

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

MINNESOTA STATE REGULATION

Notice of filing by the Commissioner of Administration

We have received on this date, stamped and filed 2 copies of Rules and Regulations pertaining to the Minnesota Municipal Commission
(Agency or Board)

Regulation No. MMC 1 thru 20 (amended)

Subject: Rules of Practice

Department of Administration
Publication, Central Services Division
Documents Section
140 Centennial Office Building
St. Paul, Minnesota 55155
Telephone: (612) 296-2874

FILED
RICHARD L. BRUBACHER
Commissioner of Administration
OCT 30 1974 11:10 am
BY Eda Staudenmaier
AUTH. SIGNATURE

Stamped and filed with the Secretary of State 10-30-74

Rev. 9-72

ADMIN. 1000

STATE OF MINNESOTA

DEPARTMENT ATTORNEY GENERAL

Office Memorandum

TO : Mike Miller
Special Assistant
Attorney General

DATE: 10/18/74

FROM : Jerome L. Getz
Special Assistant
Attorney General

SUBJECT: Municipal Commission - Rules Revision

On August 23, 1974, you returned four copies of the Municipal Commission's proposed rules to me. You had two problems with them:

1. You suggested that the term "Chapter 414", used throughout the proposed rules, be changed to "Minnesota Statutes, Chapter 414"; and

2. You observed that an extra page was attached to the proposed rules which appeared to be a different version of one of the rules contained in the body of the rules.

From discussions with the Commission, it appears that subsequent to the initial drafting of the rules changes, but prior to the date on which the notice of hearing on the rules revision was filed by the Commission, the Commission revised proposed Rule 20(d) and (e). It further appears that the version of proposed Rule 20(d) and (e) contained in the text of the rule was the earlier version and that the version attached as the last page to the proposed rules is the correct version.

I now enclose the four copies of the rules which you returned to me (the proposed rules) and four copies of a revision of the proposed rules which incorporate your suggestions as to the citation of Chapter 414 and contains the ~~proposed~~ subsequent version of Rule 20(d) and (e). I also enclose the original and three copies of the Commission's certificate dated October 16, 1974, as to the citation of Chapter 414 in the rules.

I believe that you have all the other supporting documents in your file. If you have any further questions or comments, please do not hesitate to call me.

JLG:bg
Enclosures

MINNESOTA MUNICIPAL COMMISSION

RULES OF PRACTICE

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Title: Minnesota Municipal Commission

CHAPTER ONE: Definitions

M.M.C. 1. Petition. For the purposes of these Rules the term "Petition" shall include: petition, resolution, ordinance, and Notice of Intent.

M.M.C. 2.-5. Reserved for future use.

CHAPTER TWO: Rules of Practice

M.M.C. ~~1.~~6 Commencement of Petition: Title

(a) Petition. A "petition" as the term is used in these rules, may be initiated in accordance with Minnesota Statutes, Chapter 414 (1971) ~~Sections 2, 3, 4, and 6 of Laws 1959, Chapter 686~~ by the required number of ~~freeholders~~ persons or by the municipality, town, or by the Commission as provided in such sections. Where the petition is filed by ~~freeholders~~, residents or property owners, the signatures of the required number of ~~petitioning freeholders~~ petitioners must be attached to the petition and the petition must clearly show on its face the number of petitioners ~~freeholders~~ required to sign such petition to commence proceedings for incorporation, consolidation, annexation or

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detachment. as the case may be, and the method of computing the number of petitioning signatures required. Where the petition is commenced by a municipality, or town. such petition must show the appropriate action by the ~~municipal~~ governing body, including the citation to the resolution, ~~or~~ ordinance or Notice of Intent.

(b) Title. The municipality, town, or the ~~freeholders~~ persons commencing a petition shall be designated as the "petitioner" or "petitioners." The petition shall be designated as follows:

> In the matter of the Petition of Certain ~~Freeholders~~ Persons (or the ~~Village, or~~ City or Town of blank) for (incorporation, consolidation. annexation or detachment as the case may be)

followed by a brief description of the subject matter to which the petition relates. No petition shall be dismissed, impaired or prejudiced because incorrectly entitled, or the parties thereto incorrectly designated but opportunity shall be given in such cases to correct the error by amendment, giving due consideration to any person who may have been misled by the error.

M.M.C. 2.7 Parties; Petition to Intervene: Appearance

Petitioners specifically named as such in any pleading are parties to the proceeding. No other person shall become a party to the proceeding except by appearing at

the hearing on such petition and entering an appearance of record, and in writing on a form to be provided by the Commission, and a showing that he is a resident or taxpayer of the affected area or that he is specifically deemed by statute to be interested in the particular type of matter involved or that he is specifically deemed by statute to be an interested party to the particular type of proceeding involved or that by the outcome of the proceeding he will be bound and affected either favorably or adversely with respect to an asserted interest peculiar to him as distinguished from an interest common to the public or other taxpayers in general. The Commission may hear the facts or evidence of any person or organization as to the subject matter, but no person shall become or shall be deemed to have become a party to the proceeding, by reason of such participation in the hearing. Any person may enter an appearance in any proceeding, but no person shall become or shall be deemed to have become a party to the proceeding by reason of having entered an appearance therein.

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M.M.C. 3.8 Representation

The parties may appear either in person or by attorney. A corporation cannot appear in person.

M.M.C. 4. 9 Pleadings.

(a) Pleadings. The pleadings before the Commission shall be the petition. No answer, Reply, Protest or Petition to Intervene is necessary to become a party of record to the proceeding. A petition may be amended upon motion to the Commission. A party may in writing notify the Commission of an interest in the petition for the purpose of obtaining a copy of any proposed Findings of Fact or other documents or any final Order required to be served by statute or by the Commission Rules of Procedure.

(b) Petition. The petition shall contain a statement of all the facts which must be found by the Commission before the Commission can enter an Order pursuant to Minnesota Statutes, Chapter 414 (1971) ~~Sections 2, 3, 4, or 6 of Laws 1959, Chap. 686, as amended by Laws 1961, Chap. 645.--"A detailed map of the territory considered by the proposed action shall accompany all petitions."~~ If these facts are not

controverted by opposing parties at the hearing on the petition, the petition shall be prima facie evidence of such facts except that the Commission may from appropriate public records or documents determine whether or not such are the facts. The petitioners shall prove such facts by competent evidence. Public records are admissible without foundation except proof that they are public records in establishing the facts required in ~~Sections 2, 3, 4, and 6.~~ Minnesota Statutes, Chapter 414 (1971).

M.M.C. ~~5.~~ 10 Amendments

Formal petitions may be amended at any time before the record has been closed after public hearings required by law upon motion and upon notice to all parties to the proceeding (which may be done at public hearings) except that where the petition is by ~~freeholders~~ property owners the petition cannot be amended to include an area different than the one described in the petition signed by such ~~freeholders~~ property owners (Subject to the statutory authority of the Commission to alter the boundaries proposed in the petition.)

M.M.C. 6. 11 Service

~~Any-petition-pursuant-to-Sections-2,-3,-4,-or-6-must be-filed-with-the-Commission-in-an-original-plus-nine-copies-together-with-all-attachments.--The-Commission may-require-the-petitioner-to-provide-and-pay-for-the necessary-posting-and-publication-of-notices-of-hearing pursuant-to-the-appropriate-section-of-the-statute. Any-proposed-amendments-to-the-petition-must-be-served-upon-all-attorneys-and-parties-of-record.--When-any party-has-appeared-by-an-attorney,-service-upon-such attorney-shall-be-deemed-service-upon-the-party.~~

Any petition pursuant to Minnesota Statutes, Chapter 414 (1971) must be filed with the Commission together with the following:

(a) Filing Fee (See Rule M.M.C. 20)

(1) No petition will be accepted or acted upon unless the filing fee is received.

(b) A certification showing that the petition was served upon the proper parties when the statute indicates such necessity and the date filed.

(1) Under the section for Annexation by Ordinance, the Commission will accept a waiver from the township stating

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they have no objections to a proposed annexation and waiving the 60-days before an ordinance can be adopted.

(c) A map showing the property proposed for consideration and its relationship to any surrounding municipality. All distance references should be given by both length and points of beginning should be definite land survey monuments with care to close the boundaries of the description. References to roads or railroads should be to survey lines such as centerline or known right-of-way line. The intent to include or exclude highway, railroad and street right-of-ways surrounding platted blocks or lots should be carefully considered and clearly stated.

(e) The petitioner is required to provide and pay for any necessary publication of Notices of Hearing pursuant to the appropriate section of the statute.

(f) Any proposed amendments to the petition must be served upon all attorneys and parties of record. When any party has appeared by an attorney,

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service upon such attorney shall be deemed service upon the party.

(g) - (k) Reserved for Future Use

M.M.C. 7. 12 Continuances and Extension of Time.

For cause shown, continuances and extensions of time will be granted or denied by the Commission in its discretion. ~~Such continuances or extensions of time shall be made only at any public hearing.~~ Where a motion for continuance or extension of time is made other than at a public hearing, if such motion is granted, the public hearing shall nevertheless convene for the purpose of announcing the date to which such hearing is continued.

M.M.C. ~~8~~. 13 Stipulations.

Parties may, by stipulation in writing filed with the Commission or presented at the hearing, agree upon any facts involved in the proceedings. It is desired that the facts be thus agreed upon so far as and whenever practicable. Where facts are stipulated, any party entering an appearance of record subsequent to the

stipulation may controvert such facts by evidence, but it shall be the obligation of such party to determine what facts have been stipulated, but where any person or municipality becomes a party of record subsequent to any stipulation of facts does not appear from the record that such facts have been stipulated or does not controvert them by evidence, the Commission may find such to be the facts in entering its final Order.

M.M.C. 9. 14 Dockets

(a) Open to Public Inspection. The Commission shall establish and maintain in the office of the secretary the dockets which shall be open to public inspection but any person wishing to inspect any record of the Commission must first make application to the secretary of the Commission.

(b) Filing of all papers required. Copies of all petitions and all papers in any manner relating to or affecting any petition or jurisdiction of the Commission or which are intended for the information of or action by the Commission must be first filed in the office of the secretary thereof, and thereafter the same shall be preserved therein as public records.

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(c) Docket Number. The secretary, upon the filing with the Commission of any matter within the jurisdiction of the Commission ~~Committee~~, will enter such matter on the docket, giving it then a consecutive number therein.

M.M.C. ~~10~~. 15 Hearings

(a) When Held. Public hearings shall be held by the Commission as to any petition filed pursuant to Minnesota Statutes, Chapter 414 (1971) ~~Sections 2, 3, 4 or 6~~ in accordance with the provisions as to hearings of such section.

(b) Examination of Witnesses: Cross-examination; rebuttal. Witnesses will be examined orally before the Commission. Such examination shall be conducted in the first instance by the attorney appearing for the party calling such witness. Any witness may be examined by the Commission. Every party to a contested case shall have the right of cross-examination of a witness who testified, and shall have the right to submit rebuttal evidence. Where such cross-examination is sought by a party not an attorney, such party shall submit his questions on cross-examination to the Chairman of the Commission or the presiding officer who will then propound the

question to the witness if it is deemed admissible.

(c) Exhibits. Unless the Chairman or presiding officer shall otherwise direct, exhibits offered to the Commission at any hearing or conference in a contested case shall be one copy only, ~~in quadruplicate~~ and a reasonable number of copies shall be furnished to parties in attendance.

(d) Order of Procedure.

(1) Party instituting the petition shall open proof. Unless otherwise directed, the following order of procedure shall apply at all hearings before the Commission: The Chairman or presiding officer shall determine the subsequent order of procedure including the order in which opposing parties shall present proof. Neutral parties or parties appearing as their interests may appear, shall generally be heard after opposing parties. Where a person, firm, corporation or municipality seeks to intervene

although he is not a resident or taxpayer of the affected area or where the municipality or subdivision of government is not included in the affected area, the Chairman or presiding officer may determine whether such intervention shall be permitted and in what order such party may introduce proof.

