

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

MINNESOTA STATE REGULATIONS

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 Reparations Board
(Agency or Board)

Regulation No. RB 1 thru 207 (new)

Subject: Crime Victims Reparation Board

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 21 1974 3:45 pm

BY Eda Staudenmaier
AUTH. SIGNATURE EJ

Stamped and filed with the Secretary of State 10-21-74

Rev. 9-72

ADMIN. 1000
3

STATE OF MINNESOTA

Office Memorandum

DEPARTMENT Attorney General

TO : Michael Berman
Special Assistant Attorney General
160 State Office Building

DATE: October 7, 1974

FROM : Michael B. Miller
Special Assistant Attorney General

SUBJECT: Crime Victims Reparation Board Rules



Attached herewith and returned are the above agency's rules submitted for review.

Please return them with a copy of the transcript from the public hearing, which was not included.

Mike —
Copy of transcript
is now included.
Mike B.

10-21-74

Filed these rules with RB 3 (b) deleted. This provision reserved to the Board the authority to set maximum attorneys' fees, a power that Laws 1974, Ch. 463 does not grant.

This power is specifically granted in workmen's comp cases by statute, which argues against the rule, since no such provision is in this law.

(ADOPTED)

RB1-These rules are intended to assure that no person before this board shall have his rights, privileges or duties determined without regard to fundamental fairness.

RB2-As used in these rules,

(a) "Board" means the Crime Victims Reparation Board;

(b) "Party" means any person, including a claimant, whose legal rights, duties or privileges may be determined in a contested case;

(c) "Person" means any individual, partnership, corporation, joint stock company, unincorporated association or society, municipal corporation, joint stock company, unincorporated association or society, municipal corporation, or any government or governmental subdivision, unit or agency, other than a court of law.

RB3- Any claimant, or any party in a contested case, may be represented by counsel throughout any proceedings before the board.

RB4-A "claim" shall be deemed to have been commenced upon receipt by the board of a preliminary form completed by a claimant or his representative under oath.

RB5-Within ten days after the filing of a claim, the chairman shall assign the claim or cause it to be assigned to himself or to some other member of the board. The member to whom the claim has been assigned shall cause an investigation to be conducted into the validity of the claim.

RB6--(a) Pursuant to the investigation of a claim, the member to whom the claim has been assigned or some agent of the board shall obtain from the claimant and other persons all information reasonably related to the validity of the claim, including but not limited to information relating to the following subjects:

(1) the occurrence of a crime;
(2) the extent of the claimants's econcomic loss;
(3) the extent to which collateral sources are available to the claimant;
(4) the extent to which the claimant, or the victim through whom he claims, has cooperated with law enforcement officials;
(5) the extent to which the claimant, or the victim through whom he claims, has been guilty of contributory misconduct.

(b) In the course of an investigation or a hearing pursuant to Rule RB9, the member of the board to whom a claim has been assigned may, upon his own motion or the motion of a claimant or the attorney general, issue subpoenas for the appearance of witnesses or for the production of books, records or other documents or initiate such other discovery proceedings as by law are allowed.

RB7-(a) After the filing of a claim, the claimant or his representative shall complete under oath and file with the board a supplementary form containing such information as the board or its agent deems relevant to the investigation of the claim. Failure by a claimant or his representative to complete the supplementary form, or otherwise to cooperate with the investigation, may constitute a ground for denial of a claim.

(b) The claimant shall assign his rights to recover benefits or advantages from any source which is, or if readily available to the claimant would be, a collateral source and which is not deducted from the final award; provided that such assignment shall not exceed the amount of the final award. The claimant shall further agree to cooperate fully with the board in any subrogation action brought by the board.

RB8--Upon completion of an investigation of a claim, the person investigating the claim shall file a written report with the member of the board to whom the claim has been assigned. Copies of the completed preliminary and supplementary forms and of the subrogation agreement shall be included with the report. The board shall treat the report as confidential to the extent permitted by law; provided, however, that in any contested claim, the claimant or his authorized representative shall have the right to read the report described herein.

RB9--Within twenty days after receipt of the report of the investigation, the member of the board to whom the claim has been assigned shall, after examining the report and the forms submitted by the claimant, either decide the claim in favor of the claimant in the amount claimed or order a hearing of the claim.

