... This section is included in the rule simply as an informational item to inform the applicant of the license fee.

B. Change of Managing Agent. The applicant or licensee shall notify the Commissioner of a change in the responsible personnel. The replace-

ment must meet the same requirements as set forth in the Act and this rule for managing agent.

... Minn. Stat. 42.06 requires that, if the applicant is an organization, the competence must be demonstrated by the individual(s) who supervise and conduct the operation. In order to assure that this provision of the Act is complied with, it is necessary and reasonable to require the operator to notify the Commissioner of changes of individuals who supervise and conduct the operation.

C. Licenses shall be valid for one year from the date of issuance.

D. Renewal shall be automatic upon the following conditions:

1. Receipt of a request for renewal by the licensee, including any changes from the original application;

2. Receipt of the $100 license fee, if applicable;

3. Compliance with all the requirements necessary for issuance of an original license; and,

4. Verification by the Commissioner that evidence has not become available that would raise doubts as to the qualifications of the licensee.

... These provisions of the license section simply set forth other relevant licensure requirements and procedures for renewal.

3 MCAR 1.0602 Permits.

A. Application for Permit. No person shall conduct any weather modification operation within the State of Minnesota without first obtaining a permit as prescribed in the Act and these rules. Each operation shall require a separate application and permit.

1. Application for permit shall be made under oath on forms provided by the Commissioner. Such application shall contain, but not be limited to:

a. Name, business address, and phone number of the applicant;

b. Name of the applicant's chief executive officer;

c. Name, address, and phone number of the applicant's managing agent;

d. Project office address and phone number;

... These items of information set forth by this section of the rule are necessary

for the ministerial functions of identifying the applicant and processing the application.

e. A description of the method to be used in placing the substance into the atmosphere or clouds within the atmosphere;

... This section of the rule is intended to provide the Commissioner with the basic information concerning an operation necessary to conduct evaluations called for in Minn. Stat. 42.04 subd. 1. (e). This is considered a reasonable request for information in that the operator has this information readily available.

f. Demonstration that the applicant and the applicant's managing agent, by his/her knowledge of meteorology, cloud physics, and field experience, has the qualifications to conduct a weather modification operation using the method by which the applicant plans to place the substance into the atmosphere or clouds within the atmosphere;

... Although the license requirements include a demonstration of competency in the field of weather modification, competency in the specific type of operation to be conducted under the permit is not set forth. It is considered reasonable by the Department to require, under the authority of Minn. Stat. 42.06, the operator to show competency in the type of operation to be permitted. This requirement is necessary to assure protection of the environment and the contracting party.

g. The applicant's purpose and the anticipated effects of the operation; and,

h. Information set forth in Minn. Stat. sec. 42.09, subd. 9.

2. Each application shall be accompanied by:

a. A fee for $100; and,

... These provisions are necessary to inform the applicant that the Act also has requirements for permit applications.

b. Proof of notification of county boards and publication of "notice of intent" to engage in weather modification activities as required in sec. B. of this rule;

... see justification for section B., following.

not less than two consecutive weeks in all "legal newspapers" and newspapers of general circulation in the area. In addition, the use of radio and television spot announcements shall be encouraged. The notice shall:

a. Describe the proposed operation area;

b. Describe the area which might reasonably be effected;

c. Specify the period of operation which need not be continuous, including starting and ending dates;

d. Describe the general method of operation;

e. Describe the intended effect of the operation;

f. State that complete details of the application for a permit will be available for examination in the Department of Agriculture;

g. State that the Commissioner will receive written comments on the proposed operation for ten (10) days before determining whether to order and notice an informal hearing for the purpose of determining whether to issue a permit for the proposed operation; and,

h. Contain other information prescribed by the Commissioner.

... This provision establishes the requirements and procedures for allowing public input into the decision making process. Minn. Stat. 42.09 subd. 7 provides for public input in the form of an informal public meeting. In order to aid the Commissioner in determining if such a meeting would be beneficial, it is necessary to inform the public of the pending application. It is reasonable to require that such a notice be published in legal newspapers in the affected area so that the public will have the opportunity to know. The information to be required in the notice is necessary and reasonable in order to inform the public of the proposed operation. A two week publication period is necessary for adequate notice. It allows for two notices in the weekly newspapers. This is similar to the time frame set forth in Minn. Stat. 42.05 and is considered a reasonable notice period.

2. Notice of County Boards. Upon the filing of a permit application, the applicant shall notify in writing the county board of each county of which all or part may be within the proposed operational area and counties contiguous thereto. Such notice shall include all information required on the permit application.

c. Proof of financial responsibility demonstrating the applicant's ability to respond to damages for liability which might reasonably result from the operation for which the permit is sought. This proof shall be in the form of a liability insurance policy in the amount set by the Commissioner commensurate with the extent of the operation, the person's experience, and adequate protection for the public, or such other proof as the Commissioner may require;

... Minn. Stat. 42.09 subd. 2 requires that the permit applicant demonstrate the ability to respond to damages for liability arising out of his/her operation. In order to assure the general public financial protection for damages, it is necessary and reasonable to require that the operator be required to carry liability insurance. Because of the potential for large claims resulting from an operation, and the liquid nature of net assets, a net assets statements showing resources available for liability satisfaction is not considered adequate demonstration. Necessary flexibility is designed into this provision to allow for varying amounts of coverage required based upon reasonable standards set forth in the rule.

d. A copy of all contractual agreements, including all financial agreements; and,

... This information is necessary in order to conduct economic evaluations of the program as set forth in Minn. Stat. 42.04 subd. 1 (e).

e. Copies of approval from the county boards of all counties required to give approval under Minn. Stat. sec. 42.05.

... This is necessary in order to assure compliance with the provision of Minn. Stat. 42.05.

3. The applicant shall have filed in a timely manner all reports and documents required under the Act or these rules for all previous operations.

... This provision is a necessary and reasonable means of enforcing the requirements established in Minn. Stat. 42.04 subd. 2 (b) and 42.10 subd. 2.

B. Notice.

1. "Notice of Intent." Upon the filing of a permit application, the applicant shall publish a "notice of intent" to engage in weather modification activities in each county of which all or part may be within the proposed operational area. The "notice of intent" shall be published for a period of

C. No applicant shall be granted a permit without first filing with the Commissioner resolutions from the county board of each county in the operational area approving such operation in or over their respective counties. Except under the provisions of Minn. Stat. sec. 42.09, subd. 4. the Commissioner may issue a permit only after a period of at least ten (10) days has transpired from the date that the notice requirements set forth in this rule have been met.

... The notice to county boards is necessary to implement the requirement in Minn. Stat. 42.05 and to assure the Commissioner that the requirement for county approval has been met. Such notification is a reasonable administrative requirement to assure compliance with the law.

The ten (10) day waiting permit is necessary to allow public comment on the board's action and is reasonable amount of time to allow for such comments.

D. A permit may not be assigned or transferred by the holder.

... This provision is necessary to assure that the requirements in the Act and the rules are met by the "person" conducting the operation.

E. The Commissioner may place or amend conditions and restrictions on any permit at any time necessary to protect the environment or the public health, welfare, or safety. Any revision in an existing permit shall be made only after proper notice and hearing pursuant to Minn. Stat. ch. 15, except as provided for in Minn. Stat. sec. 42.11, subd. 1 (b).

... This provision broadly states the powers delegated to the Commissioner under Minn. Stat. 42.11.

F. Before a permitee may modify the boundaries of a project for which a permit has previously been obtained, the permitee must make application to the Commissioner and meet the requirements set forth in 3 MCAR 1.0602 A-E.

... This provision allows for the inclusion of additional areas to an operational area without having to secure an additional permit. This is a reasonable administrative procedure. It requires that the revised operation meet the same requirements as the original operation.

G. The permit shall be valid for one year from the date of issuance or until the operation terminates, whichever first occurs.

H. Renewal. Permits may be renewed by the Commissioner upon the following conditions:

1. Receipt of a request for renewal by the permitee including any changes from the original permit;

2. Receipt of the $100 permit fee; and,

3. The permitee meets all the requirements necessary for issuance of an original permit.

... These provisions simply set forth the renewal requirements as outlined in the Act.

3 MCAR 1.0603 Reports.

A. All persons engaged in weather modification shall:

1. Maintain at their project office a current (within 24 hours) log of all operations. This log shall be available for inspection during normal working hours or at other reasonable hours by persons authorized by the Commissioner. The log shall include:

a. Date of the operation;

b. Location of the operation, including flight tracks;

c. Type, rate, and amount of artificial cloud seeding material used;

d. Time during which each weather modification device was activated;

e. Total hours of operation of each unit of equipment; and,

f. Other information requested by the Commissioner.

... This is information which is necessary to keep in order for the operator to prepare and submit reports to the Commissioner pursuant to Minn. Stat. 42.04. This information in this form is required by many other state regulatory programs, so that it is not an unreasonable request for information. This information will also be necessary for any evaluation of the operation pursuant to Minn. Stat. 42.04.

2. File monthly with the Commissioner and with the county board of each county of which all or part may be within the operation area and counties contiguous thereto:

a. Reports of weather modification activities. Such report shall be filed no later than the 15th day of the following month and shall contain a tabulation and summary of the daily operational logs for the preceding month.

b. Preliminary report within thirty (30) days after the end of each calendar year or within thirty (30) days after the end of an operation, whichever occurs first, and a final report on the operation no later than ninety (90) days thereafter. Such reports shall contain:

(1) The name, business address, and phone number of the person engaged in the weather modification activity;

(2) The name, Minnesota address, and phone number of the responsible person;

(3) Information regarding the permitee's qualifications for performing the operation;

(4) The scope of the operation as set forth in the permit;

(5) The total number of days on which operations were conducted;

(6) The total number of seeding or other modification missions attempted and completed;

(7) The total number of hours of operation of each type of weather modification equipment;

(8) The total amount of each seeding agent used;

(9) Any significant environmental or public health, welfare, or safety impacts caused by the operation; and,

(10) Such other information as may be required by the Commissioner.

... The information required and the frequency of these reports are similar to those of other states. The frequency of reports is necessary for the Department to regulate the activities during the period of operation in order to enforce Minn. Stat. 42.10 and 42.11. The final report is necessary in order to perform an evaluation of the operation.