(2) Failure to Appear. If a petitioner fails to appear at a proceeding, the hearing may be dismissed with or without prejudice at the discretion of the Commission; or the Commission may, in its discretion, approve the petition requested upon the basis of a verified statement of proof and affidavits, if any, filed in the case, which in all cases shall be considered as having been offered in evidence at the hearing by the petitioner but the Commission shall not approve the petition upon such a showing if any person appearing at the hearing who qualifies as a party to the proceeding shall object thereto.

(e) Admission of Evidence. In a contested case, the Commission may admit and give probative effect to evidence which possesses probative value commonly

accepted by reasonable, prudent men in the conduct of their affairs. It shall give effect to rules of privilege recognized by law. It may exclude incompetent, irrelevant, immaterial and repetitious evidence.

(f) Documentary evidence. In a contested case, documentary evidence may be received in the form of copies or excerpts. or by incorporation by reference.

(g) Evidence must be offered. All evidence in a contested case. including records and documents in the possession, of the Commission of which it desires to avail itself. shall be offered and made a part of the record in the case. and no other factual information or evidence shall be considered in the determination of the case except that the Commission may take notice of appropriate public documents or records of a general scientific or technical nature by appropriate notice to all parties of record limiting the time within which such parties may object to the accuracy of the facts sought to be proved from such documents or records.

(h) Official notice. In a contested case, the Commission may take notice of judicially cognizable

facts and in addition may take notice of general, technical, or scientific facts within their specialized knowledge. Parties shall be notified in writing either before or during hearing, or by reference in preliminary reports or otherwise, or by oral statement in the record, of the material so noticed, and they shall be afforded opportunity to contest the facts so noticed.

(i) Record of proceeding. The Commission shall prepare an official record of all contested proceedings, including testimony and exhibits. Testimony before the Commission shall be taken in shorthand by official reporters designated by the Commission or by mechanical recording device. A transcript shall be furnished upon application at the expense of the applicant, otherwise the preparation of a transcript shall be at the discretion of the Commission. ~~All applications for hearing transcripts must be submitted in writing to the secretary of the Commission at least 48 hours in advance of the scheduled hearing.~~

M.M.C. ~~11.~~ 16 · Witnesses

(a) Witnesses and subpoenas: who may appear. Subpoenas

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requiring the attendance of witnesses at any designated place of hearing within the State of Minnesota may be issued by the Commission pursuant to Minnesota Statutes, Chapter 414 (1971) ~~Laws 1959, Chapter 686, Section 1, as amended,~~ but subpoenas for the production of books, papers, or documents, unless directed by the Commission upon its own motion, will issue only upon application to the Commission in writing. Application to require parties to produce documentary evidence must be verified and must specify as nearly as may be possible the books, papers, or documents desired and the facts to be proven by them.

(b) Fees of Witnesses. Witnesses who are subpoenaed are entitled to the same fees as are paid for like service in the district courts of the State of Minnesota, such fees to be paid by the party at whose instance the testimony is to be taken.

(c) Service of Subpoenas. Service of subpoenas shall be made in like manner as provided by law for service of subpoenas in the district courts of this state.

M.M.C. ~~12.~~ 17 Briefs and Oral Arguments.

(a) Requests for briefs or oral arguments. If briefs or oral arguments are desired by any of the parties to the proceeding, they shall notify the

Chairman or presiding officer before or at the hearing. If such request is made, the presiding officer shall allow all parties to file briefs or make oral arguments, or he may permit both. He shall also prescribe the time for service and filing of briefs or making of oral argument.

(b) Filing and service of briefs. All briefs for presentation to the Commission must be filed with the secretary accompanied by written evidence of service upon opposing counsel, party or parties.

(c) Recording and transcribing oral argument. Oral argument shall be recorded and transcribed only if the Commission so orders; when transcribed it shall be bound with a transcript of the testimony (if the testimony has been transcribed), and will be available to the Commission for consideration in deciding the matter.

M.M.C. ~~13.~~ 18 Decisions and Orders.

(a) Filing; content; service. Decisions and orders of the Commission when made shall be filed with the secretary, who shall notify by mail all parties to the proceeding of such filing. Every decision or order adverse to a party in a contested case shall be in writing or stated in the record and shall be accompanied by a statement of the reasons therefor. The statement of reasons shall consist of a concise

statement of the conclusions upon each contested issue of fact necessary to the decision. A copy of the decision or order and accompanying statement of reasons, together with a certificate of service, if requested, shall be delivered or mailed to each party, or his attorney of record.

(b) Proposal for decision or order. Whenever in a contested case a majority of the commissioners has not heard or read the evidence, before making a decision or order adverse to a party, the Commission shall serve by mailing to each party a copy of a proposal for decision or order, including a statement of reasons therefor.

~~(c)~~ (1) Exceptions. Within 10 days after such service of the proposal for decision or order, any party may file and serve exceptions thereto and reasons in support thereof.

~~(d)~~ (2) Form of exceptions; reply. Exceptions with respect to statements of fact or matters of law must be specific and must be stated and numbered separately. When exception is taken to a statement of fact, a corrected statement

must be incorporated. If exception is taken to conclusions in the report, the points relied upon to support the exception must be stated and numbered separately. A reply to exceptions may be filed and served, but is not required, by any party within 10 days after service of the exceptions to which reply is made.

~~(e)~~ (3) Argument. Exceptions and replies thereto shall contain written arguments in support of the position taken by the party filing such exceptions or reply. Oral argument before a majority of the commissioners may be permitted all parties in the discretion of the Commission, in the event that any party at the time of filing his exceptions or reply requests oral argument.

M.M.C. ~~14~~ 19 Petitions for Further Hearing, Rehearing, Amendment, Vacation, Reconsideration or Reargument.

(a) Further hearing. Before the final submission of any proceeding, any party thereto desiring a further hearing may file a petition therefore with the Commission,

which said petition shall clearly set forth the grounds relied upon for a further hearing; and if it is proposed to produce additional testimony, the testimony so to be produced shall be briefly summarized. No further hearing will be granted where it appears that the evidence to be adduced will be merely cumulative. Such petition shall be served upon all parties to the proceeding. An adverse party shall have 10 days from the date of the service of such petition within which to answer thereto. No reply to such answer will be permitted. The Commission may grant or deny such petition without hearing or, in its discretion, set a hearing on such petition.

(b) Rehearing, amendment, vacation, reconsideration, reargument. Within 10 days from the date of the mailing by the secretaryof the final decision or order, any party may petition for a rehearing, or for an amendment or vacation of the findings of fact, decision or order, or for reconsideration or reargument. If such petition be for a further hearing, rehearing, vacation, reconsideration, or reargument, the grounds relied upon shall be specifically set forth and the claimed errors clearly stated. If such petition be for an amendment of the findings of fact, decision,

order, such petition shall contain the desired proposed amendments, and the reasons therefor shall be clearly stated. Such petition shall be served upon all parties to the proceeding. An adverse party shall have 10 days from the date of the service of such petition to answer thereto, and no reply will be permitted. The Commission may grant or deny such petition without a hearing, or in its discretion set a hearing thereon. Pending the decision of the Commission on such petition, the Commission may vacate and set aside said decision or order. No such petition will extend the time of appeal from said decision or order.

(c) Amendment ofeffective date of order or decision. Petitions for amendment of orders or decisions which seek only a change in the date when they shall take effect, or in the period of notice or other period or date thereby prescribed, must be made by petition reasonably filed and served in like manner as other petitions under this rule, except that, in case of unforeseen emergency satisfactorily shown by the petitioner which requires relief within three days, such relief may be sought informally, by telegram or otherwise, upon notice thereof to all parties to

the proceeding.

(d) Second petition upon same ground not entertained. A second petition for further hearing, rehearing, amendment or vacation of any findings of fact, decision or order, reconsideration or reargument by the same party or parties and upon the same grounds as a former petition which has been considered and denied, will not be entertained.

M.M.C. ~~15.~~ 20. Schedule of Filing Fees.

(a) Incorporation of a ~~Village~~ Municipality - ~~(Section 2, as amended by laws 1963, Chapter 807, Section 7)~~ - A petition for incorporation of a ~~village~~ municipality must be accompanied by a filing fee of ~~$200.00~~ $300.00 when filed with the Commission, ~~to be reimbursed to the petitioners by the new municipality if incorporation succeeds.~~

(b) Consolidation Proceedings; Municipality and Town. A petition for consolidation of a municipality and town must be accompanied by a filing fee of $100.00.

~~(b)~~ (c) Annexation of Unincorporated Property ~~(Section 3, Subdivision 1)~~ A filing fee of ~~$1.00~~ $2.00 per acre

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must accompany a petition to annex unincorporated property. The minimum fee is ~~$25.00~~ $50.00 and the maximum is ~~$200.00~~ $300.00. Where the petition is initiated by ~~freeholders~~ property owners, the filing fee will be reimbursed by the annexing municipality if annexation is successful.

(d) Orderly Annexations within a Designated Area. A filing fee of 50¢ per acre must accompany the joint resolution or petition for designation. The minimum fee is $12.50 and the maximum is $100.00. Thereafter requests for the initiation of annexation of any part of the designated area shall be accompanied by a filing fee of 50¢ per acre with a minimum of $12.50 and a maximum of $100.00.

~~(e)~~ (e) Annexation by Ordinance. ~~(Section 3, Subdivision 2 Minnesota Statutes 1961, Section 414.03, Subdivision 2 as amended by Laws 1963, Chapter 807, Section 8)~~ A filing fee of ~~$1.00~~ 2.00 per acre must accompany ~~an ordinance~~ the initial petition, resolution, or ordinance ~~filed with~~ submitted to the Commission

(with a minimum of ~~$25.00~~ $50.00 and a maximum of ~~$200.00~~ $300.00) before a file will be opened on the proceeding. ~~pursuant to Section 3, Subdivision 2, and paragraphs 2 and 3 or a petition filed with the Commission by a municipality pursuant to Section 3, Subdivision 2, paragraph 4 as described in Rule XVI, paragraph 2 of the Rules of Procedure of the Municipal Commission to annex unincorporated property.~~

~~(d) Annexation of Incorporated Property to a Municipality (Section 4, Subdivision 1)~~ (f) Consolidation of Two or more Municipalities. A fee of ~~$200.00~~ $100.00 must accompany a petition for ~~annexation~~ consolidation of a municipality or municipalities to an adjoining municipality when filed with the Commission.

~~(e) Consolidation (Section 4, Subdivision 5) A filing fee of $25.00 must accompany a consolidation ordinance when filed with the Commission pursuant to Section 4, Subdivision 5.~~

~~(f)~~ (g) Detachment of Property From a Municipality ~~(Section 6, Subdivision 1)~~ A filing fee of ~~$1.00~~ $2.00 per acre must accompany a petition to detach ~~unincorporated~~ property from a municipality. The minimum fee is ~~$25.00~~

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$50.00 and the maximum is ~~$200.00~~ $300.00.

~~(g)~~-(h) Concurrent Detachment and Annexation of Incorporated Land. ~~(Section 5, Subdivision 2).~~ A filing fee of ~~$25.00~~ $2.00 per acre must accompany the concurrent resolutions with a minimum fee of $50.00 and a maximum of $300.00. ~~must accompany the concurrent resolutions when filed with the Commission pursuant to Section 6, Subdivision 2.~~

~~M.M.C. 16.--Resolutions and Ordinances~~

~~(a)--All ordinances filed with the Commission under Section 3, Subdivision 2, Minnesota Statutes 1961, Section 414.03, Subdivision 2 as amended by Laws 1963, Chap. 807, Sec. 8, and all resolutions filed under Sec. 4, Subd. 5, Minn. Stat. 1961, Sec. 414.04, Subd. 5, and Sec. 6, Subd. 2, Minn. Stat. 1961 Sec. 414.06, Subd. 2, must be accompanied by a map showing the property in relationship to the municipality to which it is to be annexed. --All distance references should be given by both length and direction and points of beginning should be definite land survey monuments with care to close the boundaries of the description. --References to roads or railroads should be to survey lines such as centerline or known right of way line. --The intent to include or exclude~~

Changes or additions indicated by underlining, deletions by ~~strikeouts~~-

highway,-railroad-and-street-right-of-ways-surrounding platted-blocks-or-lots-should-be-carefully-considered-and clearly-stated.