RB10-If a member of the board, pursuant to Rule RB9, orders a hearing of a claim, he shall serve a notice of hearing on the claimant not less than ten days prior to the hearing. At the hearing the claimant shall have the right to testify; to present witnesses, evidence, and argument; and to cross-examine witnesses called by the board member. The rules of evidence shall be as stated in Rule RB111(c).

RB11-Within thirty days after a hearing pursuant to RB10, the board member shall issue a decision either granting an award to the claimant or denying the claim.

RB101-If a claimant, within thirty days after receipt of the decision of the board member to whom his claim was assigned, or a member of the board, within thirty days after the filing of the report of the decision, applies in writing to the board for consideration of the decision by the full board, a hearing before the full board shall be conducted according to law and the procedures set forth in RB102-113. Any proceeding pursuant to such a request shall be treated as a contested case within the meaning of Minn Stat. ch. 15.

RB102-(a) The board shall appoint a hearing officer before commencing a contested case.

(b) The board may appoint as hearing officer any person except the member of the board to whom the claim was originally assigned.

(c) The appointment of the hearing officer shall, to the extent permitted by law, grant the hearing officer such authority as the board deems necessary to hear the case.

RB103-Within ten days followed receipt of a request for a hearing pursuant to RB101, the board shall appoint a hearing officer and commence the contested case by serving upon all known parties a copy of the document of initiation and a notice stating:

(a) The commencement of the contested case;
(b) The time and place of the prehearing conference, if any;
(c) The purpose of the prehearing conference;
(d) The name of the hearing officer;
(e) The rights of the parties to counsel and to a formal hearing;
(f) That failure to attend may prejudice the party's right in this and subsequent proceedings; and
(g) These rules or a citation thereto.

If the hearing officer decides that no prehearing conference will be held, notice of hearing pursuant to RB110 shall be given.

RB104-Informal disposition may be made of any contested case or any issue therein by stipulation, agreed settlement, or consent order at any point in the proceedings.

RB105-The hearing officer may dispose of a contested case adverse to a party which defaults. Disposition by default shall occur only after the party against whom default is proposed, having notice, fails to appear.

RB106-Upon timely application any person shall be permitted to intervene in a contested case upon a showing that his legal rights, duties or privileges may be determined or affected in the contested case, unless in the discretion of the hearing officer such person's interest is adequately represented by one or more parties participating in the case.

RB107-(a) Whenever, before hearing on any contested case, the board, either on its own motion or upon petition by any party, determines (a) that separate contested cases present substantially the same issues of fact or law, (b) that a holding in one case would affect the rights of parties in another case and (c) that consolidation would not substantially prejudice any party, the board may order such cases consolidated for a single hearing on the merits. Notwithstanding the requirements of this rule, the parties may stipulate and agree to such consolidation.

(b) Within five days following an order for consolidation the board shall serve on all parties a Notice of Consolidation. Such Notice shall contain:
   (1) A description of the cases for consolidation;
   (2) The reasons for consolidation;
   (3) Cancellation of all prehearing conferences for the cases consolidated; and
   (4) Notification of the consolidated prehearing conference in the same fashion prescribed for notice of prehearing conferences.

(c) Objection to Consolidation
   (1) Petition for Severance. Any party may object to consolidation by filing with the board prior to final determination a Petition for Severance from Consolidation, setting forth petitioner's name and address, the designation of his case prior to consolidation, and the reasons for his petition. Briefs may be filed, evidence received and oral argument heard at such time as the hearing officer deems proper.
   (2) Determination. When such a petition is filed, the hearing officer shall set aside a time for receiving evidence and oral argument, and determining, as a part of the record in the case, whether consolidation prejudices petitioner. If the hearing officer finds that consolidation would prejudice petitioner, he may order such severance or other relief as he deems necessary.

RB108-A hearing officer or any board member shall withdraw from participation in a contested case at any time prior to the final determination if he deems himself disqualified for any reason. Upon the filing in good faith of a timely and sufficient Petition of Prejudice the hearing officer shall determine the matter as a part of the record and decision in the case.

RB109-(a) The purposes of the prehearing conference are to simplify the issues to be determined and to reach a settlement on those issues without the necessity for further hearing.