MINNESOTA DEPARTMENT OF AGRICULTURE

Date: 2-10-78

Bill Walker, Commissioner

STATE OF MINNESOTA
DEPARTMENT OF AGRICULTURE

In the Matter of the Proposed)
Adoption of Rules of the Depart-)
ment of Agriculture Governing)
Weather Modification.)

STATEMENT OF COMPLIANCE
WITH MANUAL OF RULE
MAKING PROCEDURES

I, Special Assistant Attorney General Peder Hong, do hereby declare that I have examined the proposed rules and all related documents and that, based on them and my personal familiarity with the applicable procedures, the Manual of Rule Making procedures has been followed. Any exceptions are noted below.

Peder Hong
Special Assistant Attorney General

Dated: May 1, 1978

AGR-78-009-SM

STATE OF MINNESOTA
OFFICE OF HEARING EXAMINERS

FOR THE DEPARTMENT OF AGRICULTURE

IN THE MATTER OF THE PROPOSED)
ADOPTION OF RULES OF THE DE-)
PARTMENT OF AGRICULTURE GOV-)
ERNING WEATHER MODIFICATION.)

SUPPLEMENT REPORT OF
THE CHIEF HEARING EXAMINER

WHEREAS, in April, 1978, the Department of Agriculture submitted the above-entitled rules to the Chief Hearing Examiner for review pursuant to Minn. Stat. § 15.052, Subd. 4, and Rule HE 107; and

WHEREAS, on April 27, 1978, the Chief Hearing Examiner issued his report finding that the rules as proposed to be adopted were not substantially different from those proposed at the public hearing and that the Department of Agriculture had met all requirements of Minn. Stat. § 15.0412, Subd. 4; and

WHEREAS, the Department of Agriculture subsequently submitted the rules and the record of the proceedings to the Attorney General for his review as to form and legality pursuant to Minn. Stat. § 15.0412, Subd. 4; and

WHEREAS, the Attorney General recommended to the Department of Agriculture that certain of the rules be amended; and

WHEREAS, the Department of Agriculture has now resubmitted the rules to the Chief Hearing Examiner for his review; and

WHEREAS, the Chief Hearing Examiner finds that the changes made in the rules do not make the rules substantially different from those proposed at the public hearing.

NOW, THEREFORE, upon receipt of this report, the Department of Agriculture has the responsibility of resubmitting the complete hearing record and the rules as adopted by the Department to the Attorney General and to publish in the State Register, all pursuant to Minn. Stat. § 15.0412, Subd. 4.

Dated this 6th day
of June, 1978.

Duane R. Harves

DUANE R. HARVES
Chief Hearing Examiner

AGR-78[illegible]09-SM

STATE OF MINNESOTA
OFFICE OF HEARING EXAMINERS

FOR THE DEPARTMENT OF AGRICULTURE

IN THE MATTER OF THE PROPOSED)
ADOPTION OF RULES OF THE DE-)
PARTMENT OF AGRICULTURE GOV-)
ERNING WEATHER MODIFICATION.)

REPORT OF THE
CHIEF HEARING EXAMINER

WHEREAS, a hearing was held on March 9, 1978, before Steve M. Mihalchick, a Hearing Examiner of the State Office of Hearing Examiners, on the above-entitled matter in compliance with Minn. Stat. § 15.0412, Subd. 4; and

WHEREAS, the Report of Hearing Examiner made pursuant to Minn. Stat. § 15.052, Subd. 3, was issued to the Department of Agriculture on April 17, 1978; and

WHEREAS, the Department of Agriculture has now determined to adopt rules pursuant to Minn. Stat. § 15.0412, Subd. 4; and

WHEREAS, the Department of Agriculture has submitted said rules to the Chief Hearing Examiner for review pursuant to Minn. Stat. § 15.052, Subd. 4, and Rule HE 107; and

WHEREAS, the Chief Hearing Examiner finds that the final proposed rules are not substantially different from those proposed at the public hearing and that the Department of Agriculture has met all requirements of Minn. Stat. § 15.0412, Subd. 4.

NOW, THEREFORE, upon receipt of this Report, the Department of Agriculture has the responsibility of submitting the complete hearing record and the rules as adopted by the Department to the Attorney General and to publish in the State Register, all pursuant to Minn. Stat. § 15.0412, Subd. 4.

Dated this 27th day
of April, 1978.

Duane R. Harves

DUANE R. HARVES
Chief Hearing Examiner

STATE OF MINNESOTA

DEPARTMENT OF AGRICULTURE

In the Matter of the Proposed Adoption of Rules of the Department of Agriculture Governing Weather Modification	))))	ORDER ADOPTING RULES

The above-entitled matter came on for hearing before Steve Mihalchick, a Hearing Examiner of the State Office of Hearing Examiners on March 9, 1978 at 9:00 a.m. in the Herbert Room of the Atwood Center, St. Cloud State University, St. Cloud, Minnesota; and at 2:00 p.m. in Room 204 of the Lecture Center, Southwest State University, Marshall, Minnesota, after proper notice required by Minn. Stat. §15.0412 (1977 Supp.) was served upon all persons, associations and other interested groups registered with the Secretary of State for that purpose and after notice was published in the State Register.

After affording interested persons an opportunity to present written and oral data, statements and arguments having reviewed all of the testimony, having considered all of the evidence adduced and upon the records, files and proceedings herein, and applicable statutory standards or criteria, and having confirmed the need for the above captioned rules and the reasonableness thereof;

NOW, THEREFORE, IT IS ORDERED that these rules identified as Rules in Final Form are adopted this 31st day of May, 1978, pursuant to the authority vested in me by Minn. Stat. §15.0412 (1977 Supp.) and Minn. Stat. §42.04 (1977 Supp.).

Minnesota Department of Agriculture



Bill Walker
Commissioner

RULES IN FINAL FORM
WEATHER MODIFICATION
CHAPTER 25

3 MCAR 1.0600 General.

A. Purpose and Authority. The rules contained herein are adopted pursuant to Minn. Stat. ch. 42 (Laws 1977, ch. 426) by the Commissioner of Agriculture to implement procedures and conditions for the licensing and permitting of weather modification operators and operations, criteria for submission of operational reports, and financial liability limits. The procedures and criteria specified in these rules are in addition to those set forth in the Act itself. Any violation of these rules is a misdemeaner pursuant to Minn. Stat. § 42.12.

B. Definitions. For purposes of these rules, the following definitions, as well as those in the Act, shall apply:

1. "The Act" means Minn. Stat. §§ 42.01 through 42.14 (supp., 1977);

2. "Operational area" means that geographic area and the atmosphere there above wherein a person or persons place or attempt to place any substance in the atmosphere or clouds within the atmosphere, for the purpose of producing, or attempting to produce, a certain modifying effect and the geographic area and the atmosphere there above wherein the weather is intended to be modified.

3. "Project office" means the Minnesota office of the person conducting weather modification activities in Minnesota.

4. "Managing agent" means that individual who shall be located in Minnesota during the duration of the operation and who shall directly supervise and/or conduct the weather modification activity in Minnesota.

3 MCAR 1.0601 Licensing.

A. Application for license. No person as defined in Minn. Stat. § 42.02, subd. 2 shall engage in any weather modification activity within the State of Minnesota without first obtaining a license as prescribed in the Act and these rules.

1. Application for license shall be made under oath on forms provided by the Commissioner. Such application shall contain the following:

a. Name, business address, and phone number of the applicant;

b. Name of the applicant's chief executive officer;

c. Name(s), business address(es), and phone number(s) of all the applicant's managing agents;

d. Project office address(es) and phone number(s);

e. A list of other states in which the applicant is currently licensed;

f. Documentary evidence demonstrating that the applicant:

(1) Has at least eight years of experience at the professional level in weather modification field research or operations, at least three of these years as a professional director; or

(2) Has obtained a baccalaureate degree in engineering, mathematics, or the physical sciences plus three years experience in weather modification field research or operations; or

(3) Has obtained a baccalaureate degree in meteorology, or a degree in engineering or the physical sciences which includes, or is in addition

to, the equivalent of at least 25 semester hours of meteorological course work and two years practical experience in weather modification operations or research.

g. A list of all adversary proceedings both pending and closed involving the applicant in any court or administrative agency;

h. The length of time the applicant has been in the business of conducting weather modification activities; and,

i. Other information deemed necessary and relevant by the commissioner.

2. All applicants shall comply with the requirements set forth by the Secretary of State for conducting business in the state.

B. Change of Managing Agent. The applicant or licensee shall notify the Commissioner of a change in the managing agent. The replacement must meet the same requirements as set forth in the Act and this rule for a managing agent.

C. Licenses shall be valid for one year from the date of issuance.

D. Renewal shall be automatic upon the following conditions:

1. Receipt of a request for renewal by the licensee, including any changes from the original application;

2. Receipt of the $100 license fee, if applicable; and,

3. Compliance with all the requirements necessary for issuance of an original license.

E. The Commissioner shall refuse to renew a license, after notice and hearing, for the causes set forth in Minn. Stat. § 42.07.

3 MCAR 1.0602 Permits.

A. Application for permit. No person shall conduct any weather modification operation within the State of Minnesota without first obtaining a permit as prescribed in the Act and these rules. Each operation shall require a separate application and permit.

1. Application for permit shall be made under oath on forms provided by the Commissioner. Such application shall contain:

a. Name, business address, and phone number of the applicant;

b. Name of the applicant's chief executive officer;

c. Name, address, and phone number of the applicant's managing agent;

d. Project office address and phone number;

e. A description of the method to be used in placing the substance into the atmosphere or clouds within the atmosphere;

f. Demonstration that the applicant and the applicant's managing agent, by his/her knowledge of meteorology, cloud physics, and field experience, has the qualifications to conduct a weather modification operation using the method by which the applicant plans to place the substance into the atmosphere or clouds within the atmosphere;

g. The applicant's purpose and the anticipated effects of the operation;

h. Information set forth in Minn. Stat. § 42.09, subd. 9; and,

i. Other information deemed necessary and relevant by the commissioner.