(b)--A-certification-must-be-attached-to-the-petition filed-with-the-Commission-showing-the-dates-of-the-filing of-the-petition-with-appropriate-governmental-units.

(c)--A-copy-of-this-certificate-must-also-be-mailed at-the-same-time-to-the-county-auditor-and-the-secretary of-state.

(d)--If-no-objections-have-been-submitted-in-writing within-30-days-after-filing-with-the-various-governmental units,-the-Commission-will-accept-annexation-ordinance for-filing-if-the-ordinance-meets-all-other-requirements of-Sec.-3,-Subd.-2,-Minn.-Stat.-1961,-Sec.-414.03,-Subd.-2, as-amended-by-Laws-1963,-Chap.-807,-Sec.-8.

Dated this 16th day of October, 1971

MINNESOTA MUNICIPAL COMMISSION
304 Capitol Square Building
St. Paul, Minnesota

Richard D. Kleiff

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APPROVED AS TO FORM AND LEGALITY
October 30 1974
WARREN SPANNAUS, ATTORNEY GENERAL
BY Michael B Miller
SPECIAL ASSISTANT ATTORNEY GENERAL

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
OCT 30 1974 - 11:00 am
Arlen I. Erdahl
Secretary of State

FILED
RICHARD L. BRUBACHER
Commissioner of Administration
OCT 30 1974 11:10 am
BY Eda Staudenmaier
AUTH. SIGNATURE EJ

Proposed

MINNESOTA MUNICIPAL COMMISSION

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Title: Minnesota Municipal Commission

CHAPTER ONE: Definitions

M.M.C. 1. Petition. For the purposes of these Rules the term "Petition" shall include: petition, resolution, ordinance, and Notice of Intent.

M.M.C. 2.- 5. Reserved for future use.

CHAPTER TWO: Rules of Practice

M.M.C. ~~1.~~6 Commencement of Petition: Title

(a) Petition. A "petition" as the term is used in these rules, may be initiated in accordance with Chapter 414 ~~Sections 2, 3, 4, and 6 of Laws 1959, Chapter 686~~ by the required number of ~~freeholders~~ persons or by the municipality, town, or by the Commission as provided in such sections. Where the petition is filed by ~~freeholders,~~ residents or property owners, the signatures of the required number of ~~petitioning freeholders~~ petitioners must be attached to the petition and the petition must clearly show on its face the number of petitioners ~~free holders~~ required to sign such petition to commence proceedings for incorporation, consolidation, annexation or

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detachment. as the case may be, and the method of computing the number of petitioning signatures required. Where the petition is commenced by a municipality, or town, such petition must show the appropriate action by the ~~municipal~~ governing body, including the citation to the resolution, ~~or~~ ordinance or Notice of Intent.

(b) Title. The municipality, town, or the ~~freeholders~~ persons commencing a petition shall be designated as the "petitioner" or "petitioners." The petition shall be designated as follows:

> In the matter of the Petition of Certain ~~Freeholders~~ Persons (or the ~~Village, or~~ City or Town of blank) for (incorporation, consolidation. annexation or detachment as the case may be)

followed by a brief description of the subject matter to which the petition relates. No petition shall be dismissed, impaired or prejudiced because incorrectly entitled, or the parties thereto incorrectly designated but opportunity shall be given in such cases to correct the error by amendment, giving due consideration to any person who may have been misled by the error.

M.M.C. 2.7 Parties; Petition to Intervene: Appearance

Petitioners specifically named as such in any pleading are parties to the proceeding. No other person shall become a party to the proceeding except by appearing at

the hearing on such petition and entering an appearance of record, and in writing on a form to be provided by the Commission, and a showing that he is a resident or taxpayer of the affected area or that he is specifically deemed by statute to be interested in the particular type of matter involved or that he is specifically deemed by statute to be an interested party to the particular type of proceeding involved or that by the outcome of the proceeding he will be bound and affected either favorably or adversely with respect to an asserted interest peculiar to him as distinguished from an interest common to the public or other taxpayers in general. The Commission may hear the facts or evidence of any person or organization as to the subject matter, but no person shall become or shall be deemed to have become a party to the proceeding, by reason of such participation in the hearing. Any person may enter an appearance in any proceeding, but no person shall become or shall be deemed to have become a party to the proceeding by reason of having entered an appearance therein.

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M.M.C. 3.8 Representation

The parties may appear either in person or by attorney. A corporation cannot appear in person.

M.M.C. 4.9 Pleadings.

(a) Pleadings. The pleadings before the Commission shall be the petition. No answer, Reply, Protest or Petition to Intervene is necessary to become a party of record to the proceeding. A petition may be amended upon motion to the Commission. A party may in writing notify the Commission of an interest in the petition for the purpose of obtaining a copy of any proposed Findings of Fact or other documents or any final Order required to be served by statute or by the Commission Rules of Procedure.

(b) Petition. The petition shall contain a statement of all the facts which must be found by the Commission before the Commission can enter an Order pursuant to Chapter 414 ~~Sections 2, 3, 4 or 6 of Laws 1959, Chap. 686, as amended by Laws 1961, Chap. 645. "A detailed map of the territory considered by the proposed action shall accompany all petitions."~~ If these facts are not

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controverted by opposing parties at the hearing on the petition, the petition shall be prima facie evidence of such facts except that the Commission may from appropriate public records or documents determine whether or not such are the facts. The petitioners shall prove such facts by competent evidence. Public records are admissible without foundation except proof that they are public records in establishing the facts required in ~~Sections 2, 3, 4, and 6.~~ Chapter 414.

M.M.C. 5.10 Amendments

Formal petitions may be amended at any time before the record has been closed after public hearings required by law upon motion and upon notice to all parties to the proceeding (which may be done at public hearings) except that where the petition is by ~~freeholders~~ property owners the petition cannot be amended to include an area different than the one described in the petition signed by such ~~freeholders~~ property owners (Subject to the statutory authority of the Commission to alter the boundaries proposed in the petition.)

Changes or additions indicated by underlining, deletions by ~~strikeout.~~

M.M.C. 6. 11 Service

~~Any petition pursuant to Sections 2, 3, 4, or 6 must be filed with the Commission in an original plus nine copies together with all attachments. The Commission may require the petitioner to provide and pay for the necessary posting and publication of notices of hearing pursuant to the appropriate section of the statute. Any proposed amendments to the petition must be served upon all attorneys and parties of record. When any party has appeared by an attorney, service upon such attorney shall be deemed service upon the party.~~

Any petition pursuant to Chapter 414 must be filed with the Commission together with the following:

(a) Filing Fee (See Rule M.M.C. 20)

(1) No petition will be accepted or acted upon unless the filing fee is received.

(b) A certification showing that the petition was served upon the proper parties when the statute indicates such necessity and the date filed.

(1) Under the section for Annexation by Ordinance, the Commission will accept a waiver from the township stating

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they have no objections to a proposed annexation and waiving the 60-days before an ordinance can be adopted.

(c) A map showing the property proposed for consideration and its relationship to any surrounding municipality. All distance references should be given by both length and points of beginning should be definite land survey monuments with care to close the boundaries of the description. References to roads or railroads should be to survey lines such as centerline or known right-of-way line. The intent to include or exclude highway, railroad and street right-of-ways surrounding platted blocks or lots should be carefully considered and clearly stated.

(e) The petitioner is required to provide and pay for any necessary publication of Notices of Hearing pursuant to the appropriate section of the statute.

(f) Any proposed amendments to the petition must be served upon all attorneys and parties of record. When any party has appeared by an attorney,

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service upon such attorney shall be deemed service upon the party.

(g) - (k) Reserved for Future Use

M.M.C. 7. 12 Continuances and Extension of Time.

For cause shown, continuances and extensions of time will be granted or denied by the Commission in its discretion. ~~Such continuances or extensions of time shall be made only at any public hearing.~~ Where a motion for continuance or extension of time is made other than at a public hearing, if such motion is granted, the public hearing shall nevertheless convene for the purpose of announcing the date to which such hearing is continued.

M.M.C. 8. 13 Stipulations.

Parties may, by stipulation in writing filed with the Commission or presented at the hearing, agree upon any facts involved in the proceedings. It is desired that the facts be thus agreed upon so far as and whenever practicable. Where facts are stipulated, any party entering an appearance of record subsequent to the

stipulation may controvert such facts by evidence, but it shall be the obligation of such party to determine what facts have been stipulated, but where any person or municipality becomes a party of record subsequent to any stipulation of facts does not appear from the record that such facts have been stipulated or does not controvert them by evidence, the Commission may find such to be the facts in entering its final Order.

M.M.C. 9. 14 Dockets

(a) Open to Public Inspection. The Commission shall establish and maintain in the office of the secretary the dockets which shall be open to public inspection but any person wishing to inspect any record of the Commission must first make application to the secretary of the Commission.

(b) Filing of all papers required. Copies of all petitions and all papers in any manner relating to or affecting any petition or jurisdiction of the Commission or which are intended for the information of or action by the Commission must be first filed in the office of the secretary thereof, and thereafter the same shall be preserved therein as public records.

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(c) Docket Number. The secretary, upon the filing with the Commission of any matter within the jurisdiction of the Commission ~~Committee~~, will enter such matter on the docket, giving it then a consecutive number therein.

M.M.C. ~~10.~~ 15 Hearings

(a) When Held. Public hearings shall be held by the Commission as to any petition filed pursuant to Chapter 414 ~~Sections 2, 3, 4 or 6~~ in accordance with the provisions as to hearings of such section.

(b) Examination of Witnesses: Cross-examination; rebuttal. Witnesses will be examined orally before the Commission. Such examination shall be conducted in the first instance by the attorney appearing for the party calling such witness. Any witness may be examined by the Commission. Every party to a contested case shall have the right of cross-examination of a witness who testified, and shall have the right to submit rebuttal evidence. Where such cross-examination is sought by a party not an attorney, such party shall submit his questions on cross-examination to the Chairman of the Commission or the presiding officer who will then propound the

question to the witness if it is deemed admissible.

(c) Exhibits. Unless the Chairman or presiding officer shall otherwise direct, exhibits offered to the Commission at any hearing or conference in a contested case shall be <u>one copy only</u>, ~~in quadruplicate~~ and a reasonable number of copies shall be furnished to parties in attendance.

(d) Order of Procedure.

(1) Party instituting the petition shall open proof. Unless otherwise directed, the following order of procedure shall apply at all hearings before the Commission: The Chairman or presiding officer shall determine the subsequent order of procedure including the order in which opposing parties shall present proof. Neutral parties or parties appearing as their interests may appear, shall generally be heard after opposing parties. Where a person, firm, corporation or municipality seeks to intervene

although he is not a resident or taxpayer of the affected area or where the municipality or subdivision of government is not included in the affected area, the Chairman or presiding officer may determine whether such intervention shall be permitted and in what order such party may introduce proof.

(2) Failure to Appear. If a petitioner fails to appear at a proceeding, the hearing may be dismissed with or without prejudice at the discretion of the Commission; or the Commission may, in its discretion, approve the petition requested upon the basis of a verified statement of proof and affidavits, if any, filed in the case, which in all cases shall be considered as having been offered in evidence at the hearing by the petitioner but the Commission shall not approve the petition upon such a showing if any person appearing at the hearing who qualifies as a party to the proceeding shall object thereto.