(b) A prehearing conference may be held at the discretion of the hearing officer preparatory to each contested case hearing. The prehearing conference shall be an informal proceeding conducted fairly and expeditiously by the hearing officer. Agreements on the simplification of issues shall be put in the form of stipulations and entered on the record. Any final settlement shall be set forth in a settlement agreement or consent order and, after approval by the board, be made a part of the record.

(c) The hearing officer may, at any stage of the proceedings, including the prehearing conference, after all parties have had an opportunity to present their views, dismiss any sham, capricious or frivolous case or any case not within the board's jurisdiction, subject to approval by the board.

(d) When cases before the board are consolidated pursuant to Rule RB107, a consolidated prehearing conference may be held in lieu of separate conferences for each case and notice thereof given as provided in RB103.

RB110-Not less than thirty days prior to the hearing date the board shall serve a notice of hearing on all parties to the case. Such notice shall contain:

(a) The time and place of the hearing;
(b) The purpose and procedure for the hearing;
(c) The issues to be determined; and,
(d) The name of the hearing officer who will preside.

RB111-(a) All parties shall have the right to a hearing before the board, at which hearing the parties may cross-examine witnesses, and present evidence, rebuttal testimony and argument with respect to the issues.

(b) Any party may be a witness or may present witnesses on his behalf at a hearing. All testimony at a hearing shall be under oath or affirmation. Every party shall have the right of cross-examination of witnesses who testify.

(c) Rules of Evidence

(1) The hearing officer may admit and give probative effect to evidence which possesses probative value commonly accepted by reasonable prudent men in the conduct of their affairs. The hearing officer shall give effect to the rules of privilege recognized by law. Evidence which is incompetent, irrelevant, immaterial or repetitious may be excluded.

(2) All evidence to be considered in the case, including all records and documents in the possession of the board, shall be offered and made a part of the record in the case. No other factual information or evidence shall be considered in the determination of the case.

(3) Documentary evidence in the form of copies or excerpts may be received or incorporated by reference in the discretion of the hearing officer or upon agreement of the parties.

(4) The hearing officer may take notice of judicially cognizable facts and, in addition, may notice technical facts within his specialized knowledge. Where final determination rests on official notice of material facts not appearing in the evidence in the record, a party is entitled, upon timely request, to an opportunity to rebut such facts.

(5) In all cases the claimant must establish his entitlement to reparations and the amount thereof by a preponderance of the evidence.

(d) Any party may request that the hearing officer issue subpoenas for the appearance of witnesses or for the production of books, records, or other documents or that he initiate such other discovery procedures as by law are allowed. Such requests may be accompanied by evidence supporting the need for such subpoena.

(e) The Record

(1) The board shall prepare an official record in each contested case.

(2) The record in a contested case shall contain:

(aa) All pleadings (including documents of initiation and commencement and the answers thereto), motions and intermediate rulings;

(bb) Evidence received or considered;
(cc) A statement of matters officially noticed;
(dd) Questions and offers of proof, objections and rulings thereon;
(ee) Proposed findings and exceptions;
(ff) Any decision, opinion or report by the hearing officer; and
(gg) All memoranda or data other than advice of legal counsel submitted to the hearing officer by the board staff in connection with the case.

(3) Transcript
(aa) A verbatim record of the hearing shall be taken by court reporter or recording equipment. A court reporter shall be used if demanded by any party. Unless the board agrees to bear the expense of the court reporter, such expense shall be paid by the demanding party.
(bb) The verbatim record will not be transcribed unless requested by a party. If a transcript is requested, the board may require the requesting party to pay the reasonable cost of preparing the transcript.

(f) Hearing Procedure
(1) The hearing officer shall take no part in any preliminary investigation or inquiry into the facts or issues involved in the contested case except as provided in Rule RB109. He shall not communicate, directly or indirectly, in connection with any issue of fact, with any person or party, including the board, its employees or agents, nor, in connection with any issue of law, with any party, including the board, its employees or agents, or his representative, except upon notice and opportunity for all parties to participate.
(2) Subject to relevant provisions of law or board rule, the hearing procedure and sequence of events shall be as determined by the hearing officer.