2. Each application shall be accompanied by:

a. A fee for $100;

b. Proof of notification of county boards and publication of "notice of intent" to engage in weather modification activities as required in sec. B. of this rule;

c. Proof of financial responsibility demonstrating the applicant's ability to respond to damages for liability which might reasonable result from the operation for which the permit is sought. This proof shall be in the form of a liability insurance policy in the amount set by the Commissioner commensurate with the extent of the operation, the person's experience, and adequate protection for the public, or such other proof as the Commissioner may require;

d. A copy of all contractual agreements, including all financial agreements, relating to the operation; and,

e. Copies of approval from the county boards of all counties required to give approval under Minn. Stat. § 42.05.

3. The applicant shall have filed in a timely manner all reports and documents required under the Act or these rules for all previous operations.

B. Notice.

1. "Notice of Intent." Upon the filing of a permit application, the applicant shall publish a "notice of intent" to engage in weather modification

activities in each county of which all or part may be within the proposed operational area. The "notice of intent" shall be published for a period of not less than two consecutive weeks in all "legal newspapers" and newspapers of general circulation in the proposed operational area. In addition, the use of radio and television spot announcements shall be encouraged. The notice shall:

a. Describe the proposed operation area;

b. Describe the area which might reasonable be effected;

c. Specify the period of operation which need not be continuous, including starting and ending dates;

d. Describe the general method of operation;

e. Describe the intended effect of the operation;

f. State that complete details of the application for a permit will be available for examination in the Department of Agriculture;

g. State that the Commissioner will receive written comments on the proposed operation for ten (10) days before determining whether to order and notice an informal hearing for the purpose of determining whether to issue a permit for the proposed operation; and,

h. Contain other information deemed necessary and relevant by the Commissioner.

2. Notice to County Boards. Upon the filing of a permit application, the applicant shall notify in writing the county board of each county of which all or part may be within the proposed operational area and counties contiguous thereto. Such notice shall include all information required on the permit application.

C. No applicant shall be granted a permit without first filing with the Commissioner resolutions from the county board of each county in the operational area approving such operation in or over their respective counties. Except under the provisions of Minn. Stat. § 42.09, subd. 4, the Commissioner may issue a permit only after a period of at least ten (10) days has transpired from the date that the notice requirements set forth in this rule have been met.

D. A permit may not be assigned or transferred by the holder.

E. The Commissioner may place or amend conditions and restrictions on any permit at any time necessary to protent the environment or the public health, welfare, or safety. Any revision in an existing permit shall be made only after proper notice and hearing pursuant to Minn. Stat. ch. 15, except as provided for in Minn. Stat. § 42.11, subd. 1 (b).

F. Before a permitee may modify the boundaries of a project for which a permit has previously been obtained, the permitee must make application to the Commissioner and meet the requirements set forth in 3 MCAR 1.0602 A-E.

G. The permit shall be valid for one year from the date of issuance or until the operation terminates, whichever first occurs.

H. Renewal. 1. Permits shall be renewed by the Commissioner upon the following conditions:

a. Receipt of a request for renewal by the permitee including any changes from the original permit;

b. Receipt of the $100 permit fee; and,

c. The permitee meets all the requirements necessary for issuance of an original permit.

2. The Commissioner shall suspend, revoke or refuse to renew a permit under the provisions of Minn. Stat. § 42.10, subd. 2.

3 MCAR 1.0603 Reports.

A. All persons engaged in weather modification shall:

1. Maintain at their project office a current (within 24 hours) log of all operations. This log shall be available for inspection during normal working hours or at other reasonable hours by persons authorized by the Commissioner. The log shall include:

a. Date of the operation;

b. Location of the operation- including flight tracks;

c. Type, rate, and amount of artificial cloud seeding material used;

d. Time during which each weather modification devise was activated;

e. Total hours of operation of each unit of equipment; and,

f. Other information deemed necessary and relevant by the Commissioner.

2. File monthly with the Commissioner and with the county board of each county of which all or part may be within the operation area and counties contiguous thereto:

a. Reports of weather modification activities. Such reports shall be filed on later than the 15th day of the following month and shall contain a tabulation and summary of the daily operational logs for the preceding month.

b. Preliminary report within thirty (30) days after the end of each calendar year or within thirty (30) days after the end of an operation, whichever occurs first, and a final report on the operation no later than ninety (90) days thereafter. Such reports shall contain:

(1) The name, business address, and phone number of the person engaged in the weather modification activity;

(2) The name, Minnesota address, and phone number of the responsible person;

(3) Information regarding the permitee's qualifications for performing the operation;

(4) The scope of the operation as set forth in the permit;

(5) The total number of days on which operations were conducted;

(6) The total number of seeding or other modification missions attempted and completed;

(7) The total number of hours of operation of each type of weather modification equipment;

(8) The total amount of each seeding agent used;

(9) Any significant environmental or public health, welfare, or safety impacts caused by the operation; and,

(10) Other information deemed necessary and relevant by the Commissioner.

APPROVED AS TO FORM AND LEGALITY
JUN. 14 1978 19___
WARREN SPANNAUS, ATTORNEY GENERAL
BY Lee E. Shuby
SPECIAL ASSISTANT ATTORNEY GENERAL

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
JUN 14 1978
Joan Anderson Growe
Secretary of State
9:45 AM

STATE OF MINNESOTA
OFFICE OF HEARING EXAMINERS

FOR THE DEPARTMENT OF AGRICULTURE

In the Matter of the Proposed Adoption of Rules of the Department of Agriculture Governing Weather Modification.	ORDER ADOPTING REPORT OF HEARING EXAMINER

The above-entitled matter came on for hearing before Steve M. Mihalchick of the Minnesota Office of Hearing Examiners on March 9, 1978 at 9:00 a.m. in the Herbert Room of the Atwood Center, St. Cloud State University, St. Cloud, and at 2:00 p.m. in Room 204 of the Lecture Center, Southwest State University, Marshall, both cities in the State of Minnesota.

The Report of Hearing Examiner in the above-entitled matter was issued by Steve M. Mihalchick on the 17th day of April, 1978, recommending that the proposed rules be modified as suggested in the findings, and that so modified, they be adopted. Having reviewed these findings-of-fact and having concurred with the recommendation of the Hearing Examiner:

NOW, THEREFORE, IT IS ORDERED: that the aforementioned Report of Hearing Examiner and the changes proposed therein, are adopted this 25th day of April, 1978.

MINNESOTA DEPARTMENT OF AGRICULTURE

Bill Walker, Commissioner

RULES IN FINAL FORM
WEATHER MODIFICATION
CHAPTER 25

1st Adopted — Not filed.

3 MCAR 1.0600 General.

A. Purpose and Authority. The rules contained herein are adopted pursuant to Minn. Stat. ch. 42 (Laws 1977, ch. 426) by the Commissioner of Agriculture to implement procedures and conditions for the licensing and permitting of weather modification operators and operations, criteria for submission of operational reports, and financial liability limits. The procedures and criteria specified in these rules are in addition to those set forth in the Act itself. Any violation of these rules is a misdemeaner pursuant to Minn. Stat. ~~see~~ § 42.12.

B. Definitions. For purposes of these rules, the following definitions, as well as those in the Act, shall apply:

1. "The Act" means Minn. Stat. ~~sees~~ §§ 42.01 through 42.14 (Supp., 1977);

2. "Operational area" means that geographic area and the atmosphere there above wherein a person or persons place or attempt to place any substance in the atmosphere or clouds within the atmosphere, for the purpose of producing, or attempting to produce, a certain modifying effect and the geographic area and the atmosphere there above wherein the weather is intended to be modified.

3. "Project office" means the Minnesota office of the person conducting weather modification activities in Minnesota.

4. "Managing agent" means that individual who shall be located in Minnesota during the duration of the operation and who shall directly supervise and/or conduct the weather modification activity in Minnesota.

3 MCAR 1.0601 Licensing.

A. Application for license. No person as defined in Minn. Stat. § 42.02, subd. 2 shall engage in any weather modification activity within the State of Minnesota without first obtaining a license as prescribed in the Act and these rules.

1. Application for license shall be made under oath on forms provided by the Commissioner. Such application shall contain~~, but shall not be limited to,~~ the following:

a. Name, business address, and phone number of the applicant;

b. Name of the applicant's chief executive officer;

c. Name(s), business address(es), and phone number(s) of all the applicant's managing agents;

d. Project office address(es) and phone number(s);

e. A list of other states in which the applicant is currently licensed;

f. Documentary evidence demonstrating that the applicant ~~meets the qualifications set forth in Minn. Stat. sec. 42.06;~~ :

(1) Has at least eight years of experience at the professional level in weather modification field research or operations, at least three of these years as a professional director; or

(2) Has obtained a baccalaureate degree in engineering, mathematics, or the physical sciences plus three years experience in weather modification field research or operations; or

(3) Has obtained a baccalaureate degree in meteorology, or a degree in engineering or the physical sciences which includes, or is in addition to, the equivalent of at least 25 semester hours of meteorological course work and two years practical experience in weather modification operations or research.

g. A list of all adversary proceedings both pending and ~~settled~~ closed involving the applicant in any court or administrative agency; ~~and,~~

h. The length of time the applicant has been in the business of conducting weather modification activities~~,~~; and,

i. Other information deemed necessary and relevant by the commissioner.

2. All applicants shall comply with the requirements set forth by the Secretary of State for conducting business in the state.

~~3.--The Commissioner may require an applicant additionally to demonstrate educational and experience qualifications by successful completion of a written and/or an oral examination.~~

~~4.~~ 3. Each application shall be accompanied by a fee of $100 unless waived by the Commissioner.

B. Change of Managing Agent. The applicant or licensee shall notify the Commissioner of a change in the ~~responsible personnel~~ managing agent. The replacement must meet the same requirements as set forth in the Act and this rule for a managing agent.

C. Licenses shall be valid for one year from the date of issuance.

D. Renewal shall be automatic upon the following conditions:

1. Receipt of a request for renewal by the licensee, including any changes from the original application;

2. Receipt of the $100 license fee, if applicable; and,

3. Compliance with all the requirements necessary for issuance of an original license~~; and~~.

~~4. Verification by the Commissioner that evidence has not become available that would raise doubts as to the qualifications of the licensee.~~

E. The Commissioner may refuse to renew a license, after notice and hearing, of the causes set forth in Minn. Stat. § 42.07.

3 MCAR 1.0602 Permits.

A. Application for permit. No person shall conduct any weather modification operation within the State of Minnesota without first obtaining a permit as prescribed in the Act and these rules. Each operation shall require a separate application and permit.