(e) Admission of Evidence. In a contested case, the Commission may admit and give probative effect to evidence which possesses probative value commonly

accepted by reasonable, prudent men in the conduct of their affairs. It shall give effect to rules of privilege recognized by law. It may exclude incompetent, irrelevant, immaterial and repetitious evidence.

(f) Documentary evidence. In a contested case, documentary evidence may be received in the form of copies or excerpts. or by incorporation by reference.

(g) Evidence must be offered. All evidence in a contested case. including records and documents in the possession, of the Commission of which it desires to avail itself. shall be offered and made a part of the record in the case. and no other factual information or evidence shall be considered in the determination of the case except that the Commission may take notice of appropriate public documents or records of a general scientific or technical nature by appropriate notice to all parties of record limiting the time within which such parties may object to the accuracy of the facts sought to be proved from such documents or records.

(h) Official notice. In a contested case, the Commission may take notice of judicially cognizable

facts and in addition may take notice of general, technical, or scientific facts within their specialized knowledge. Parties shall be notified in writing either before or during hearing, or by reference in preliminary reports or otherwise, or by oral statement in the record, of the material so noticed, and they shall be afforded opportunity to contest the facts so noticed.

(i) Record of proceeding. The Commission shall prepare an official record of all contested proceedings, including testimony and exhibits. Testimony before the Commission shall be taken in shorthand by official reporters designated by the Commission or by mechanical recording device. A transcript shall be furnished upon application at the expense of the applicant, otherwise the preparation of a transcript shall be at the discretion of the Commission. ~~All applications for hearing transcripts must be submitted in writing to the secretary of the Commission at least 48 hours in advance of the scheduled hearing.~~

M.M.C. ~~11.~~ 16 Witnesses

(a) Witnesses and subpoenas: who may appear. Subpoenas

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requiring the attendance of witnesses at any designated place of hearing within the State of Minnesota may be issued by the Commission pursuant to Chapter 414 ~~Laws 1959, Chapter 686, Section 1, as amended~~, but subpoenas for the production of books, papers, or documents, unless directed by the Commission upon its own motion, will issue only upon application to the Commission in writing. Application to require parties to produce documentary evidence must be verified and must specify as nearly as may be possible the books, papers, or documents desired and the facts to be proven by them.

(b) Fees of Witnesses. Witnesses who are subpoenaed are entitled to the same fees as are paid for like service in the district courts of the State of Minnesota, such fees to be paid by the party at whose instance the testimony is to be taken.

(c) Service of Subpoenas. Service of subpoenas shall be made in like manner as provided by law for service of subpoenas in the district courts of this state.

M.M.C. ~~12.~~ 17 Briefs and Oral Arguments.

(a) Requests for briefs or oral arguments. If briefs or oral arguments are desired by any of the parties to the proceeding, they shall notify the

Chairman or presiding officer before or at the hearing. If such request is made, the presiding officer shall allow all parties to file briefs or make oral arguments, or he may permit both. He shall also prescribe the time for service and filing of briefs or making of oral argument.

(b) Filing and service of briefs. All briefs for presentation to the Commission must be filed with the secretary accompanied by written evidence of service upon opposing counsel, party or parties.

(c) Recording and transcribing oral argument. Oral argument shall be recorded and transcribed only if the Commission so orders; when transcribed it shall be bound with a transcript of the testimony (if the testimony has been transcribed), and will be available to the Commission for consideration in deciding the matter.

M.M.C. ~~13~~. 18 Decisions and Orders.

(a) Filing; content; service. Decisions and orders of the Commission when made shall be filed with the secretary, who shall notify by mail all parties to the proceeding of such filing. Every decision or order adverse to a party in a contested case shall be in writing or stated in the record and shall be accompanied by a statement of the reasons therefor. The statement of reasons shall consist of a concise

statement of the conclusions upon each contested issue of fact necessary to the decision. A copy of the decision or order and accompanying statement of reasons, together with a certificate of service, if requested, shall be delivered or mailed to each party, or his attorney of record.

(b) Proposal for decision or order. Whenever in a contested case a majority of the commissioners has not heard or read the evidence, before making a decision or order adverse to a party, the Commission shall serve by mailing to each party a copy of a proposal for decision or order, including a statement of reasons therefor.

~~(c)~~ (1) Exceptions. Within 10 days after such service of the proposal for decision or order, any party may file and serve exceptions thereto and reasons in support thereof.

~~(d)~~ (2) Form of exceptions; reply. Exceptions with respect to statements of fact or matters of law must be specific and must be stated and numbered separately. When exception is taken to a statement of fact, a corrected statement

must be incorporated. If exception is taken to conclusions in the report, the points relied upon to support the exception must be stated and numbered separately. A reply to exceptions may be filed and served, but is not required, by any party within 10 days after service of the exceptions to which reply is made.

~~(e)~~ (3) Argument. Exceptions and replies thereto shall contain written arguments in support of the position taken by the party filing such exceptions or reply. Oral argument before a majority of the commissioners may be permitted all parties in the discretion of the Commission, in the event that any party at the time of filing his exceptions or reply requests oral argument.

M.M.C. ~~14~~ 19 Petitions for Further Hearing, Rehearing, Amendment, Vacation, Reconsideration or Reargument.

(a) Further hearing. Before the final submission of any proceeding, any party thereto desiring a further hearing may file a petition therefore with the Commission,

which said petition shall clearly set forth the grounds relied upon for a further hearing; and if it is proposed to produce additional testimony, the testimony so to be produced shall be briefly summarized. No further hearing will be granted where it appears that the evidence to be adduced will be merely cumulative. Such petition shall be served upon all parties to the proceeding. An adverse party shall have 10 days from the date of the service of such petition within which to answer thereto. No reply to such answer will be permitted. The Commission may grant or deny such petition without hearing or, in its discretion, set a hearing on such petition.

(b) Rehearing, amendment, vacation, reconsideration, reargument. Within 10 days from the date of the mailing by the secretaryof the final decision or order, any party may petition for a rehearing, or for an amendment or vacation of the findings of fact, decision or order, or for reconsideration or reargument. If such petition be for a further hearing, rehearing, vacation, reconsideration, or reargument, the grounds relied upon shall be specifically set forth and the claimed errors clearly stated. If such petition be for an amendment of the findings of fact, decision,

order, such petition shall contain the desired proposed amendments, and the reasons therefor shall be clearly stated. Such petition shall be served upon all parties to the proceeding. An adverse party shall have 10 days from the date of the service of such petition to answer thereto, and no reply will be permitted. The Commission may grant or deny such petition without a hearing, or in its discretion set a hearing thereon. Pending the decision of the Commission on such petition, the Commission may vacate and set aside said decision or order. No such petition will extend the time of appeal from said decision or order.

(c) Amendment ofeffective date of order or decision. Petitions for amendment of orders or decisions which seek only a change in the date when they shall take effect, or in the period of notice or other period or date thereby prescribed, must be made by petition reasonably filed and served in like manner as other petitions under this rule, except that, in case of unforeseen emergency satisfactorily shown by the petitioner which requires relief within three days, such relief may be sought informally, by telegram or otherwise, upon notice thereof to all parties to

the proceeding.

(d) Second petition upon same ground not entertained. A second petition for further hearing, rehearing, amendment or vacation of any findings of fact, decision or order, reconsideration or reargument by the same party or parties and upon the same grounds as a former petition which has been considered and denied, will not be entertained.

M.M.C. ~~15.~~ 20. Schedule of Filing Fees.

(a) Incorporation of a ~~Village~~ Municipality - ~~(Section 2, as amended by Laws 1963, Chapter 807, Section 7)~~ - A petition for incorporation of a ~~village~~ municipality must be accompanied by a filing fee of ~~$200.00~~ $300.00 when filed with the Commission. ~~to be reimbursed to the petitioners by the new municipality if incorporation succeeds.~~

(b) Consolidation Proceedings; Municipality and Town. A petition for consolidation of a municipality and town must be accompanied by a filing fee of $100.00.

~~(b)~~ (c) Annexation of Unincorporated Property ~~(Section 3, Subdivision 1)~~ A filing fee of ~~$1.00~~ $2.00 per acre

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must accompany a petition to annex unincorporated property. The minimum fee is ~~$25.00~~ $50.00 and the maximum is ~~$200.00~~ $300.00. Where the petition is initiated by ~~freeholders~~ property owners, the filing fee will be reimbursed by the annexing municipality if annexation is successful.

(d) Orderly Annexations within a Designated Area. A filing fee of $1.00 per acre must accompany the resolution. The minimum fee is $25.00 and the maximum is $200.00.

~~(e)~~ (e) Annexation by Ordinance. ~~(Section 3, Subdivision 2, Minnesota Statutes 1961, Section 414.03, Subdivision 2 as amended by Laws 1963, Chapter 807, Section 8)~~ A filing fee of ~~$1.00~~ $2.00 per acre must accompany ~~an ordinance~~ the petition filed with the Commission (with a minimum of ~~$25.00~~ $50.00 and a maximum of ~~$200.00~~ $300.00) ~~pursuant to Section 3, Subdivision 2, and paragraphs 2 and 3 or a petition filed with the Commission by a municipality pursuant to Section 3, Subdivision 2, paragraph 4 as described in Rule XVI, paragraph 2 of the Rules of Procedure of~~

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~~the-Municipal-Commission-to-annex-unincorporated property.~~

~~(d)--Annexation-of-Incorporated-Property-to-a-Municipality-(Section-4,-Subdivision-1)-~~ (f) Consolidation of Two or more Municipalities. A fee of ~~$200.00~~ $100.00 must accompany a petition for ~~annexation~~ consolidation of a municipality or municipalities to an adjoining municipality when filed with the Commission.

~~(e)--Consolidation-(Section-4,-Subdivision-5)--A filing-fee-of-$25.00-must-accompany-a-consolidation ordinance-when-filed-with-the-Commission-pursuant-to-Section-4,-Subdivision-5.~~

~~(f)~~ (g) Detachment of Property From a Municipality ~~(Section-6,--Subdivision-1)~~ A filing fee of ~~$1.00~~ $2.00 per acre must accompany a petition to detach ~~unincorporated~~ property from a municipality. The minimum fee is ~~$25.00~~ $50.00 and the maximum is ~~$200.00~~ $300.00.

~~(g)~~ (h) Concurrent Detachment and Annexation of Incorporated Land. ~~(Section-5--Subdivision-2)~~. A filing fee

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of ~~$25.00~~ $2.00 per acre must accompany the concurrent resolutions with a minimum fee of $50.00 and a maximum of $300.00. ~~must accompany the concurrent resolutions when filed with the Commission pursuant to Section 6, Subdivision 2.~~

~~M.M.C. 16.--Resolutions and Ordinances~~

~~(a)--All ordinances filed with the Commission under Section 3, Subdivision 2, Minnesota Statutes 1961, Section 414.03--Subdivision 2 as amended by Laws 1963, Chap. 807, Sec. 8, and all resolutions filed under Sec. 4, Subd. 5, Minn. Stat. 1961, Sec. 414.04, Subd. 5, and Sec. 6, Subd. 2, Minn. Stat. 1961 Sec. 414.06, Subd. 2, must be accompanied by a map showing the property in relationship to the municipality to which it is to be annexed. --All distance references should be given by both length and direction and points of beginning should be definite land survey monuments with care to close the boundaries of the description. --References to roads or railroads should be to survey lines such as centerline or known right of way line. --The intent to include or exclude highway, railroad and street right of ways~~

Changes or additions indicated by underlining, deletions by ~~strikeouts~~.

surrounding platted blocks or lots should be carefully considered and clearly stated.

(b)--A certification must be attached to the petition filed with the Commission showing the dates of the filing of the petition with appropriate governmental units.

(c)--A copy of this certificate must also be mailed at the same time to the county auditor and the secretary of state.