(g) Decorum
(1) The hearing officer may prohibit the operation of a television, newsreel, motion picture, still or other camera, or of lights or other devices used in connection with the camera in the hearing room while the hearing is in progress, if such operation would, in his opinion, interfere with or disrupt the hearing. The hearing officer may also prohibit the operation of mechanical recording devices in the hearing room while the hearing is in progress, if such operation would, in his opinion, interfere with or disrupt the hearing.

(2) Pursuant to and in accordance with the provisions of Minn. Stat. § 624.72, no person shall interfere with the free, proper and lawful access to or egress from the hearing room. No person shall interfere with the conduct of, disrupt or threaten interference with or disruption of the hearing. In the event of such interference or disruption or threat thereof, the hearing officer shall read this rule to those persons causing such interference or disruption and thereafter proceed as he deems appropriate.

RB112-The Board Decision

(a) Basis for Determination

(1) No factual information or evidence which is not a part of the record shall be considered by the board in the determination of a contested case.

(2) The board may use its experience, technical competence and specialized knowledge in the evaluation of the evidence presented in the case.

(b) Decisions and Orders

(1) Formal Decison or Order with Reasons Required. Every decision or order rendered by the board 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 include a concise statement of the conclusions upon each contested issue of fact necessary to the decision.

A decision or order on a petition for severance, petition for intervention, petition of prejudice, on noticed facts which are challenged, or on a petition for rehearing shall be rendered in accordance with this rule.

(2) Service and Contents. Every decision or order shall be served on all parties to the case. It shall contain:

(aa) A statement of the decision or order in the case;

(bb) A statement of the reasons therefor;

(cc) An affidavit of service.

(c) Default. When a party with adequate notice fails to plead or otherwise appear within the time allowed therefor by these rules or by statute, judgment by default may be entered against him.

RB113-(a) The board may, upon request or its own motion and for good cause shown, reopen, rehear and redetermine a contested case after a final decision adverse to a party to the contested case has been rendered. This right may be exercised until it is lost by appeal or the granting of a writ of certiorari or until a reasonable time has run.

(b) Obtaining a Rehearing

(1) At any time prior to the board's loss of the right to rehear a contested case, any party to that case may request a rehearing by filing a petition for rehearing. Such petition shall contain:

(aa) The name and address of the petitioner;

(bb) The board designation for the case;

(cc) The reasons for the petition.

(2) The board may, on its own motion, for good cause stated in the record, reopen, rehear and redetermine a contested case if the decision in that case was adverse to a party to that case.

(3) A party against whom a default has been adjudged pursuant to Rule RB112(d) may obtain a rehearing upon a timely showing of good cause for his failure to appear or plead.

(4) The board shall grant or deny a petition for rehearing as a part of the record in the case. Such petition shall be granted if there appears on the face of the petition and the record irregularities in the proceedings, errors of law occurring during the proceedings, newly discovered material evidence, a lack of substantial evidence to support the decision or good cause for failure to appear or plead. Evidence and argument may be presented at the discretion of the board in written or oral form or both by any party to the contested case with respect to the petition.

(c) Notice of rehearing must be provided in the same manner prescribed for notice of hearing.

(d) A rehearing in a contested case shall be conducted in the same manner prescribed for a hearing.

(e) The decision after rehearing shall be made in the same manner prescribed for the decision after a hearing.

RB201-Nothing contained in these rules is intended to pre-empt or repeal the board's power to grant emergency reparations where it deems such reparations necessary and desirable.

RB202-Nothing contained in these rules is intended to pre-empt or repeal the board's power to suspend or postpone the proceedings on a claim if a criminal prosecution arising out of the incident which is the basis of the claim has been commenced or is imminent.

FILED
RICHARD L. BRUBACHER
Commissioner of Administration
OCT 21 1974 3:45 pm
BY Ida Staudenmaier
AUTH. SIGNATURE

APPROVED AS TO FORM AND LEGALITY
October 21 1974
WARREN S. ANNAUS, ATTORNEY GENERAL
BY Michael B Muller
SPECIAL ASSISTANT ATTORNEY GENERAL

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
OCT 21 1974 - 3:45 pm
Arlen I. Erdahl
Secretary of State

STATE OF MINNESOTA

COUNTY OF RAMSEY

CRIME VICTIMS
REPARATION BOARD

In the matter of the Proposed Adoption of Rules RB1-11, RB101-113, and RB201-202 of the Crime Victims Reparation Board governing the method of practice and procedure before the board, prescribing the manner in which applications for reparations should be made, and providing for discovery proceedings.