1. Application for permit shall be made under oath on forms provided by the Commissioner. Such application shall contain~~, but not be limited to~~:

a. Name, business address, and phone number of the applicant;

b. Name of the applicant's chief executive officer;

c. Name, address, and phone number of the applicant's managing agent;

d. Project office address and phone number;

e. A description of the method to be used in placing the substance into the atmosphere or clouds within the atmosphere;

f. Demonstration that the applicant and the applicant's managing agent, by his/her knowledge of meteorology, cloud physics, and field experience, has the qualifications to conduct a weather modification operation using the method by which the applicant plans to place the substance into the atmosphere or clouds within the atmosphere;

g. The applicant's purpose and the anticipated effects of the operation; ~~and,~~

h. Information set forth in Minn. Stat. ~~sec.~~ § 42.09, subd. 9~~.~~; and,

i. Other information deemed necessary and relevant by the commissioner.

2. Each application shall be accompanied by:

a. A fee for $100; ~~and,~~

b. Proof of notification of county boards and publication of "notice of intent" to engage in weather modification activities as required in sec. B. of this rule;

c. Proof of financial responsibility demonstrating the applicant's ability to respond to damages for liability which might reasonable result from the operation for which the permit is sought. This proof shall be in the form of a liability insurance policy in the amount set by the Commissioner commensurate with the extent of the operation, the person's experience, and adequate protection for the public, or such other proof as the Commissioner may require;

d. A copy of all contractual agreements, including all financial agreements; and,

e. Copies of approval from the county boards of all counties required to give approval under Minn. Stat. ~~sec.~~ § 42.05.

3. The applicant shall have filed in a timely manner all reports and documents required under the Act or these rules for all previous operations.

B. Notice.

1. "Notice of Intent." Upon the filing of a permit application, the applicant shall publish a "notice of intent" to engage in weather modification activities in each county of which all or part may be within the proposed operational area. The "notice of intent" shall be published for a period of not less than two consecutive weeks in all "legal newspapers" and newspapers of general circulation in the proposed operational area. In addition, the use of radio and television spot announcements shall be encouraged. The notice shall:

a. Describe the proposed operation area;

b. Describe the area which might reasonably be effected;

c. Specify the period of operation which need not be continuous, including starting and ending dates;

d. Describe the general method of operation;

e. Describe the intended effect of the operation;

f. State that complete details of the application for a permit will be available for examination in the Department of Agriculture;

g. State that the Commissioner will receive written comments on the proposed operation for ten (10) days before determining whether to order and notice an informal hearing for the purpose of determining whether to issue a permit for the proposed operation; and,

h. Contain other information prescribed by the Commissioner.

2. Notice ~~of~~ to County Boards. Upon the filing of a permit application, the applicant shall notify in writing the county board of each county of which all or part may be within the proposed operational area and counties contiguous thereto. Such notice shall include all information required on the permit application.

C. No applicant shall be granted a permit without first filing with the Commissioner resolutions from the county board of each county in the operational area approving such operation in or over their respective counties. Except under the provisions of Minn. Stat. ~~sec.~~ § 42.09, subd. 4, the Commissioner may issue a permit only after a period of at least ten (10) days has transpired from the date that the notice requirements set forth in this rule have been met.

D. A permit may not be assigned or transferred by the holder.

E. The Commissioner may place or amend conditions and restrictions on any permit at any time necessary to protect the environment or the public health, welfare, or safety. Any revision in an existing permit shall be made only after proper notice and hearing pursuant to Minn. Stat. ch. 15, except as provided for in Minn. Stat. ~~sec.~~ § 42.11, subd. 1 (b).

F. Before a permitee may modify the boundaries of a project for which a permit has previously been obtained, the permitee must make application to the Commissioner and meet the requirements set forth in 3 MCAR 1.0602 A-E.

G. The permit shall be valid for one year from the date of issuance or until the operation terminates, whichever first occurs.

H. Renewal. 1. Permits may be renewed by the Commissioner upon the following conditions:

~~1~~ a. Receipt of a request for renewal by the permitee including any changes from the original permit;

~~2~~ b. Receipt of the $100 permit fee; and,

~~3~~ c. The permitee meets all the requirements necessary for issuance of an original permit.

2. The Commissioner may refuse to renew a permit under the provisions of Minn. Stat. § 42.10, subd. 2.

3 MCAR 1.0603 Reports.

A. All persons engaged in weather modification shall:

1. Maintain at their project office a current (within 24 hours) log of all operations. This log shall be available for inspection during normal working hours or at other reasonable hours by persons authorized by the Commissioner. The log shall include:

a. Date of the operation;

b. Location of the operation, including flight tracks;

c. Type, rate, and amount of artificial cloud seeding material used;

d. Time during which each weather modification devise was activated;

e. Total hours of operation of each unit of equipment; and,

f. Other information ~~requested~~ deemed necessary and relevant by the Commissioner.

2. File monthly with the Commissioner and with the county board of each

county of which all or part may be within the operation area and counties contiguous thereto:

a. Reports of weather modification activities. Such reports shall be filed on later than the 15th day of the following month and shall contain a tabulation and summary of the daily operational logs for the preceding month.

b. Preliminary report within thirty (30) days after the end of each calendar year or within thirty (30) days after the end of an operation, whichever occurs first, and a final report on the operation no later than ninety (90) days thereafter. Such reports shall contain:

(1) The name, business address, and phone number of the person engaged in the weather modification activity;

(2) The name, Minnesota address, and phone number of the responsible person;

(3) Information regarding the permitee's qualifications for performing the operation;

(4) The scope of the operation as set forth in the permit;

(5) The total number of days on which operations were conducted;

(6) The total number of seeding or other modification missions attempted and completed;

(7) The total number of hours of operation of each type of weather modification equipment;

(8) The total amount of each seeding agent used;

(9) Any significant environmental or public health, welfare, or safety impacts caused by the operation; and,

(10) ~~Such~~ Other information ~~as may be required~~ deemed necessary and relevant by the Commissioner.

All representatives and senators received copies of the proposed rules and notices of hearing.

PHILLIPS LEGISLATIVE SERVICE, Inc.
459 RICE STREET • ST. PAUL, MINN. 55103 • TELEPHONE 227-7771

February 17th, 1977

(CORRECTED)
SENATORS OFFICE NUMBERS AND TELEPHONES
(1977 Session)

SENATOR	OFFICE NO.	TELEPHONE NO.
Anderson, Jerald C.	303 State Capitol	296-4184
Ashbach, Robert O.	123B State Office Building	-4111
Bang, Otto T., Jr.	136 State Office Building	-4122
Benedict, Robert M.	306 State Capitol	-8868
Bernhagen, John	142 State Office Building	-4131
Borden, Winston, W.	208 State Capitol	-2607
Brataas, Nancy	139 State Office Building	-4848
Chenoweth, John C.	205 State Capitol	-4172
Chmielewski, Florian	325 State Capitol	-4182
Coleman, Nicholas D.	208 State Capitol	-4196
Davies, Jack	27 State Capitol	-4841
Dieterich, Neil	306 State Capitol	-8867
Dunn, Robert G.	131 State Office Building	-4117
Engler, Steve	116 State Office Building	-4103
Frederick, Mel	125 State Office Building	-4123
Gearty, Edward J.	235 State Capitol	-4174
Gunderson, Jerome O.	306 State Capitol	-8870
Hanson, Marvin B.	23B State Capitol	-4835
Hughes, Jerome M.	328 State Capitol	-4183
Humphrey, Hubert H. III	121 State Capitol	-4180
Jensen, Carl A.	121A State Office Building	-4112
Johnson, Douglas J.	203 State Capitol	-8881
Keefe, John B.	124 State Office Building	-4118
Keefe, Steve	301 State Capitol	-4190
Kirchner, William G.	129 State Office Building	-4115
Kleinbaum, Jack I.	326 State Capitol	-4173
Knoll, Franklin J.	304 State Capitol	-7196
Knutson, Howard A.	141 State Office Building	-4120
Laufenburger, Roger	235 State Capitol	-4181
Lessard, Bob	24B State Capitol	-4136

SENATOR	OFFICE NO.	TELEPHONE NO.
Lewis, B. Robert	121 State Capitol	296-4166
Luther, William P.	306 State Capitol	-8869
McCutcheon, Bill	29 State Capitol	-4129
Menning, Marion (Mike)	28 State Capitol	-4171
Merriam, Gene	27 State Capitol	-4154
Milton, John	235 State Capitol	-4168
Moe, Roger D.	121 State Capitol	-2577
Nelson, Tom	23E State Capitol	-4871
Nichols, Jim	23A State Capitol	-4474
Ogdahl, Harmon T.	122 State Office Building	-4109
Olhoft, Wayne	29 State Capitol	-4178
Olson, Howard D.	325 State Capitol	-4187
Penny, Timothy J.	323 State Capitol	-4165
Perpich, George F.	303 State Capitol	-4145
Peterson, Collin C.	24C State Capitol	-4135
Pillsbury, George S.	130 State Office Building	-4121
Purfeerst, Clarence M.	323 State Capitol	-4167
Renneke, Earl W.	140 State Office Building	-4125
Schaaf, David D.	205 State Capitol	-4179
Schmitz, Robert J.	328 State Capitol	-7157
Schrom, Ed	205 State Capitol	-4840
Setzepfandt, A. O. H.	23F State Capitol	-8086
Sieloff, Ron	128 State Office Building	-4310
Sikorski, Gerry	23D State Capitol	-4700
Sillers, Douglas H.	133 State Office Building	-4119
Solon, Sam George	303 State Capitol	-4188
Spear, Allan H.	309 State Capitol	-4191
Staples, Emily Anne	23G State Capitol	-4137
Stokowski, Eugene E.	235 State Capitol	-4192
Strand, Roger E.	24D State Capitol	-4104
Stumpf, Peter P.	328 State Capitol	-4193
Tennessen, Robert J.	309 State Capitol	-8885
Ueland, Arnulf, Jr.	114 State Office Building	-4105
Ulland, James	143 State Office Building	-4314
Vega, Conrad M.	24E State Capitol	-4101
Wegener, Myrton O.	328 State Capitol	-4156
Willet, Gerald L.	205 State Capitol	-4147