(d)--If no objections have been submitted in writing within 30 days after filing with the various governmental units, the Commission will accept annexation ordinance for filing if the ordinance meets all other requirements of Sec. 3, Subd. 2, Minn. Stat. 1961, Sec. 414.03, Subd. 2, as amended by Laws 1963, Chap. 807, Sec. 8.

Dated this_____day of_____, 19__

MINNESOTA MUNICIPAL COMMISSION
304 Capitol Square Building
St. Paul, Minnesota

_____

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Amendments to M.M.C. 20. Schedule of Filing Fees.

(d) Orderly Annexations within a Designated Area. A filing fee of 50¢ per acre must accompany the joint resolution or petition for designation. The minimum fee is $12.50 and the maximum is $100.00. Thereafter requests for the initiation of annexation of any part of the designated area shall be accompanied by a filing fee of 50¢ per acre with a minimum of $12.50 and a maximum of $100.00.

~~(e)~~ (e) Annexation by Ordinance. ~~(Section 3, Subdivision 2 Minnesota Statutes 1961, Section 414.03, Subdivision 2 as amended by Laws 1963, Chapter 807, Section 2)~~ A filing fee of ~~$1.00~~ 2.00 per acre must accompany ~~an ordinance~~ the initial petition, resolution, or ordinance ~~filed with~~ submitted to the Commission (with a minimum of ~~$25.00~~ $50.00 and a maximum of ~~$200.00~~ $300.00) before a file will be opened on the proceeding. ~~pursuant to Section 3, Subdivision 2, and paragraphs 2 and 3 or a petition filed with the Commission by a municipality pursuant to Section 3, Subdivision 2, paragraph 4 as described in Rule XVI, paragraph 2 of the Rules of Procedure of the Municipal Commission to annex unincorporated property.~~

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BEFORE THE

MINNESOTA MUNICIPAL COMMISSION

STATE OF MINNESOTA

COUNTY OF RAMSEY

IN THE MATTER OF THE PROPOSED ADOPTION OF RULES OF THE MINNESOTA MUNICIPAL COMMISSION

ORDER FOR HEARING

To effectively implement Chapter 414, the Minnesota Municipal Commission deems it necessary to consider adoption of the proposed rules captioned above pursuant to the authority vested in it by M.S. 414.01, Subd. 11.

NOW THEREFORE, IT IS ORDERED this 25th day of April, 1974, that a public hearing on the proposed rules captioned above be held on June 4, 1974, in Room 305, Capitol Square Building, 10th & Cedar Streets, St. Paul, Minnesota, commencing at 10:00 a.m. and continuing until all representatives of associations or other interested groups of persons have had an opportunity to be heard.

IT IS FURTHER ORDERED, that notice of said hearing be given to all representatives of associations or other interested groups or persons who have registered their names with the Secretary of State for that purpose and all persons who are presently members of the Minnesota Legislature.

STATE OF MINNESOTA
MINNESOTA MUNICIPAL COMMISSION
304 Capitol Square Building
St. Paul, Minnesota 55101

Howard L. Kaibel, Jr.
Executive Secretary

May 1, 1974

4

BEFORE THE MINNESOTA
MUNICIPAL COMMISSION

STATE OF MINNESOTA

COUNTY OF RAMSEY

In the matter of Proposed Rules
Relating to the Minnesota
Municipal Commission

NOTICE OF HEARING

Notice is hereby given that a public hearing will be held pursuant to M.S. 1971, Section 15.0412, Subd. 4, in the above-entitled matter, in Room 305 of the Capitol Square Building, 10th & Cedar Streets, St. Paul, Minnesota. on the 4th day of June, 1974, commencing at 10:00 a.m., and continuing until all representatives or other interested groups of persons have had an opportunity to be heard concerning adoption of the proposed rules captioned above by submitting either oral or written data, statements, or arguments. Statements or briefs may be submitted without appearing at the hearing.

The Commission proposes to adopt rules relating to such matters as Procedures, Instructions, Filing Fee Schedule, etc. These rules will supersede the previous rules of the Minnesota Municipal Commission including all amendments thereto.

Copies of the proposed rules are now available and may be obtained by writing to the office of the Minnesota Municipal Commission. Additional copies will be available at the door on the date of the hearing.

MINNESOTA MUNICIPAL COMMISSION
304 Capitol Square Building
St. Paul, Minnesota 55101

Howard L. Kaibel, Jr.
Executive Secretary

CERTIFICATE OF COMMISSION'S

ADOPTION OF RULES RESOLUTION

I, Howard Kaibel, Jr., do hereby certify that I am Secretary of the Minnesota Municipal Commission, a Commission duly authorized under the laws of the State of Minnesota, and that the following is a true, complete, and correct copy of a resolution adopted at a meeting of the Minnesota Municipal Commission duly and properly called and held on the 24th day of June, 1974; that a quorum was present at said meeting; (that a majority of those present voted for the resolution); that said resolution is set forth in the minutes of said meeting and has not been rescinded or modified.

> "RESOLVED, that the rules relating to the Minnesota Municipal Commission be and they hereby are approved and adopted, pursuant to authority vested in us by M.S. 414.01, Subd. 11 and that Howard Kaibel, Jr., Executive Secretary be and hereby is authorized to sign an order adopting those rules."

IN WITNESS WHEREOF, I have hereunto subscribed my name this 28th day of June, 1974.

Howard L. Kaibel
Executive Secretary

Gerald J. Isaacs
Attest by one other Officer.

CERTIFICATE OF COMMISSION'S
AUTHORIZING RESOLUTION

I, Howard L. Kaibel, Jr., hereby certify that I am secretary of the Minnesota Municipal Commission, a commission duly authorized under the laws of the State of Minnesota, and that the following is true, complete, and correct copy of a resolution adopted at a meeting of the Minnesota Municipal Commission duly and properly called and held on the 19th day of December, 1973. (that a quorum was present at said meeting;) that a majority of those present voted for the resolution; that said resolution is set forth in the minutes of said meeting and has not been rescinded or modified.

> "RESOLVED, that the Executive Secretary of the Minnesota Municipal Commission, be and he hereby is granted the authority and directed to call a hearing for the purpose of promulgating rules of the Minnesota Municipal Commission which rules set out procedures and filing fees, and perform any and all acts incidental thereto, including but without being limited thereto, signing an order for hearing and notice of hearing as well as acting as presiding officer at all hearings."

IN WITNESS WHEREOF, I have hereunto subscribed my name this 19th day of December, 1973.

Howard L. Kaibel, Jr.
Executive Secretary

Attest by one other officer.

Exhibit C-1

(6)

STATE OF MINNESOTA

COUNTY OF RAMSEY

In the matter of the Proposed Adoption of Rules of Practice Governing the Minnesota Municipal Commission

CERTIFICATE

I hereby certify that the attached 351 labels and one sheets constitute the complete list of persons, associations, and other interested groups who as of 2:00 o'clock P.M., this 1st day of May, 1974, have requested pursuant to M.S. 1971, Sec. 15.0421, 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

Arlen D. Erdahl

By Gail Dixon

Rules of Practice Certificate of Mailing

Metropolitan Council

Jerry Getz

State Planning Agency

Bruce Rasmussen

Mr. M. B. Tretter

Mr. Walter Krischuk

Mr. Edmund C. Tiemann

Commission Members

Secretary of State Listing

Minnesota Legislature

(5)

STATE OF MINNESOTA

COUNTY OF RAMSEY

In the matter of the Proposed Adoption of Rules of the Minnesota Municipal Commission

AFFIDAVIT OF MAILING

Marie Gangl, being first duly sworn deposes and says:

That on the 2nd day of May, 1974 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 as well as to all persons listed on the attached sheet and all members of the Minnesota Legislature.

Marie Gangl

Subscribed and sworn to before me this 2nd day of May, 1974.

Lenora Johnson

LENORA JOHNSON, NOTARY PUBLIC-MINNESOTA DAKOTA COUNTY My Comm. Expires June 27, 1980

STATE OF MINNESOTA

COUNTY OF RAMSEY

In the matter of the Proposed Adoption
of Rules of Practice Governing the
Minnesota Municipal Commission

CERTIFICATE

I hereby certify that the attached 367 names constitute the complete list of persons, associations, and other interested groups who as of 9:30 o'clock A.M., this 27th day of June, 1974, have requested pursuant to M.S. 1971, Sec. 15.0421 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