ORDER FOR HEARING

To effectively implement Laws of Minnesota 1974, Chapter 463, the Minnesota Crime Victims Reparation Board deems it necessary to consider adoption of the proposed rules captioned above pursuant to the authority vested in the Board by said Chapter 470 § 6 subd. 1(c).

NOW, THEREFORE, IT IS ORDERED this 22nd day of July, 1974, that a public hearing on the proposed rules captioned above be held in Room 107, State Capitol, Saint Paul, Minnesota, on August 29, 1974, commencing at 8:00P.M., and continuing until all representatives of associations or other interested groups or 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.

CRIME VICTIMS REPARATION BOARD

By _____
Joe Thompson, Chairman

STATE OF MINNESOTA

COUNTY OF RAMSEY

CRIME VICTIMS
REPARATION BOARD

In the matter of the Proposed Adoption of Rules RB1-11, RB101-113, and RB201-202 of the Crime Victims Reparation Board governing the method of practice and procedure before the Board, prescribing the manner in which applications for reparations should be made, and providing for discovery proceedings.

NOTICE OF HEARING

Notice is hereby given that a public hearing will be held pursuant to Minnesota Statutes 1973, Section 15.0412, Subd. 4, in the above-entitled matter, in Room 107 of the State Capitol, Saint Paul, Minnesota, on August 29, 1974, commencing at 8:00 P.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 Board proposes to adopt rules relating to the following matters: governing the method of practice and procedure before the Board, prescribing the manner in which applications and reparations shall be made, and providing for discovery proceedings.

Copies of the proposed rules are now available and may be obtained by writing to the office of the Crime Victims Reparation Board, 210 Highway Building, Saint Paul, Minnesota 55155. Additional copies will be available at the door on the date of the hearing.

CRIME VICTIMS REPARATION BOARD

By J. Thompson
Joe Thompson, Chairman

STATE OF MINNESOTA

COUNTY OF RAMSEY

In the matter of the Proposed Adoption of Rules RB1-11, RB101-113, and RB201-202 of the Crime Victims Reparation Board governing the method of practice and procedure before the Board, precribing the manner in which applications for reparations should be made, and providing for discovery proceedings.

AFFIDAVIT OF MAILING

Kathleen D. Witt, being first duly sworn, deposes and says:

That on the 26th day of July, 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 377 persons and associations at the addresses listed on the list provided by the Secretary of State as of that date, as well as to all persons listed on the attached sheet as presently being members of the Minnesota Legislature. Attached is a true and correct copy of the Secretary of State's list as of the following week, containing the names and addresses of 375 persons and associations.

Kathleen D. Witt

Subscribed and sworn to before me
this 6th day of September, 1974.

Cecilia Loughrey

CECILIA LOUGHREY
NOTARY PUBLIC - MINNESOTA
RAMSEY COUNTY
My Comm. Expires July 16, 1980

STATE OF MINNESOTA

COUNTY OF RAMSEY

CRIME VICTIMS
REPARATION BOARD

In the matter of the Proposed Adoption of Rules RB1-11, RB101-113, and RB201-202 of the Crime Victims Reparation Board governing the method of practice and procedure before the Board, prescribing the manner in which applications for reparations should be made, and providing for discovery proceedings.

STATEMENT OF NEED

The above-captioned rules are not amendments to existing rules of the Crime Victims Reparation Board.

The need to adopt these rules arises because of the legislative mandate of Minn. Laws 1974, ch. 463 § 6 subd. 1(c) that the Board "promulgate within 90 days following the effective date of this act [July 1, 1974] rules to implement this act, including rules governing the method of practice and procedure before the board, prescribing the manner in which application for reparations should be made, and providing for discovery proceedings;" and because of the need to establish procedures by which claimants before the Board may receive a just, fair and expeditious determination of their claims in a manner consistent with statutory and constitutional requirements.