* * * * *

PHILLIPS LEGISLATIVE SERVICE, Inc.
459 RICE STREET • ST. PAUL, MINN. 55103 • TELEPHONE 227-7771

February 21st, 1977

(CORRECTED)
REPRESENTATIVES OFFICE NUMBERS AND TELEPHONES
(1977 Session)

REPRESENTATIVE	OFFICE NO.	TELEPHONE NO.
Abeln, Lyle G.	254 State Office Building	296-4366
Adams, Leo G.	289 State Office Building	-4345
Albrecht, Raymond J.	322 State Office Building	-4318
Anderson, Bruce	362 State Office Building	-2068
Anderson, Delbert F.	386 State Office Building	-3908
Anderson, Glen H.	291 State Office Building	-4228
Anderson, Irvin N.	273 State Office Building	-6251
Anderson, Robert A.	399A State Office Building	-4946
Arlandson, John R.	347 State Office Building	-4312
Battaglia, David P.	346 State Office Building	-2190
Beauchamp, David	352 State Office Building	-4321
Begich, Joseph R.	218 State Office Building	-5063
Berg, Thomas K.	368 State Office Building	-4266
Berglin, Linda L.	381 State Office Building	-4261
Berkelman, Thomas R.	354 State Office Building	-2228
Biersdorf, John S.	399C State Office Building	-4332
Birnstihl, Orville E.	179 State Office Building	-4217
Brandl, John E.	172 State Office Building	-4837
Braun, Arthur M.	162 State Office Building	-4258
Brinkman, Bernard J.	296 State Office Building	-4373
Byrne, Peggy	214 State Office Building	-4245
Carlson, Arne	319 State Office Building	-4328
Carlson, Douglas W.	318 State Office Building	-4308
Carlson, Lyndon R.	369 State Office Building	-4255
Casserly, James R.	238 State Office Building	-4221
Clark, Janet H.	344 State Office Building	-4354

REPRESENTATIVE	OFFICE NO.	TELEPHONE NO.
Clawson, John T.	227 State Office Building	296-4358
Cohen, Richard J.	365 State Office Building	-3641
Corbid, John R.	384 State Office Building	-4329
Cummiskey, David R.	293 State Office Building	-3656
Dahl, Harold J.	244 State Office Building	-4218
Dean, William D.	379 State Office Building	-4337
Eckstein, A. J.	243 State Office Building	-4265
Eken, Willis R.	335 State Office Building	-4256
Ellingson, Robert L.	329 State Office Building	-3709
Enebo, Stanley A.	222 State Office Building	-4274
Erickson, Wendell O.	387 State Office Building	-4336
Esau, Gilbert	317 State Office Building	-4348
Evans, Stephen J.	399 State Office Building	-4341
Ewald, Douglas R.	396 State Office Building	-4311
Faricy, Ray W.	240 State Office Building	-4267
Fjoslien, David O.	311 State Office Building	-4317
Forsythe, Mary M.	377 State Office Building	-4363
Friedrich, Donald L.	397 State Office Building	-4378
Fudro, Stanley J.	165 State Office Building	-4377
Fugina, Peter X.	336 State Office Building	-4374
George, Michael J.	292 State Office Building	-4238
Gunter, C. L.	349 State Office Building	-2585
Hanson, Walter R.	271 State Office Building	-4232
Haugerud, Neil S.	235 State Office Building	-4278
Heinitz, O. J.	389 State Office Building	-4320
Hokanson, Shirley A.	234 State Office Building	-4239
Jacobs, Joel	229 State Office Building	-4231
Jaros, Mike	232 State Office Building	-4246
Jensen, Robert C.	178 State Office Building	-4862
Johnson, Carl M.	340 State Office Building	-4270
Jude, Tad	383 State Office Building	-4248
Kahn, Phyllis	237 State Office Building	-4257
Kaley, John R.	398 State Office Building	-4359
Kalis, Henry J.	239 State Office Building	-4240
Kelly, Randy	328 State Office Building	-4277

REPRESENTATIVE	OFFICE NO.	TELEPHONE NO.
Kelly, William	297 State Office Building	296-4861
Kempe, Arnold E.	331 State Office Building	-3806
Kempe, Raymond J.	345 State Office Building	-4220
King, Dwayne A.	353 State Office Building	-3750
Knickerbocker, Gerald	391 State Office Building	-4315
Kostohryz, Richard J.	370 State Office Building	-4936
Kroening, Carl W.	231 State Office Building	-4302
Kvam, Adolph L.	393 State Office Building	-4344
Laidig, Gary W.	325 State Office Building	-4351
Langseth, Keith L.	330 State Office Building	-4335
Lehto, Arlene I.	342 State Office Building	-2637
Lemke, Richard R.	167 State Office Building	-4233
Mangan, Tom	217 State Office Building	-4356
Mann, George L.	163 State Office Building	-4292
McCarron, Paul	248 State Office Building	-4242
McCollar, Maurice D.	332 State Office Building	-4319
McDonald, Kenneth J.	323 State Office Building	-8872
McEachern, Bob	339 State Office Building	-4237
Metzen, James P.	219 State Office Building	-4370
Moe, Donald M.	299B State Office Building	-4264
Munger, Willard M.	226 State Office Building	-4282
Murphy, Mary C.	376 State Office Building	-2676
Neisen, Howard J.	350 State Office Building	-4322
Nelsen, Bruce	327 State Office Building	-4352
Nelsen, Marlin B.	171 State Office Building	-4368
Nelson, Ken	299C State Office Building	-4244
Niehaus, Joseph T.	312 State Office Building	-4379
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Novak, Steve G.	356 State Office Building	-4334
Osthoff, C. Thomas	267 State Office Building	-4224
Patton, Alvin W.	175 State Office Building	-4216
Pehler, James C.	261 State Office Building	-4241
Peterson, Darrel L.	315 State Office Building	-3729
Petrafeso, Paul R.	333 State Office Building	-4863
Pleasant, Ray O.	394 State Office Building	-4316

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Rice, James I.	371 State Office Building	-4262
Rose, John T.	388 State Office Building	-4342
Sabo, Martin Olav	276 State Office Building	-6610
St. Onge, Douglas	223 State Office Building	-4263
Samuelson, Donald B.	249 State Office Building	-4875
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Savelkoul, Henry J.	390 State Office Building	-4327
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Schulz, Victor H.	375 State Office Building	-4223
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Searles, Robert L.	378 State Office Building	-4309
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Sieben, Michael	242 State Office Building	-4250
Simoneau, Wayne	357 State Office Building	-4331
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Suss, Ted L.	173 State Office Building	-4313
Swanson, James C.	372 State Office Building	-4885
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Williamson, Bruce D.	382 State Office Building	-4303
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BEMIDJI MN
56601