Arlen I. Erdahl

By Neil Dion

ALBERT,AA CALDER CORP
366 JACKSON ST
ST PAUL MN
55101

AM CAMPING ASSN MRS LEACOCK
1235 BRIGHTON SQ
NEW BRIGHTON MN
55112

AM INST PROF GEOLOGISTS
2201 PRINCETON AVE
ST PAUL MN
55105

ANDERSON HERBERT
418 8TH ST. SO.
VIRGINIA MN
55792

ANDERSON JAMES
7703 NORMANDALE RD
MPLS MN
55435

ARMOUR AND COMPANY
UNION STOCK YARDS
SO ST PAUL MN
55075

ARROWHEAD REGIONAL DEV COMM
900 ALWORTH BLDG
DULUTH MN
55802

ASSOCIATED INDUST OF MPLS
NATIONAL BLDG
MPLS MN
55402

ASSN OF MINN COUNTIES
55 SHERBURNE AVE #203
ST PAUL MN
55103

BABCOCK LOCHER NELSON ET AL
118 E MAIN ST
ANOKA MN
55303

BADALICH JOHN P
2025 THOMPSON AVE
SO ST PAUL MN
55075

BARTHOLOW HAROLD E FIRE CHF
2600 109 AVE N W
COON RAPIDS MN
55433

BECKLIN ROBERT C
447 N W 4TH
CAMBRIDGE MN
55008

BEMIDJI STATE COLLEGE
PLACEMENT BUR.J.C.BRADY
BEMIDJI MN
56601

BENSONI PETER USW OF AM.
609 PROVIDENCE BLDG.
DULUTH MN

BEUTEL ROBERT
BOX 1205
ST CLOUD MN
56301

BLOMQUIST BARRY L

NORTH BRANCH MN
55056

BRIGHAM E M III
RR4
RED WING MN
55066

BROEKER JOHN
2850METRO DR. SUITE 504
BLOOMINGTON MN
55420

BRUBACHER RICHARD COMM ADM
208 ADM BLDG
ST PAUL MN
55101

BRUNING C.R.DEPT.CLINIC.EXP.
BURTON HALL
MPLS. MN
55455

SCHROEDER ALFRED F

SEARS ROEBUCK & CO

BUR NATL AFFAIRS INC
1231 25TH ST NW
WASHINGTON DC
20037

CARLSON CARL L
7516 80TH ST S
COTTAGE GROVE MN
55016

CARPENTER MRS MARY LEE
DOW CHEMICAL 47 BLDG
MIDLAND MICH.
48640

CHAMBER OF COMMERCE
30 SO 1ST AVE EAST
ELY MN
55731

CHAMBERLAIN JOHN L
PO BOX 241
MPLS MN
55440

CHRISTIAN SCI COMM ON PUB
1821 UNIV AVE SUITE 271
ST PAUL MN
55104

CITY CLERK
386 CITY HALL
ST PAUL MN
55102

CLAUSEN PHILLIP
2255 PRESCILLA ST
ST PAUL MN
55108

COLEMAN NICHOLAS D
700 LINWOOD AVE
ST PAUL MN
55105

CONCORDIA COLLEGE
DEAN
MOORHEAD MN
56560

CONSUMER SERVICES DEPT COMM
230 STATE OFF BLDG
ST PAUL MN
55101

CROW WING CO PLANNING & ADV
COURT HOUSE
BRAINERD MN
56401

CUSHMAN J S DAYTON HUDSON
700 NICOLLET MALL
MPLS MN
55402

DANFORTH & ALLEN
731 NW BANK BLDG
MPLS MN
55402

DANKERS,KENNETH
1200 WEST FOURTH STREET
RED WING MN
55066

DAYTON CHAS SIERRA CLUB
400 ROANOKE
MPLS MN
55402

DIEHL JOHN
26 KENWOOD PKWY
ST PAUL MN
55105

DOUGLASS BELL
525 OSBORN BLDG
ST PAUL MN
55102

DOYTON MAURICE, MET SEWER B.
350 METRO SQ BLDG
ST PAUL MN
55101

EBELING EDWARD F.
161 W. MAIN
PERHAM MN
56573

ELDRED R W ARMOUR & CO
UNION STOCK YARDS
SO ST PAUL MN
55075

ELMER EDWIN W
2901 PLEASANT AVE
MPLS MN
55408

ENV SERV-GEN RESOURCE CORP
6340 INDUSTRIAL DR
HOPKINS MN
55343

ERDMAN ROGER TENNANT CO
701 N LILAC DR
MPLS MN
55441

EVANS CHAS.L. PRENTICE-HALL
ENGELWOOD CLIFFS
NEW JERSEY

EVERETT JERRY NW PETRO ASSN
512 NICOLLET MALL RM917
MPLS MN
55402

FAEGRE & BENSON ATTN LIBR
1260 NW BANK BLDG
MPLS MN
55402

FINNEGAN J.R.
55 E. 4TH
ST.PAUL MN
55101

FLEMING FREDERICK A
1860 HIGHLAND PARKWAY
ST PAUL MN
55116

FORBES GORDON MINN RRS ASSN
203 HANOVER 480 CEDAR
ST PAUL MN
55101

FOX W.E. LINDQUIST & VENNUM
4200 IDSCTR 80 S.8TH ST
MINNEAPOLIS MN
55402

FURLONG DR JOHN
RT 1
BOVEY MN
55709

F W WOOLWORTH CO
3316 W 66TH ST
EDINA MN
55424

GAS HUT INC
4940 VIKING DR
MINNEAPOLIS MN
55435

GEORGE K GRANSE CO
1477 SELBY AVE
ST PAUL MN
55104

GODIN RALPH J
3824 47TH AVE SO
MPLS MN
55406

GRAHAM THOS H
854 MIDLAND BK BLDG
MPLS MN
55401

GREEN GARY J
41 SHERBURNE AVE
ST PAUL MN
55102

GUSTAFSON MRS D MINN VET MED
24 S 6TH ST
MPLS MN
55402

H B FULLER CO
2400 KASOTA AVE
ST PAUL MN
55108

HARVEY MICHAEL
1390 W M HAHA PKWY
MPLS MN
55409

HESS DONALD MIDWEST PLANNING
2101 HENN BLDG
MPLS MN
55405

HARTFELDT WILL
415 HAMM BLDG 6TH ST
ST PAUL MN
55102

HICHINGER-MARK PLANNING
421 WABASHA ST
ST PAUL MN
55102

HILL JIM ASSOC.MILK PROD.
7850 METRO PARKWAY
MINNEAPOLIS MN
55420

HOULE MELVIN
881 W HWY 96
SHOREVIEW MN
55112

HULTMAN WARREN P
C/O BARBAROSSA R3
OSSEO MN
55369

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

INS FED OF MINN
902 SOO LINE BLDG
MPLS MN
55402

IZAAK WALTON LEAGUE MN DIV
106 TIMES BLDG 57 S 4TH
MPLS MN
55401

JENSEN CARL A
127 E MAIN ST
SLEEPY EYE MN
56085

KIMBALL ROBERT
647 CAPITOL SQ BLDG
ST PAUL MN
55101

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

KORTZ MRS LOUISE
1064 FOREST HILLS DR SW
ROCHESTER MN
55901

LANSING & OAKES
400 SIBLEY ST
ST PAUL MN
55101

LAUNDERERS&DRY CLEANERS ASSN
W 1ST NATL BK BLDG
ST PAUL MN
55101

HOUSE APPROPRIATIONS COMM
RM 109 STATE CAPITOL
ST PAUL MN
55101

HUMAN RIGHTS DEPT
60 STATE OFF BLDG
ST PAUL MN
55101

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

JOHNSON & SANDERSON
ST MARYS HOSPITAL
ROCHESTER MN
55901

KABLE RICHARD W

BETHEL MN
55006

KING,TIMOTHY
3333 OAKLAND AVE S
MPLS MN
55407

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

LAPP LAZAR LAURIE ET AL
1200 BUILDERS EXCHANGE
MINNEAPOLIS MN
55402

LEAGUE MN MUNIC MC HADICKS
3300 UNIV AVE S E
MPLS MN
55414

LOCKNER GARY
R R 1 BOX 23
BAUDETTE MN
56623

LCCS CALVIN J
6809 LYNDALE AVE SO
MPLS MN
55423

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

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

MASTOR & MATTSON LTD
315 PEAVEY BLDG
MPLS MN
55402

MAUL WARREN E
320 S 4TH ST
MPLS MN
55415

MEIEROTTO, JOAN
1794 SO LEXINGTON
ST PAUL MN
55118

MERRITT GRANT POLLUTION CONT
OAK & DELAWARE
MPLS MN
55440

MILLER RICHARD A
1020 PLYMOUTH BLDG
MPLS MN
55402

MILLER TOM
2311 PILLSBURY AVE S
MPLS MN
55404

MPLS TRIBUNE CITY DESK
425 PORTLAND AVE
MPLS MN
55415

MINN APT ASSN
GRIGGS-MIDWAY BLDG
ST PAUL MN
55104

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

MINN ASSN COOPERATIVES
55 SHERBURNE AVE
ST PAUL MN
55103

MINN AUTOMOBILE DEALERS ASSN
GRIGGS MIDWAY BLDG
ST PAUL MN
55104

MINN BD PODIATRY EXAM & REG.
1111 W 2ND ST.
CROOKSTON MN
56716

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

MINN DENTAL HYGIENISTS
5041 YVONNE TERRACE
MPLS MN
55436

MINN ENV LAW INST INC
PO BOX 15076 COMM STA
MPLS MN
55415

MINN FARMERS UNION PRES OFF
1275 UNIV AVE
ST PAUL MN
55104

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

MINN HWYS MANAGEMENT SERVICE
410 HWY BLDG
ST PAUL MN
55101

MINN LP GAS ASSN
7515 WAYZATA BLVD 106
MPLS MN
55426

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

MINN POULTRY & HATCHERY ASSN
BOX 158
MADELIA MN
56062

MINN PUB INT RES DAYTON
2418 UNIV AVE SE
MPLS MN
55414

MINN RETAIL FEDERATION
7600 PARKLAWN STE 457
MPLS MN
55435

MINN RETAIL HARDWARE ASSN
3033 EXCELSIOR BLVD 313
MPLS MN
55416

MINN SOC CERTIFIED PUB ACCTS
1102 WESLEY TEMPLE BLDG
MPLS MN
55403

MINN STATE BAR ASSN
100 MINN FED BLDG
MPLS MN
55402

MINN STATE MED ASSN
375 JACKSON ST
ST PAUL MN
55101

MINN STATE OPTOMETRIC ASSN
333 E HENNEPIN AVE
MPLS MN
55414

MINN TBR PRODUCERS ASSN
200 CHRISTIE BLDG
DULUTH MN
55802

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

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

MOFFITT R.C. DIR. ENV. CONTROL
MPLS. CITY HALL RM 301M
MPLS MN
55415

MPIRG
BOX 45 ST MARYS COLLEGE
WINONA MN
55987

NATL COUNCIL JEWISH WOMEN
4330 CEDAR LK RD
MPLS MN
55416

NATL FAMILY INS CO
2147 UNIV AVE
ST PAUL MN
55114

NELSON DONALD E NSP CO
414 NICOLLET AVE
MPLS MN
55401

NEDELL HAROLD - MEINEKE
6300 W LOOP S SUITE 200
HOUSTON TX
77027

NORTH CENTRAL ELEC ASSN
PO BOX 202
BATTLE LAKE MN
56515

NW COUNTRY ELEVATOR ASSN
802 GRAIN EXCH BLDG
MPLS MN
55415

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

O'BRIEN J. DENNIS