CRIME VICTIMS REPARATION BOARD

By Joe E. Thompson
Joe E. Thompson, Chairman

CERTIFICATE OF BOARD'S
AUTHORIZING RESOLUTION

I, Rod Boyd, do hereby certify that I am secretary of the Crime Victims Reparation Board, a board 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 Crime Victims Reparation Board duly and properly called and held on the 22nd day of July, 1974, that a quorum was present at said meeting, that a majority of those present voted for the resolution, and that said resolution has not been rescinded or modified.

> "RESOLVED, that Joe Thompson, Chairman of the Crime Victims Reparation Board, be and hereby is granted the authority and directed to call a hearing for the purpose of promulgating rules of the Crime Victims Reparation Board governing the method of practice and procedure before the board, prescribing the manner in which applications and reparations shall be made, and providing for discovery proceedings, as well as to 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 16th day of August, 1974.

Rod Boyd

Rod Boyd, Secretary

William Kosiak

Attest by one other officer

STATE OF MINNESOTA

COUNTY OF RAMSEY

CRIME VICTIMS
REPARATION BOARD

In the matter of the Proposed Adoption of Rules RB1-11, RB101-113, and RB201-202 of the Crime Victims Reparation Board governing the method of practice and procedure before the Board, prescribing the manner in which applications for reparations should be made, and providing for discovery proceedings.

FINDINGS OF FACT

The above-entitled matter came on for hearing before the Minnesota Crime Victims Reparation Board on the 29th day of August, 1974, at 8:00 P.M. in Room 107 of the State Capitol, St. Paul, Minnesota, after proper notice required by Minn. Stat. § 15.0412 (1971) was served upon all persons, associations and other interested groups registered with the Secretary of State for that purpose and upon all members of the Minnesota Legislature.

After affording interested persons an opportunity to present written and oral data, statements and arguments, having heard all of the testimony, having considered all of the evidence adduced and upon the records, files and proceedings herein, the Board finds the following:

1. The Board is required by Minn. Laws 1974, ch. 463 § 6 subd. 1(c) to promulgate rules governing the topics covered by these rules.

2. Because of the present volume of claims and the likelihood of a greater volume in the future, it is necessary for the Board to adopt rules relating to its procedures and methods of handling claims.

3. The proposed rules are similar to model rules for administrative agencies suggested by the Minnesota Attorney General's Office. However the proposed rules contain certain changes in and additions to the model rules; these changes and additions are necessitated by the requirements of Minn. Laws 1974, ch. 463. The Attorney General's model rules have been successfully followed by other state agencies.

4. The proposed rules will, if adopted and followed, ensure that every claimant before the Board will receive an expeditious yet procedurally fair hearing of his claim.

MINNESOTA CRIME VICTIMS
REPARATION BOARD

Joe E. Thompson,
Chairman

STATE OF MINNESOTA

COUNTY OF RAMSEY

CRIME VICTIMS
REPARATION BOARD

In the matter of the Proposed Adoption of Rules RB1-11, RB101-113, and RB201-202 of the Crime Victims Reparation Board governing the method of practice and procedure before the Board, prescribing the manner in which applications for reparations should be made, and providing for discovery proceedings.

CERTIFICATE OF BOARD'S ADOPTION OF RULES RESOLUTION

I, Rod Boyd, do hereby certify that I am Secretary of the Crime Victims Reparation Board, a board 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 Board duly and properly called and held on the 20th day of September, 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 Rules RB1-11, RB101-113, and RB201-202 be and hereby are approved and adopted, pursuant to authority vested in us by Minn. Laws 1974, ch. 463 § 6 subd. 1(c), and that Joe Thompson, Chairman of the Minnesota Crime Victims Reparation Board, be and hereby is authorized to sign an order adopting those rules.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 20th day of September, 1974.

Rod Boyd, Secretary

Attest by one other officer

STATE OF MINNESOTA

COUNTY OF RAMSEY

CRIME VICTIMS
REPARATION BOARD

In the matter of the Proposed Adoption of Rules RB1-11, RB101-113, and RB201-202 of the Crime Victims Reparation Board governing the method of practice and procedure before the Board, prescribing the manner in which applications for reparations should be made, and providing for discovery proceedings.