HOLEY GEORGE
1509 SW SIXTH STREET
FARIBAULT MN
55021

HOLMES EUSTIS ET AL
4610 IDS CENTER
MPLS MN
55402

HOLT JOHN
517 4TH ST NW
FARIBUALT MN
55021

HOULE MELVIN
881 W HWY 96
SHOREVIEW MN
55112

HUMAN RIGHTS
200 CAPITOL SQ BLDG
ST PAUL MN
55101

HUMAN SERVICES
414 LAFFAYETTE RD 5THFL
ST PAUL MN
55101

HYLAND DEAN
1501 W 50TH ST
MPLS MN
55419

INGVALSON VERN MN.FARM BU
1976 WOODDALE BOX 43370
ST PAUL MN
55164

INS FED OF MINN
902 SOO LINE BLDG
MPLS MN
55402

IVERSON DR JOS DEPT ED
ST OLAF COLLEGE
NORTHFIELD MN
55057

IZAAK WALTON MN DIV
111 E FRANKLIN RM-210
MPLS MN
55404

JENOS INC
525 LAKE AVE SO
DULUTH MN
55801

JENSEN ARTHUR,CITY CLK
2215 W OLD SHAKOPEE RD
BLOOMINGTON MN
55431

JOHANSEN BUS SERV INC
19 DAYTON RD
CHAMPLIN MN
55316

JOHNSON & SANDERSON
ST MARYS HOSPITAL
ROCHESTER MN
55901

JOHNSON LEROY
9939 BLUEBIRD ST NW
COON RAPIDS MN
55433

JOHNSON M.D. FRUNDT & FRU

BLUE EARTH MN
56013

KABLE RICHARD W

BETHEL MN
55006

KEENAN RICHARD J
4444 IDS BLDG
MPLS MN
55402

KJERVIK DIANE
4302 POWEL HALL U OF M
MPLS MN

KNOPP TIMOTHY
COLLEGE FORESTRY U OF M
ST PAUL MN
55108

KNUTSON DR KEITH,BIOLOGY
ST CLOUD STATE
ST CLOUD MN
56301

HENDRICKSON MRS VIRGINIA
3324 COUNTRY WOOD DR
BURNSVILLE MN
55337

HINRICHSEN PATRICK
MANKATO FREE PRESS
MANKATO MN
56001

HOPKINS WM.B. DIR.MISCCA
3915 GOLDEN VALLEY ROAD
GOLDEN VALLEY MN
55422

HORNER WALDORF - KAZIUKEWICZ
PO BOX 3260
ST PAUL MN
55165

HOUSE APPROPRIATIONS COMM
RM 109 STATE CAPITOL
ST PAUL MN
55101

HULSTRAND ANDERSON & LARSON
PO BOX 130
WILLMAR MN
56201

HUSEBYE, CRAIG J.
5036 FRANCE S.
EDINA MN
55410

HUTCHISON R.M. ANOKA CO.COMP
COURT HOUSE
ANOKA MN
55303

IMAGE
BOX 3215
ST PAUL MN
55165

INGEBRIGTSEN DR K H
23 SE 4TH ST
MPLS MN
55414

INTERSTATE POWER RW STEELE
1000 MAIN ST
DUBUQUE IA
52001

IUOE LOC 49 CHAS SWENSON
2580 UNIV AVE
ST PAUL MN
55101

JAIN NIRMAL ENIV PROCESS
1220 GLENWOOD AVE
MPLS MN
55405

JENSEN CARL A
127 E MAIN ST
SLEEPY EYE MN
56085

JENSEN MRS GAYNOLD
111 WEST 107TH ST
MPLS MN
55420

JOHNSON CLARENCE IBEW LU 292
3615 37TH AVE S
MPLS MN
55406

JOHNSON G ROBERT
4344 IDS CENTER
MPLS MN
55402

JOHNSON LANCE J
265 S LAFAYETTE RD
ST PAUL MN
55107

JONES C NORTHSIDE RES REDEV
1800 OLSON MEMORIAL HWY
MPLS MN
55411

KAVANEY RICHARD
1220 NORTHERN FED BLDG
ST PAUL MN
55102

KEABLE MIKE
909 6TH AVE N
ST CLOUD MN
56301

KLOSTER MARION PEAVEY CO
730 2ND AVE S
MPLS MN
55402

KLUZ STEVEN J
1910 1ST NATL BK BLDG
MPLS MN
55402

KNUTSON R N GRANNIS ETAL
F J SCHULT BLDG
ST ST PAUL MN
55075

KOLLER MR & MRS ERWIN A
1568 DULUTH ST
ST PAUL MN
55108

KROEGER CHARLES
122 NW 7TH STREET
FARIBAULT MN
55021

KRONLOKKEN J E
10048 NORD RD
BLOOMINGTON MN
55437

KVB ENGINEERING INC
600 S CO RD 18
MPLS MN
55426

LANAHAN E F - SIBLEY CO
184 E 6TH ST
ST PAUL MN
55101

LANGVIN DAVID
7500 80TH ST S
COTTAGE GROVE MN
55016

LARSON HANS P DIV HOSP SERV
717 DELAWARE ST SE
MPLS MN
55440

LEAGUE MN MUNIC
300 HANOVER 480 CEDAR
ST PAUL MN
55101

LEVEY JESS MET STATE UNIV
METRO SQ RM 121
ST PAUL MN
55101

LEAVEY THOS
829 22ND AVE SE
MPLS MN
55414

LINDALL & JONATHAN DEVELOP.
VILLAGE ONE CENTER
CHASKA MN
55318

LOCKNER GARY
R R 1 BOX 23
BAUDETTE MN
56623

LYNCH DONALD SIBLEY CO
184 E 6TH ST
ST PAUL MN
55102

MAHCF RICK CARTER
2850 METRO DR SUITE 431
BLOOMINGTON MN
55420

MALECKI JAMES
1 SO STATE ST
NEW ULM MN
56073

MANKATO STATE STUDENT ASSN
BOX 58 MANKATO COLLEGE
MANKATO MN
56001

MANTHEY T J PICKANDS MATHER
1100 SUPERIOR AVE
CLEVELAND OH
44114

MAUL WARREN E
320 S 4TH ST
MPLS MN
55415

MAYO FOUNDATION G ORWOLL
200 FIRST AVE NW
ROCHESTER MN
55901

MCFADDEN G H DISPATCH-PRESS
55 E 4TH ST
ST PAUL MN
55101

MCKIBBON MRS SHIRLEY
11 EVERGREEN LN
BABBITT MN
55706

KOPP MRS VERNON
2050 65TH ST E
INVER GR HGHT MN
55075

KRAMER ERNEST W
717 DELAWARE ST SE
MPLS MN
55440

KROON H CLIFTON
210 E WALNUT
MANKATO MN
56001

KUHL CARL
4421 4TH ST NE
COL HEIGHTS MN
55421

LABELLE JUANITA MRS
5816 AQUILA AVE NO
NEW HOPE MN
55428

LAKE SUPERIOR INDUSTRIAL
828 FIRST AM. BK. BLDG.
DULUTH MN
55802

LAPP LAZAR LAURIE ET AL
1200 BUILDERS EXCHANGE
MINNEAPOLIS MN
55402

LARSON C L
3800 MINNEHAHA AVE SO
MPLS MN
55406

LEAGUE WOMEN VOTERS OF MINN
555 WABASHA
ST PAUL MN
55102

LEG.REF.LIB-Z. DEWITT
RM 111 STATE CAPITOL
ST PAUL MN
55155

LEWIS DR.G.M JR.
ABBOTT 110 E 18TH ST
MPLS MN
55403

LIBBEY LEONARD
BOX 17011 NOKOMIS STA
MPLS MN
55417

LOWE DOUG
2701 N LEXINGTON AVE
ROSEVILLE MN
55113

LUTH SOC SERVICE OF MN
2414 PARK AVE
MPLS MN
55404

MADSON HUGH
AETNA 212 S 6TH ST
MPLS MN
55402

MALONE E I COMM LABOR & INDU
444 LAFAYETTE RD 5TH FL
ST PAUL MN
55101

MANKATO STAT STUDENT SENA
CENTENNIAL STUDENT UN
MANKATO MN
56001

MARRINAN MARGARET M
1117 COMMERCE BLDG
ST PAUL MN
55101

MASTOR & MATTSON LTD
315 PEAVEY BLDG
MPLS MN
55402

MCCLURG EUNICE
1061 109TH AVE NE
BLAINE MN
55434

MCDONALD PHILIP M
2077 SELBY AVE
ST PAUL MN
55104

MCNEILLY GREG MNDSVIEW ED
41 SHERBURNE AVE
ST PAUL MN
55103

MET. WASTE CONTOL COMM.
350 METRO SQ BLG
ST PAUL MN
55101

MEIEROTTO, JOAN
1794 SO LEXINGTON
ST PAUL MN
55118

MEYER HERBERT
10824 ZENITH AVE S
BLOOMINGTON MN
55431

MIDLAND GLASS-HD SPURLING
PO BOX 69
SHAKOPEE MN
55379

MILLER RICHARD A
1020 PLYMOUTH BLDG
MPLS MN
55402

MILLER TOM
2311 PILLSBURY AVE S
MPLS MN
55404

MINN ASSN COOPERATIVES
55 SHERBURNE AVE
ST PAUL MN
55103

MINN ASSN ELEC COOPERATIVES
4901 W 77TH ST
MPLS MN
55435

MINN ASSN WATERSHED DIST'S

ADA MN
56510

MINN CHAP ASSOC BLDRS-CONTRS
7204 W 27TH ST
MPLS MN
55426

MINN DEPT HEALTH J C MCKASY
717 DELAWARE S E
MPLS MN
55440

MINNESOTA FARMERS UNION
1717 UNIVERSITY AVE
ST PAUL MN
55104

MINN HEREFORD-LJ SCHAFER

BUFFALO LAKE MN
55314

MINN. HOTEL & MTR. ASSN
2001 UNIVERSITY AVE
ST PAUL MN

MINN LAND USE COMMITTEE
4344 IDS CENTER
MPLS MN
55402

MINN LP GAS ASSN
7515 WAYZATA BLVD 106
MPLS MN
55426

MINN PETROLEUM COUNCIL
1020 NORTHERN FED BLDG
ST PAUL MN
55102

MINN POLLUTION CONTROL AGCY
1935 W CO RD B2
ROSEVILLE MN