1200 1ST NATL. BANK BLDG
MINNEAPOLIS MN
55402

OLD COLONY GAS & OIL COMPANY
17TH AVE N AT 2ND ST
MPLS MN
55411

OSTRUM DONALD E
10213 PIERCE ST NE
BLAINE MN
55434

PATTISON ORVIS
BOX 645
WILLMAR MN
56201

PAYNE COL ALVIN

DEGRAFF MN
56233

PETERSEN JOHN W
525 OSBORN BLDG
ST PAUL MN
55102

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

PORTER LYLE O

TRACY MN
56175

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

PULSCHER RBT SPRINGSTED INC
813 OSBORN BLDG
ST PAUL MN
55102

RANALLO CLARENCE
800 CENTRAL AVE N E
MPLS MN
55413

RED OWL STORES INC
215 E EXCELSIOR AVE
HOPKINS MN
55343

RAMSEY CO MEDICAL SOCIETY
1500 LOWRY MEDICAL BLDG
ST PAUL MN
55102

RICHARDSON THOS
7851 METRO PKWY S 103
MPLS MN
55420

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

ROSS ALFRED
6356 WARE RD
LINC LAKES MN
55014

SANFORD SID
7000 PORTLAND AVE
RICHFIELD MN
55423

SATHRE, HARVEY
77 SHERBURNE
ST PAUL MN
55103

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

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

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

SCHWARTAU NEAL METH HOSP
201 W CENTER ST
ROCHESTER MN
55901

SCHWERMAN EARL JR
1535 8TH AVE SE
ROCHESTER MN
55901

SCHROEDER ALFRED F
2172 CARROLL AVE
ST PAUL MN
55104

SEARS ROEBUCK & CO
2929 ELLIOT AVE D [illegible]
MPLS MN
55401

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

SHABATURA EUGENE H
2833 LAKE AVE SO
DULUTH MN
55811

SHELL OIL CO. W.A. ROQUET
ONE SHELL PLAZA BX 2463
HOUSTON TX
77001

SITE ENGINEERS INC
900 REDWELL LANE
APPLE VALLEY MN
55124

SLOCUM CHARLES A
1203 IDS TOWER
MPLS MN
55402

SMERIKA WN.
BOISE CASCADE PAPERS
INTL FALLS MN
56649

STATE BD.BARBER EXAMINERS
555 WABASHA
ST PAUL MN
55102

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

STENSLAND M.E. PRES. MVMA
203 NW 22ND ST.
AUSTIN MN
55912

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

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

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

SWEITZER R L HONEYWELL INC
2701 4TH AVE S
MPLS MN
55408

THOMPSON HESSIAN ET AL
1500 MIDWEST PLAZA BLDG
MPLS MN
55402

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

UNION STOCK YARDS
ATTN PRES
SO ST PAUL MN
55075

VAN EVERA MUNDT ET AL
700 TORREY BLDG
DULUTH MN
55802

VERRILL JOHN E
DEPT SECONDARY ED UOF M
DULUTH MN
55812

VOLDNESS PERRY
IDS 8TH & MARQUETTE
MPLS MN
55402

VOS LEROY
2137 BURNS AVE
ST PAUL MN
55119

[illegible] V NORTHERN STATES

WEST & COLAN

THOMPSON HESSIAN ET AL
1500 MIDWEST PLAZA BLDG
MPLS MN
55402

TIMESAVERS INC ATT
5270 HANSEN COURT
MPLS MN
55422

UNION STOCK YARDS
ATTN PRES
SO ST PAUL MN
55075

VAN EVERA MUNDT ET AL
700 TORREY BLDG
DULUTH MN
55802

VERRILL JOHN E
DEPT SECONDARY ED UOF M
DULUTH MN
55812

VOLDNESS PERRY
IDS 8TH & MARQUETTE
MPLS MN
55402

VOS LEROY
2137 BURNS AVE
ST PAUL MN
55119

WELK G V NORTHERN STATES
414 NICOLLET MALL
MPLS MN
55401

WEST & GOWAN
ATTORNEYS AT LAW
PINE ISLAND MN
55963

WINTERS JOHN A
POLK CO STATE BK BLDG
CROOKSTON MN
56716

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

WOZNIAK D D
401 FIRST FED BLDG
ST PAUL MN
55101

WYANT CLINTON W ATTY

ATKIN MN
56431

ALLEN CLAUDE H
1200 N W BK BLDG
ST PAUL MN
55101

ALTMAN MILTON H
707 DEGREE OF HONOR BLD
ST PAUL MN
55101

ANCHOR BLOCK COMPANY
PO BOX 3360
ST PAUL MN
55165

ANDERSON GRAHAM
951 E HENN
MPLS MN
55414

ANDERSON STANFORD P
14600 MINNETONKA BLVD
MINNETONKA MN
55343

ANTHONY R.S. E.L.M.
1222 FOURTH ST. S.E.
MINNEAPOLIS MN
55414

ARVER JOHN A
2467 COHANCY
ST PAUL MN
55113

ASMUSSEN,DENNIS,MPIRG
3036 UNIV AVE SE
MPLS MN
55414

AUTOMOBILE MFRS ASSN INC
55 SHERBURNE AVE
ST PAUL MN
55103

BARRETT FRED
ST LOUIS CO COURT HOUSE
DULUTH MN

BARKER KENT
8100 34TH AVE SO
MPLS MN
55420

BEECHER EVERETT
10 10 1ST ST SO
HOPKINS MN

BELISLE JON
2040 WILSON #28
ST PAUL MN
55119

BERGERUD ALF
300 ROANOKE BLDG
MPLS MN
55402

BEST FLANAGAN ET AL
1ST NATL BANK BLDG
MPLS MN
55402

BREHL JAMES W
332 HAMM BLDG
ST PAUL MN
55102

BRIGGS & MORGAN - B F FRI
2200 W 1ST NATL BK BLDG
ST PAUL MN
55101

BROOKS WILLIAM F JR
854 MIDLAND BK BLDG
MPLS MN
55401

BROWN D M GOODRIDGE PUB S
IND DIST #561
GOODRIDGE MN
56725

BURGER ALBERT
600 DEGREE OF HONOR BLD
ST PAUL MN
55101

BUR.ENGS.IND.DIV. MR.KIB
219 N. 2ND ST.
MPLS. MN

CAIN RUTH
730 E 38TH ST
MPLS MN
55407

CAIRNS JOHN A
1460 NW BK BLDG
MPLS MN
55402

CAIN RUTH
730 E 38TH ST
MPLS MN
55407

CAIRNS JOHN A
1460 NW BK BLDG
MPLS MN
55402

CARRISON DALE K
MANKATO STATE COLLEGE
MANKATO MN
56001

CENTRAL BUSINESS DATA
BENSON RADIO ARCADE BLD
BENSON MN
56215

CHAMBERLAIN WARREN D
887 SW 4TH AVE
FARIBAULT MN
55021

CHERCHES CHRIS CITY MGR
5005 MTKA BLVD
ST LOUIS PARK MN
55416

CITIZENS LEAGUE
530 SYNDICATE BLDG
MPLS MN
55402

CLARKSON J.B.
2350 I.D.S. CENTER
MINNEAPOLIS MN
55402

COLLIN LAURENCE
RT 2
ISANTI MN
55040

COMMUNITY DESIGN CENTER
118 E 26TH ST
MPLS MN
55404

COUNTY ATTYS COUNCIL
95 SHERBURNE AVE S203
ST PAUL MN
55103

COX AND KING
600 BUILDERS EXCH
MPLS MN
55402

DAILEY THOS M
E-1500 1ST NATL BK BLDG
ST PAUL MN
55101

DANIELSON RODNEY L
418 AUDITORIUM
ST PAUL MN
55102

DAVIS HENRY
6301 SHINGLE CREEK
BROCKLYN CTR MN
55429

DISPATCH PIONEER PRESS
PRESS RM STATE CAPITOL
ST PAUL MN
55101

DORSEY MARQUART
2400 1ST NATL BANK BLDG
MPLS MN
55402

DUDLEY E H
RT 7 BOX 122
EXCELSIOR MN
55331

DUNN CLIVER PLUMBERS LCC
708 SC 10TH ST
MPLS MN
55404

EDINA FIRE D JAMES MCNELLIS
4801 W 50TH ST
EDINA MN
55424

ELDER DR JAMES B
11140 WASHBURN AVE SO
BLOOMINGTON MN
55431

EMERICK RICHARD A
1908 IDS CENTER
MPLS MN
55402

EMP HANDICAPPED PERSONS C
527 JACKSON RM 227
ST PAUL MN
55101

ERNST K LEHMANN & ASSOC.
1409 WILLOW ST.
MPLS MN
55403

EWALD DOUGLAS MINN HOSP ASSN
2333 UNIV AVE SE
MPLS MN
55414

FELHABER R S
W 1ST NATL BANK BLDG
ST PAUL MN
55101

FLETCHER RONALD
7900 XERXES AVE S
MPLS MN
55431

FRANKLIN ROBERT B MPLS TRIB
426 PORTLAND
MPLS MN
55415

GIEL DAVID
RM B-28 STATE CAPITOL
ST PAUL MN
55155

GRANATH MARVIN -HONEYWELL
2701 4TH AVE SO
MPLS MN
55408

GUSTAFSON WALLACE
BOX 567
WILLMAR MN
56201

HALLBERG LEE & MCCABE
4927 34TH AVE S
MPLS MN
55417

HEAD & TRUHN
1007 SOO LINE BLDG
MPLS MN
55402

HINRICHSEN PATRICK
MANKATO FREE PRESS
MANKATO MN

ESSE KENNETH
4801 W 50TH ST
EDINA MN
55424

EWING MRS WM
42 ASTAR RD
BABBITT MN
55706

FINLEY JAMES F
920 MINN BLDG
ST PAUL MN
55101

FITZGERALD DR BOB
3007 LYNDALE AVE SO
MPLS MN
55408

FREDIN CONRAD M
811 FIRST NATL BK BLDG
DULUTH MN
55802

GALVIN M J JR
W2162 1ST NATL BK BLDG
ST PAUL MN
55101

GLEN. HILLS HOSP.R.VAN HA
3901 GOLDEN VALLEY RD.
MPLS. MN
55422

GREEN DEL CITY MGR
BLOOMINGTON CITY HALL
BLOOMINGTON MN
55431

HAYES,THOMAS W
700 SELLWOOD BLG
DULUTH MN
55812

HEINTZ MARY ELLEN
PO BOX 599
CINCINNATI OH
45201

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

[illegible] K LEHMANN & ASSOC.
[illegible] WILLOW ST.
MPLS MN
55403

EWALD DOUGLAS MINN HOSP ASSN
2113 UNIV AVE SE
MPLS MN
55414

FILHABER R S
W 1ST NATL BANK BLDG
ST PAUL MN
55101

FLETCHER RONALD
7400 XERXES AVE S
MPLS MN
55431

FRANKLIN ROBERT B MPLS TRIB
426 PORTLAND
MPLS MN
55415

GIEL DAVID
RM B-28 STATE CAPITOL
ST PAUL MN
55155

GRANATH MARVIN -HONEYWELL
2701 4TH AVE SO
MPLS MN
55408

GUSTAFSON WALLACE
BOX 567
WILLMAR MN
56201

HALLBERG LEE & MCCABE
4927 34TH AVE S
MPLS MN
55417

HEAD & TRUHN
[illegible] SOO LINE BLDG
[illegible] MN
[illegible]