ORDER ADOPTING RULES

The above-entitled matter came on for hearing before the Minnesota Crime Victims Reparation Board on the 29th day of August, 1974, at 8:00 P.M. in Room 107 of the State Capitol, St. Paul, Minnesota, after proper notice required by Minn. Stat. § 15.0412 (1971) was served upon all persons, associations and other groups registered with the Secretary of State for that purpose and upon all members of the Minnesota Legislature.

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

NOW, THEREFORE, IT IS ORDERED that these rules identified as Rules RB1-11, RB101-113, and RB201-202 are adopted this 20th day of September, 1974, pursuant to the authority vested in the Board by Minn. Laws 1974, ch. 463 § 6 subd. 1(c).

MINNESOTA CRIME VICTIMS
REPARATION BOARD

Joe E. Thompson,
Chairman

STATE OF MINNESOTA

COUNTY OF RAMSEY

CRIME VICTIMS
REPARATION BOARD

In the matter of the Proposed Adoption of Rules RB1-11, RB101-113, and RB201-202 of the Crime Victims Reparation Board governing the method of practice and procedure before the Board, prescribing the manner in which applications for reparations should be made, and providing for discovery proceedings.

STATEMENT OF COMPLIANCE WITH
MANUAL OF RULE MAKING PROCEDURES

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

Exception:

Timely notice of the hearing was sent to all persons on the Secretary of State's list. The list as of that date was not copied. Accordingly a copy of a list obtained the following week, which approximates the list used, has been included with these documents.

Michael P Berman

MICHAEL P. BERMAN
Special Assistant Attorney General

Dated: September 20, 1974

STATE OF MINNESOTA

COUNTY OF RAMSEY

CERTIFICATE

In the matter of the Proposed Adoption of Rules RB1-11, RB101-113, and RB 201-202 of the Crime Victims Reparation Board governing the method of practice and procedure before the Board, prescribing the manner in which applications for reparations should be made, and providing for discovery proceedings.

I hereby certify that the attached 377 labels constitute the complete list of persons, associations, and other interested groups who as of 10:30 o'clock a .M., this 23 day of July, 1974, have requested pursuant to Minn. Stat. § 15.0421 (1971), 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.

ARLEN I. ERDAHL
Secretary of State
State of Minnesota

By _____

STATE OF MINNESOTA

COUNTY OF RAMSEY

In the matter of the Proposed Adoption of Rules RB1-11, RB101-113 and RB201-202 of the Crime Victims Reparation Board governing the method of practice and procedure before the Board, prescribing the manner in which applications for reparations should be made, and providing for discovery proceedings.

Kathleen D. Witt, being duly sworn on oath deposes and says:

1) That she is an employee of the Office of the Solicitor General for the State of Minnesota.

2) That on the 26 day of July, she went to the Secretary of State's office for the State of Minnesota and requested a current list of all representatives or associations or other interested groups or persons who had registered their names with the Secretary of State for the purpose of obtaining notices of public hearings relating to the promulgation of rules pursuant to Minn. Stat. 15.0412 (1971).

3) That on the 26th day of July, in response to the above request, the Secretary of State provided her with such a list, a copy of which is attached hereto and incorporated by reference.

Further affiant sayeth not.

Kathleen D. Witt

Subscribed and sworn to before me
this 26 day of July, 1974.

Sharon Rachner

Notary Public, County, Minnesota

SHARON RACHNER
Notary Public, Ramsey County, Minnesota
MY COMMISSION EXPIRES
June 11, 1980

STATE OF MINNESOTA

COUNTY OF RAMSEY

CERTIFICATE

In the matter of the Proposed Adoption of Rules RB1-11, RB101-113, and RB201-202 of the Crime Victims Reparation Board governing the method of practice and procedure before the Board, prescribing the manner in which applications for reparations should be made, and providing for discovery proceedings.

I hereby certify that the attached 375 labels constitute the complete list of persons, associations, and other interested groups who as of 11:00 o'clock A .M., this 7th day of August, 1974, have requested pursuant to Minn. Stat. § 15.0421 (1971), 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.

Arlen I. Erdahl

ARLEN I. ERDAHL
Secretary of State
State of Minnesota

By Neil Dion