55113

MINN RESTAURANT ASSN
2001 UNIVERSITY AVE.
ST PAUL MN
55104

MINN RETAIL FED INS
131 METRO SP
ST PAUL MN
55101

MINN STATE BD PHARMACY
717 DELAWARE ST SE #351
MPLS MN
55414

MINN STATE EMP UNION COUNC 6
236 E PLATO BLVD
ST PAUL MN
55107

MINN TEAMSTERS CREDIT UNION
2021 HENN AVE E
MPLS MN
55413

MINN TBR PRODUCERS ASSN
200 CHRISTIE BLDG
DULUTH MN
55802

MET TFR MEN ASSN A ROSENTHAL
1821 UNIV AVE
ST PAUL MN
55104

METROPOLITAN COUNCIL LIBR
300 METRO SQUARE
ST PAUL MN
55155

MILLER M ADMIN AGENCIES DIV
G19K STATE ADM BLDG
ST PAUL MN
55155

MILLER PAUL J PHARMACY SE
ST MARYS HOSP
ROCHESTER MN
55901

MINN APT ASSN
GRIGGS-MIDWAY BLDG
ST PAUL MN
55104

MINN ASPHALT PAVEMENT ASS
555 WABASHA RM 209
ST PAUL MN
55102

MINN. ASSN. PET RETAILERS
1115 2ND AVE. SO.
MINNEAPOLIS MN
55403

MINN ASSN VOL SOC SERVICE
1821 UNIV SUITE 389
ST PAUL MN
55114

MINN COMM FOR HANDICAPPED
METRO SQ 492 7TH & ROBT
ST PAUL MN
55101

MINN COMMUNITY DEVELOP SE
512 ROSSMOR BLDG
ST PAUL MN
55101

MINN FOOD RETAILERS ASSN
555 WABASHA
ST PAUL MN
55101

MINN GOV ENG COUNCIL
2400 SHERWOOD HILL RD
MINNETONKA MN
55343

MINN HOUSING INST N T CARTER
1573 SELBY AVE APT 101
ST PAUL MN
55104

MINN HWYS MANAGEMENT SERV
407 HWY BLDG
ST PAUL MN
55101

MINNE MINE CREDIT UNION
3000 HUDSON PK S 100
ST PAUL MN
55119

MINN.MTR.TRANSP. .J.N.D
1821 UNIV.
ST.PAUL MN
55104

MINN POULTRY & HATCHERY ASSN
BOX 158
MADELIA MN
56062

MN REP STATE CENTRAL COMM
555 WABASHA AVE
ST PAUL MN
55102

MINN RETAIL HARDWARE ASSN
3033 EXCELSIOR BLVD 313
MPLS MN
55416

MINN STATE EAR ASSN
100 MINN FED BLDG
MPLS MN
55402

MINN STATE MEDICAL ASSOC
STE 900 AM NATL BK BLDG
STPAUL MN
55101

MINN STATE RETIREMENT SYS
529 JACKSON ST
ST PAUL MN
55101

MINN.TURKEY GROWERS ASSN
2383 UNIV AVE
ST PAUL MN
55114

MINN VETERANS MED ASSN
2175 W HWY 36
ROSEVILLE MN
55113

MN AUTOMOBILE DEALERS ASSN
277 UNIV AVE
ST PAUL MN
55103

MN ELECTRICAL ASSN
3100 HUMBOLT SO
MPLS MN
55408

MN STATE SER BLIND-K NATARDY
1745 UNIVERSITY AVE
ST PAUL MN
55104

MORTON BUILDINGS INC
R #1
FOLEY MN
56329

MPLS ASSN RETARDED CITIZENS
3100 W LAKE ST
MPLS MN
55416

MT OLIVET ROLLING ACRES
R 1 BOX 576
EXCELSIOR MN
55331

NATL FAMILY INS CO
2147 UNIV AVE
ST PAUL MN
55114

NEUMAN RALPH W
RT 2 BOX 125
EMBARRASS MN
55732

NURSING HOME RES ADV CO.
111 E FRANKLIN S210
MPLS MN
55404

NW REG. DEV. COMM
425 WOODLAND AVE
CROOKSTON MN
56716

O'CONNELL RAY
MN GAS CO 733 MARQ AVE
MPLS MN
55402

MN. ASN.C&IND H.D.PETERSO
480 CEDAR ST.
ST.PAUL MN
55101

MN PUB INT RESEARCH GROUP
3036 UNIV AVE SE
MPLS MN
55414

MIXA FRANK LK MNTKA CONS
402 E LAKE ST
WAYZATA MN
55391

MOSS DR JEROME
125 PEIK 159 PILLSBURY
MPLS MN
55455

MPLS CITY ATTORNEY
325M CITY HALL
MPLS MN
55415

MURPHY DIANA E
4200 IDS-LINDQUIST VENN
MPLS MN
55402

NASS GEO V HENN CO GEN HO
5TH AND PORTLAND AVE
MPLS MN
55415

NCEC INC C/O DR DAHLBERG
CONCORDIA COLLEGE
MOORHEAD MN
56560

NO SUB MONTESSORI-S SADDL
2487 HELEN COURT
NO ST PAUL MN
55109

NYQUIST DEAN A
3707 53RD PL N
BROOKLYN CTR MN
55429

OFFICE OF THE GOVERNOR
130 STATE CAPITOL
ST PAUL MN
55101

MINN WATER RESOURCES BD
RM 206 555 WABASHA ST
ST PAUL MN
55102

MINN-WISC BOUNDARY AREA COMM
600 2ND ST
HUDSON WI
54016

MN AFL-CIO L.O. LASHCMB
175 AURORA
ST PAUL MN
55103

MN.BD OF NURSING
717 DELAWARE ST SE
MPLS MN
55414

MN SOC SERV ASS J HOOD
614 PORTLAND
ST PAUL MN
55102

MN ST PHARMACEUTICAL ASSN
2469 UNIVERSITY AVE
ST PAUL MN
55114

MOFFITT R C
RM 301 M MPLS CITYHALL
MPLS MN
55415

MOOD R BLOOMINGTON HLTH DEPT
10200 PENN SO
BLOOMINGTON MN
55431

MOTOR VEHICLE MFRS ASSN
411 MAIN ST (215)
ST PAUL MN
55102

MPIRG
BOX 45 ST MARYS COLLEGE
WINONA MN
55987

MPLS STAR PRESS ROOM
STATE CAPITOL
ST PAUL MN
55101

MPLS TRIBUNE CITY DESK
425 PORTLAND AVE
MPLS MN
55415

MURPHY PATRICK SSR INC
BOX 986 COURTHOUSE STA
ARLINGTON VA
22216

MURPHY PATRICK DUFFY
1440 SUMMITT AVE
ST PAUL MN
55105

NATL CAR RENTAL ATT D MITZEL
5501 GREEN VALLEY DR
MPLS MN
55437

NATL COUNCIL JEWISH WOMEN
4330 CEDAR LK RD
MPLS MN
55416

NELSON JOHN
4809 180TH ST N
HUGO MN
55038

NEREN MADONNA
376 NEAL AVE S
AFTON MN
55001

NORTH CENTRAL ELEC ASSN
PO BOX 202
BATTLE LAKE MN
56515

NURSING HOME ADMRS BD EXAMRS
RM 340 717 DELAWARE SE
MPLS MN
55414

NW BELL TEL CO LEGAL DEPT
224 S 5TH ST RM 2000
MPLS MN
55402

NW COUNTRY ELEVATOR ASSN
802 GRAIN EXCH BLDG
MPLS MN
55415

O'BRIEN J.DENNIS
1100 1ST NATL.BANK BLDG
MINNEAPOLIS MN
55402

OLOFSON ARTHUR MBO & MAINC
927 SOO LINE BLDG
MPLS MN
55402

OLSON KATHLEEN
192 SEYMOUR AVE SE
MPLS MN
55414

PATTISON ORVIS
BOX 645
WILLMAR MN
56201

PAYNE COL ALVIN

DEGRAFF MN
56233

PFEIFER AND SHULTZ, INC
1433 UTICA AVE S
MPLS MN
55416

PHAR MFGRS ASSN WM D PATTON
1155 15TH ST NW
WASHINGTON DC DC
20005

POPOVICH PETER S
314 MINN BLDG
ST PAUL MN
55101

PORTER DAVID
3002 27 AVE S
MPLS MN
55406

POSS DONALD G
6301 SHINGLE CREEK PKWY
BROOKLYN CTR MN
55430

POYZER ROBT
BOX 675
FERGUS FALLS MN
56357

PULSCHER RBT SPRINGSTED INC
813 OSBORN BLDG
ST PAUL MN
55102

RALPH BURKE ASSOCIATES
7710 COMPUTER #S101
MPLS MN
55435

RAMSEY CO MEDICAL SOC
908 AM NATL BK BLDG
ST PAUL MN
55101

REARDON MRS HELEN
1125 S E 6TH ST
WILLMAR MN
56201

REID DAVID H
6469 N GRAHAM RD
INDIANAPOLIS IN
46220

REGION NINE DEV. COMM.
709 N FRONT ST
MANKATO MN
56001

REINO O LAINE 3M COMPANY
3M CENTER
ST PAUL MN
55101

RICHARDSON THOS
7851 METRO PKWY S 103
MPLS MN
55420

RICHARDS MONTGOMERY ET AL
1430 RAND TOWER
MPLS MN
55402

ROBBIE JOSEPH
904 CARGILL BLDG NO CTR
MPLS MN
55402

ROBERTS DR ALAN
BOX 297 MAYO U OF M
MPLS MN
55455

ROSS ROY J
CLK TREAS
LITCHFIELD MN
55355

ROWLEY STEPHEN
4305 15TH AVE S
MPLS MN
55407

OTTER TAIL POWER CO.
215 S. CASCADE ST.
FERGUS FALLS MN
56537

PAYNE WM B
2400 FIRST NATL BK BLDG
MPLS MN
55402

PETERSON GARY
854 MIDLAND BK BLDG
MPLS MN
55401

PHILLIPS LEGISLATIVE SERVICE
459 RICE ST
ST PAUL MN
55103

PINNETTI NICK M HALEY & A
40 CENTRAL PARK S
NEW YORK NY
10019

PORTER LYLE O.