HINRICHSENPATRICK
MANKATO FREE PRESS
MANKATO MN

ESSE KENNETH
4801 W 50TH ST
EDINA MN
55424

EWING MRS WM
42 ASTAR RD
BABBITT MN
55706

FINLEY JAMES F
920 MINN BLDG
ST PAUL MN
55101

FITZGERALD DR BOB
3007 LYNDALE AVE SO
MPLS MN
55408

FREDIN CONRAD M
811 FIRST NATL BK BLDG
DULUTH MN
55802

GALVIN M J JR
W2162 1ST NATL BK BLDG
ST PAUL MN
55101

GLEN. HILLS HOSP.R.VAN HA
3901 GOLDEN VALLEY RD.
MPLS. MN
55422

GREEN DEL CITY MGR
BLOOMINGTON CITY HALL
BLOOMINGTON MN
55431

HAYES,THOMAS W
700 SELLWOOD BLG
DULUTH MN
55812

HEINTZ MARY ELLEN
PO BOX 599
CINCINNATI OH
45201

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

HOUSE ED STANDING SUB COMM
RM 109 STATE CAPITOL
ST PAUL MN
55101

HULSTRAND ANDERSON & LARS
PO BOX 130
WILLMAR MN
56201

HUNT MRS CHAS L MECCA
26 E EXCH CENTRAL MANOR
ST PAUL MN
55101

HUNT JAMES P JR
11470 GALTIER DR
BURNSVILLE MN
55378

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

INGVALSON VERN MN.FARM BU
3110 WOODDALE DR PO 337
OST PAUL MN
55165

IVERSON DR JOS DEPT ED
ST OLAF COLLEGE
NORTHFIELD MN
55057

IVERSON GARY L
1212 PIONEER BLDG
ST PAUL MN
55101

JACKMAN DONALD G
4023 E LAKE ST
MPLS MN
55406

JENOS INC
525 LAKE AVE SO
DULUTH MN
55801

JOHNSON M.D. FRUNDT & FRUNDT

BLUE EARTH MN
56013

JOHNSON LANCE J
265 S LAFAYETTE RD
ST PAUL MN
55107

KANE ANTHONY
176 E FIFTH ST
ST PAUL MN
55101

KEENAN RICHARD J
4444 IDS BLDG
MPLS MN
55402

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

KNOWLES, LARRY D
8025 33RD AVE N
CRYSTAL MN
55427

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

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

LAKE SUPERIOR INDUSTRIAL BUR
[illegible] FIRST AM. BK. BLDG.
DULUTH MN
55802

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

LARSON C L
3500 MINNEHAHA AVE SO
MPLS
[illegible] MN

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

LEAGUE WOMEN VOTERS OF MINN
555 WABASHA
ST PAUL
MN

LINDALL & JONATHAN DEVEL
VILLAGE ONE CENTER
CHASKA MN
55318

LOWE DOUG
2701 N LEXINGTON AVE
ROSEVILLE MN
55113

MCKIBBON MRS SHIRLEY
11 EVERGREEN LN
BABBITT MN
55706

MANKATO STAT STUDENT SENATE
CENTENNIAL STUDENT UN
MANKATO MN
56001

MAYO FOUNDATION G ORWOLL
200 FIRST AVE NW
ROCHESTER MN
55901

MET OPEN SPACE INFOR PROJ
111 E FRANKLIN AVE SO
MPLS MN
55404

MPLS CITY ATTORNEY
325M CITY HALL
MPLS MN
55415

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

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

MINN COMMUNITY DEVELOP SERV
512 ROSSMOR BLDG
ST PAUL MN
55101

MINN ELECTRICAL ASSN INC
525 SO 7TH
MPLS MN
55415

MINN FOOD RETAILERS ASSN
555 WABASHA
ST PAUL MN
55102

MINN HOUSING INST N T CARTER
7801 METROPKWY
MPLS MN
55420

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

MCLELLAN LARKIN
215 ADM BLDG ST CAPITOL
ST PAUL MN
55101

MANTHEY T J PICKANDS MATH
1100 SUPERIOR AVE
CLEVELAND OH
44114

MECCA R.F. NELSON
26 E EXCHANGE ST
ST PAUL MN
55101

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

MPLS STAR PRESS ROOM
STATE CAPITOL
ST PAUL MN
55101

MINN AFL-CIO, L O LA SHO
414 AUDITORIUM ST
ST PAUL MN
55102

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

MINN COUNCIL STATE EMP NO
475 RICE ST
ST PAUL MN
55103

MINN ENV CONTROL CITIZEN
CENTRAL MANOR 26 E EXCH
ST PAUL MN
55101

MINN HEREFORD-LJ SCHAFER
BUFFALO LAKE MN
55314

MINN LAND USE COMMITTEE
4344 IDS CENTER
MPLS MN
55402

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

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

MINN SCH BUS OPERATORS ASSN

FARIBAULT MN
55021

MINN ST BD PHAR P G GRUSSING
1965 FORD PKWY
ST PAUL MN
55116

MINN STATE RETIREMENT SYSTEM
529 JACKSON ST
ST PAUL MN
55101

MINN ASSN WATERSHED DIST'S

ADA MN
56510

MOOD R BLOOMINGTON HLTH DEPT
10200 PENN SO
BLOOMINGTON MN
55431

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

NAT'L SOLID WASTES-R. GRASSO
1730 RHODE ISLAND AV.NW
WASHINGTON DC
20036

NEUMAN RALPH W
RT 2 BOX 125
EMBARRASS MN
55732

NURSING HOME ADMRS BD EXAMRS
277 W UNIV AVE
ST PAUL MN
55103

OCONNOR GREEN THOMAS ET AL
845 NW BANK BLDG
MPLS MN
55402

MINN PETROLEUM COUNCIL
446 BUILDERS EXCH BLDG
MPLS MN
55402

MINN RESTAURANT ASSN
2001 UNIVERSITY AVE.
ST PAUL MN 55
104

MINN SOCIETY ARCHITECTS A
NW NATL BK BLDG
ST PAUL MN
55101

MINN STATE CAPITOL EMP UN
PO BOX 3215
ST PAUL MN
55165

MINN TEAMSTERS CREDIT UNI
2021 HENN AVE E
MPLS MN
55413

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

MOONEY, MICHAEL A.
BOX 903, ST.JOHN'S UNIV
COLLEGEVILLE MN
56321

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

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

NIELSEN STOCK & BLACKBURN
415 730 BLDG
MPLS MN

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

OFFICE OF THE GOVERNOR
130 STATE CAPITOL
ST PAUL MN
55101

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

POPOVICH PETER S
314 MINN BLDG
ST PAUL MN
55101

POSS DONALD G
6301 SHINGLE CREEK PKWY
BROOKLYN CTR MN
55430

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

QUIRIN E W
336 STATE OFF BLDG
ST PAUL MN
55155

REID DAVID H
5633 WASHBURN AVE S
MPLS MN
55410

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

RICHARDS MONTGOMERY ET AL
1430 RAND TOWER
MPLS MN
55402

ROBBIE JOSEPH
904 CARGILL BLDG NO CTR
MPLS MN
55402

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

SAX DOVE & STENSON
310 ENDICOTT BLDG
ST PAUL MN
55101

ST PAUL ASSN PLBG HTG MEC
614 AM NATL BK
ST PAUL MN

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

SCHAPS NICHOLAS
100 DAIN TOWER
MPLS MN
55402

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

SCHNEIDER MAHLON
GREEN GIANT
LESUEUR MN
56058

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

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

SENATE COUN OFF J ST MARIE
STATE CAPITOL
ST PAUL MN
55101

SENATE FINANCE COMMITTEE
113 STATE CAPITOL
ST PAUL MN
55101

SHARP BOB
4125 HIGHWOOD RD
ST LOUIS PK MN
55416

SHAW ROBERT M
616 MOBIL OIL BLDG
MPLS MN
55402

SHINER JOHN T
615 ROBINWOOD LANE #5
HOPKINS MN
55343

SKELLY OIL CO R R WELLING
PO BOX 430
KANSAS CITY MO

SODERMAN ANTHONY
152 S PLAZA BLDG
MPLS MN
55416

STANSFIELD ARLENE LAND C
PO BOX 116
MPLS MN
55440

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

STEELWORKERS CREDIT UNION
BOX 250
BABBITT MN
55706

STUPKA & MOREM
MIDTOWN BLDG
AUSTIN MN
55912

SULLIVAN J KIRK
PO BOX 200
BOISE ID
83701

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

SWANSON GERALD H
212 CITY HALL
ROCHESTER MN
55901

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

THOMPSON CONRAD
1107 23RD ST NW
ROCHESTER MN
55901

TWIN CITY RETAIL DRUGGIST AS
2388 UNIV AVE
ST PAUL MN
55104

VAN CLEVE JOHN H
2101 HENN AVE
MPLS MN
55405

VAN DRAKE STEPHEN R
BOX 353
PELICAN RAPID MN
56572

VILLAGE OF WOODBURY-F.STRONG
561 TOWER DRIVE
NEWPORT MN
55055

VOGEL HOWARD G
814 FLOUR EXCH BLDG
MPLS MN
55415

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

[illegible] 22076W
[illegible] MN
[illegible]

1107 23RD ST NW
ROCHESTER MN
55901

[illegible] CITY RETAIL DRUGGIST AS
[illegible] UNIV AVE
ST PAUL MN
55104

VAN CLEVE JOHN H
2101 HENN AVE
MPLS MN
55405

VAN DRAKE STEPHEN R
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PELICAN RAPID MN
56572

VILLAGE OF WOODBURY-F.STRONG
561 TOWER DRIVE
NEWPORT MN
55055

VOGEL HOWARD G
814 FLOUR EXCH BLDG
MPLS MN
55415

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

WEST MIDWAY-SO.ST ANTH.PK.AS
898 RAYMOND AVE.
ST PAUL MN
55114

WHITLOCK A G
ECON LAB OSBORN BLDG
ST PAUL MN
55102

WIS FEEDER PIG MARKET CO-OP

FRANCIS CREEK WI

WOLKERSTORTER THEODORE
676 17TH AVE NW
NEW BRIGHTON MN
55112

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE MINNESOTA

MUNICIPAL COMMISSION

IN THE MATTER OF PROPOSED
RULES RELATING TO THE
MINNESOTA MUNICIPAL COMMISSION

FINDINGS OF FACT

The above-entitled matter came on for hearing before the Minnesota Municipal Commission (the "Commission") on the 4th day of June, 1974 at 10:00 a.m. in Room 304 of the Capitol Square Building after proper notice required in Minn. Stat. § 15.0412 (1971) was served upon all persons, associations, and other interested groups registered with the Secretary of State for that purpose.

No persons having attended the hearing, and after waiting 30 days for the submission of written comments, and no such comments having been submitted, and based on the experience of the Commission dictating the necessity for these rules, the Commission finds the following:

1. The present rules contain various incorrect statutory references as a result of changes in the law since 1964.

2. In 1973 the Legislature revised the laws relating to municipalities to eliminate "villages" and to establish "statutory cities." The references to villages in the rules must be changed to conform to the new law.

3. Many of the present rules are poorly drafted and are difficult to understand. The rules are in need of general revision to make them more understandable.

4. It is desirable to define the term "petition" to specifically include resolutions, ordinances, and notices of intent.

5. It is desirable to amend present Rule 2 to require an appearance of record in writing on a form provided by the Commission in order to make the record of the hearing more accurate.

6. It is desirable to remove the reference to the filing of a map in present Rule 4 and to include in present Rule 6 a detailed statement of the documents which must be filed along with a petition.

7. It is desirable to amend present Rule 5 to change the term "freeholder" to "property holder" as the term "freeholder" is no longer widely used or understood.

8. It is desirable to amend present Rule 10 to change the number of copies of an exhibit which must be filed in a contested hearing from 4 to 1 as there does not appear to be any need for having 4 copies filed.

9. It is necessary to revise present Rule 10 to eliminate the requirement that all applications for hearing transcripts be submitted in writing to the Secretary of the Commission at least 48 hours in advance of the scheduled hearing because this provision was promulgated at a time when the Commission did not have a court reporter in attendance at every hearing and it was necessary to give the Commission time to engage a reporter. As the Commission

now has a court reporter at every hearing, this requirement is no longer necessary.

10. It is desirable to revise present Rule 15 to increase its filing fees because of the recommendation by the Public Examiner in his last audit of the Commission, to more closely reflect the actual cost of these proceedings, and on a scale which will encourage consolidation and orderly annexation.

Dated: August 13, 1974

MINNESOTA MUNICIPAL COMMISSION

By Howard L. Kaibel

HOWARD L. KAIBEL, JR.
Executive Secretary

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE MINNESOTA

MUNICIPAL COMMISSION

IN THE MATTER OF PROPOSED
RULES RELATING TO THE
MINNESOTA MUNICIPAL COMMISSION

STATEMENT OF NEED

The above captioned rules are amendments to existing rules of the Minnesota Municipal Commission (the "Commission"). The last time the Commission's rules were amended was in 1964.

The need to adopt these rules arises because:

1. The present rules contain various incorrect statutory references as a result of changes in the law since 1964.

2. In 1973 the Legislature revised the laws relating to municipalities to eliminate "villages" and to establish "statutory cities." The references to villages in the rules must be changed to conform to the new law.

3. Many of the present rules are poorly drafted and are difficult to understand. The Commission believes that the rules are in need of general revision to make them more understandable.

4. The Commission deems it desirable to define the term "petition" to specifically include resolutions, ordinances, and notices of intent.

5. The Commission deems it desirable to amend present Rule 2 to require an appearance of record in writing on a form provided by the Commission in order to make the record of the hearing more accurate.

6. The Commission deems it desirable to remove the reference to the filing of a map in present Rule 4 and to include in present Rule 6 a detailed statement of the documents which must be filed along with a petition.

7. The Commission deems it desirable to amend present Rule 5 to change the term "freeholder" to "property holder" as the term "freeholder" is no longer widely used or understood.

8. The Commission deems it desirable to amend present Rule 10 to change the number of copies of an exhibit which must be filed in a contested hearing from 4 to 1 as there does not appear to be any need for having 4 copies filed.

9. The Commission deems it necessary to revise present Rule 10 to eliminate the requirement that all applications for hearing transcripts be submitted in writing to the Secretary of the Commission at least 48 hours in advance of the scheduled hearing because this provision was promulgated at a time when the Commission did not have a court reporter in attendance at every hearing and it was necessary to give the Commission time to engage a reporter. As the Commission now has a court reporter at every hearing, this requirement is no longer necessary.

10. The Commission deems it desirable to revise present Rule 15 to increase its filing fees because of the recommendation by the Public Examiner in his last audit of the Commission, to more closely reflect the actual cost of these proceedings, and on a scale which will encourage consolidation and orderly annexation.

Dated: August 13, 1974

MINNESOTA MUNICIPAL COMMISSION

By Howard L. Kaibel

HOWARD L. KAIBEL, JR.
Executive Secretary

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE MINNESOTA

MUNICIPAL COMMISSION

IN THE MATTER OF PROPOSED RULES RELATING TO THE MINNESOTA MUNICIPAL COMMISSION

STATEMENT OF COMPLIANCE WITH MANUAL OF RULE MAKING PROCEDURES

I have examined the revised rules of the Minnesota Municipal Commission adopted by the Commission on June 28, 1974 and related documents. It appears to me that they were adopted in compliance with the Rules and Regulations of the Attorney General for Rule Making Procedures (Non-Contested Cases), except that the Commission did not make a copy of the labels containing 351 names and addresses which it obtained from the Secretary of State on May 1, 1974 and used for mailing notices of hearing. I have obtained a copy of the 367 names and addresses which were on file with the Secretary of State on June 27, 1974 and have included it with the related documents.

JEROME L. GETZ
Special Assistant
Attorney General

Dated: July 16, 1974