TRACY MN
56175

PORT AUTH CITY OF ST PAUL
330 MINNESOTA BLDG
ST PAUL MN
55101

PRAUSE JOS.C.
2220 105TH AVE.N.W.
COON RAPIDS MN
55433

PROCTOR&GAMBLE L THEOHAR
IVORYDALE TECH CENTER
CINCINNATI OH
45217

RADMAN RICHARD-LABOR TEMP
418 AUDITORIUM
ST PAUL MN
55102

RAUENHORST CORP-C ANDERSON
7900 XERXES S. S-2200
MPLS MN
55431

REAGAN MICHAEL
% MINN LEARNING CTR
BRAINERD MN
56401

RED OWL STORES INC
215 E EXCELSIOR AVE
HOPKINS MN
55343

REGION FIVE REG. DEV. COM
102 6TH ST N
STAPLES MN
56479

RENNER R.H. ST PAUL AREA CC
300 OSBORN BLDG.
ST PAUL MN
55102

RENQUIST ARTHUR NSP CO
414 NICOLLET MALL
MPLS MN
55401

RIEKE DAVID
PO BOX 9311
MPLS MN
55440

ROE DAVID
175 AURORA
ST PAUL MN
55103

ROBERTS DAVID E
1260 NW NATL BK BLDG
ST PAUL MN
55101

ROSS ALFRED
6356 WARE RD
LINO LAKES MN
55014

SAN SIMEON DEVELOP CORP
OLD 1ST STATE BK BLDG
PAYNESVILLE MN

SANFORD S M
7000 PORTLAND AVE
RICHFIELD MN
55423

SAX DOVE & STENSON
310 ENDICOTT BLDG
ST PAUL MN
55101

ST PAUL BUR HLTH DR P COX
555 CEDAR ST
ST PAUL MN
55101

ST PAUL FOOD RETAILERS ASSN
1220 ARCADE
ST PAUL MN
55106

SCHAEN ETHEL
1745 UNIVERSITY AVE
ST PAUL MN
55104

SCHLICHT REV ROBT
611 W MAIN ST
BELLE PLAINE MN
56011

SCHMIDT LARRY WCCO-TV NEWS
50 S 9TH ST
MPLS MN
55402

SCHMIDT WARREN WELLCOME MH5
GARDEN CITY
MN
56034

SCHWARTAU NEAL METH HOSP
201 W CENTER ST
ROCHESTER MN
55901

SCHWERMAN EARL JR
1535 8TH AVE SE
ROCHESTER MN
55901

SCHROEDER ALFRED H
2172 CARROLL AVE
ST PAUL MN
55104

SELECTVISION INC FR VALENTIN
1 DAG HAMMARSKJOLD PL
NEW YORK NY
10017

SENATE GOV OP COMM
RM 303 STATE CAPITOL
ST PAUL MN
55155

SHABATURA EUGENE H
2833 LAKE AVE SO
DULUTH MN
55811

SITE ENGINEER INC
12 OLD DEERFIELD RD
WELCH MN
55089

SIX EAST REG. DEV. COMM.
311 W 6TH ST
WILLMAR MN
56201

SMITH MICHAEL
128 PLEASANT STREET SE
MPLS MN
55455

SNELL LYN
BOX 314
EDEN VALLEY MN
55329

SODERMAN ANTHONY
1414 FOSHAY TOWER
MPLS MN
55402

STANSFIELD ARLENE LAND OLKS
PO BOX 116
MPLS MN
55440

STEELWORKERS CREDIT UNION
BOX 250
BABBITT MN
55706

STOLPESTAD BROWN & SMITH
1550 NW BK BLDG
ST PAUL MN
55101

SULLIVAN JEANETTE
CDIC SW STATE UNIV
MARSHALL MN
56258

SUMMIT NATL BANK D L MORRILL
205 AURORA AVE
ST PAUL MN
55103

SE MN REG DEV COMM
301 MARQ BK BLDG
ROCHESTER MN
55901

SW REGIONAL DEV COMM
2811 BDWY
SLAYTON MN
56172

SCHMIDT D R MN ASSN REALTORS
6101 WAYZATA BLVD
MPLS MN
55416

SCHNEIDER MAHLON
GREEN GIANT
LESUEUR MN
56058

SCHWINN ROBT.P.
1400 SOO LINE BLDG.
MPLS. MN
55402

SENATE COUNSEL OFFICE
ROOM 480 STATE OFF BLDG
ST PAUL MN
55055

SHAW ROBERT M
616 MOBIL OIL BLDG
MPLS MN
55402

SIX W REG. DEV. COMM
128 W SORENSON
APPLETON MN
56208

SNYDER, R.W. U OF M
RM 248C CLASS OFF BLDG.
ST PAUL MN
55108

STATE BD VETERINARY EXAMINER
C/O DR A C SPANNAUS DVM
WACONIA MN

STUPKA & MOREM
MIDTOWN BLDG
AUSTIN MN
55912

SUSSEL CO.ATTN:TED SCHWENKER
1850 COMO AVE.
ST PAUL MN
55108

SPRAGUE CHARLOTTE B
AREA HOSPITAL BOX 339
WINDOM MN
56101

SCARBOROUGH WILLIAM
DIV.ED. U.M.
MORRIS MN
56267

SCHMIDT H W TCHRS RETIREM
302 CAPITOL SQ BLDG
ST PAUL MN
55101

SCHUTZ LINDA
RM 328 CAPITOL BLDG
ST PAUL MN
55155

SCHNEIDER & NEESER
706 1ST ST SO PO BX 876
WILLMAR MN
56201

SENATE FINANCE COMMITTEE
ROOM 121 STATE CAPITOL
ST PAUL MN
55155

SILVERMAN JUDITH
8545 W 28TH ST
ST LOUIS PARK MN
55426

SMERIKA WN.
BOISE CASCADE PAPERS
INTL FALLS MN
56649

SODERBERG HAROLD J
1500 MIDWEST PLAZA BLDG
MPLS MN
55402

STD AM LIFE & ANNUITY CO
3801 W 50TH ST
MPLS MN
55410

SULLIVAN J KIRK
PO BOX 200
BOISE ID
83701

SWANSON BURT E
W-2162 1ST NATL BK BLDG
ST PAUL MN
55101

SWANSON DALE
P O BOX 339
FOREST LAKE MN
55025

SWANSON MORTIMER C
5824 FRANCE AVE S
EDINA MN
55410

TENNESSEN SEN ROBERT J
RM 309 STATE CAPITOL
ST PAUL MN
55165

THOMPSON CONRAD
1107 23RD ST NW
ROCHESTER MN
55901

TOUCHE ROSS & CO K H STOCKE
780 NORTHSTAR CNTR
MPLS MN
55402

TWIN CITIES PIPING IND ASSN
2829 UNIV SE SUITE 304
MPLS MN
55414

UTLEY JOHN
4610 IDS CENTER
MPLS MN
55402

VAN EVERA MUNDT ET AL
700 TORREY BLDG
DULUTH MN
55802

VERRILL JOHN E
DEPT SECONDARY ED UOF M
DULUTH MN
55812

VOSS REV GORDON O
11120 NE 7TH ST
BLAINE MN
55434

VOS LEROY
2137 BURNS AVE
ST PAUL MN
55119

WALZ SAM CO ADMINISTRATION
ANOKA CTY COURTHOUSE
ANOKA MN
55303

WAMPLER LINUS DIR USW OF AM
609 PROVIDENCE BLDG
DULUTH MN

WELK G V NORTHERN STATES
414 NICOLLET MALL
MPLS MN
55401

WELLINGTON R R SKELLY OIL
PO BOX 1650
TULSA OK
75102

WHITLOCK A G
ECON LAB OSBORN BLDG
ST PAUL MN
55102

WHITLOCK MARSHALL
RM 3 CAPITOL BLDG
ST PAUL MN
55155

WM.MITCHEL COLLEGE LAW LIB.
2100 SUMMIT AVE.
ST.PAUL MN
55105

WILEY ENTERPRISES
101 5TH AVE SE
OSSEO MN
55369

WOLKERSTORTER THEODORE
676 17TH AVE NW
NEW BRIGHTON MN
55112

WOZNIAK D D
401 FIRST FED BLDG
ST PAUL MN
55101

TATE VERN 3M CO
3M CENTER 220/6W
ST PAUL MN
55101

THOMPSON HESSIAN ET AL
1500 MIDWEST PLAZA BLDG
MPLS MN
55402

TIMESAVERS INC ATT R S VO
5270 HANSON COURT
MPLS MN
55422

UNION STOCK YARDS
ATTN PRES
SO ST PAUL MN
55075

VANDERVOORT T J MET WASTE
350 METRO SQUARE BLDG
ST PAUL MN
55101

VAN DRAKE STEPHEN R
BOX 353
PELICAN RAPID MN
56572

VIITALA, W.C. HONEYWELL
HONEYWELL PLAZA
MPLS MN
55408

VILLAGE OF WOODBURY
2100 RADIO DRIVE
WOODBURY MN
55042

WALTERS THOS H
4510 W 77TH ST STE 235
MPLS MN
55435

WANQUIST ALLEN
RM 252 FEDERAL BLDG
ST PAUL MN
55101

WATERS, DONNA M.
110506 WINDMILL COURT
CHASKA MN
55318

WEST CENTRAL REG. DEV.
ADM BLDG,COMMUNITY COLL
FERGUS FALLS MN
56537

WHITING RALPH
7316 BAILEY ROAD
NEWPORT MN
55055

WILCOX J PATRICK
1220 NORTHERN FED BLDG
ST PAUL MN
55102

WILSON R GARY PPG INDUSTR
1 GATEWAY CENTER
PITTSBURGH PA
15222

WIS FEEDER PIG MARKET CO-

FRANCIS CREEK WI

WYANT CLINTON W ATTY

ATKIN MN
56431

ZIMMERMAN & OFFERMAN
CAMBRIDGE STATE HOSP
CAMBRIDGE MN
55008

ADDITIONAL NAMES FOR THE GENERAL LIST

Sias, Jack W., PO Box 4366, 1573 Selby Ave, St. Paul, MN 55104

Ahola, Debra, 616 Lincoln Avenue, Apt. 307, St. Paul, MN 55102

AGRICULTURE

American Fish & Seafood, Inc., 107 North 7th Street, Mpls 55403

Anderson, B.G., Burlington Northern, Engineering Div., 176 E 5th St, St.Paul 5510

Anderson, Lynn, Route 2, Moorhead

Anderson Produce Co., T.F. Anderson, Moose Lake (Eggs Only)

Beckstead, S.W., Am.Potash & Chemical Corp., PO Box 25861, Oklahoma City, OK 7312

Bruner, Richard C., Sunkist Growers, Inc., 720 E. Sunkist St., Ontario, CA

Carlson, Dr. Lauren, Chokio 56221

Coca-Cola Company, Attn: R.F. Atwood, PO Drawer 1734, Atlanta, Georgia 30301

Dairy Processors, Inc., 2239 Carter Ave., St Paul 55108

Day, Paul M., Senior High School, Faribault 55021

Dept. of Health, Attn: Dir. Cleon LeMont, 111 4th Avenue South St Cloud 56301

Epley, Dr. Richard J., 129 Peters Hall, UM, St Paul 55101

Everfresh Food Corp., 501 Huron St SE, Mpls 55414

Garrity, Cahill, Gunhus et al, 1st Nat'l Bank Bldg, Moorhead 56560 (Grading Onl

Guy, D.L. Parkers, Prairie

Harrington, J.K., P.O. Box 33221, St Paul 55133

International Dairy Queen Inc., 5701 Green Valley Drive, Mpls 55437

Koppers, Mgr., Prod. Reg. & Labeling, Koppers Bldg., Pittsburgh, PA 15219

Krengel, Alex A., Peavey Co., 11 Peavey Road, Chaska 55318

Land O'Lakes Creameries Inc., Attn: H.H. Ebert, 2215 NE Kennedy, Mpls 55413

Mallinckrodt Chemical Works, 2nd & Mallinckrodt St., St Louis MO 63160

Mandeville Company, Inc., 605 North 4th St, Mpls 55401 (Meat & Food Only)

Minnesota Farm Bur. Federation, Legislative Div., 3100 Wooddale Dr PO Box 3370
St Paul 55165

Minnesota State Pharmaceutical Assn., 2388 University Avenue St Paul 55104

O.M. Scott & Sons, Marysville, Ohio 43040

Olson Fish Company, Attn: R.N. Juhl, 813-821 North 5th St, Mpls 55401

Patrick, Peter 2772 Egandale Blvd., St Paul 55121

Peterson - Biddick Co., Wadena

Roberts, John O., 631 Leffingwell Avenue, Kickwood, MO 63122

Sartell, Charles J., Totino's, 7350 Commerce Lane, Mpls 55432

Schulze, Karl F., c/o Bridgemen Creameries Div., Land O'Lakes, Box 177, Duluth 55801

Shannon, Mattew A., General Foods Corp. 250 North St, White Plains NY 10602

Sheridan, Fred F., 400 Ardmore Drive, Mpls 55422

Steven, W.R., Box 26, Sartell

Twin City Exterminating Co., 1953 University Avenue West, St Paul

Waconia Sorghum Co., P.O. Box 1227, Cedar Rapids, Iowa 52406 Attn: L.S. Wessale

Watkins, Products, Inc., Attn: N.A. Barth, Legal Dept., Winona 55987

Wheeler, Edwin M., 1015 18th St. NW, Washington D.C. 20036 (Fertilizers Only)

SLAUGHTER HOUSE LICENSE ONLY

Betlach, Edward, Blooming Prairie

Jenkins, LeRoy, Staples

Mehring, M.J., Paynesville

Nelson, Howard, Lindstrom

South St Paul Chamber of Commerce, South St Paul 55075

Stacker, Ralph, 938 Minnesota Building, St Paul