


# Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

Our File No. 762

3/30. Submission rejected for incomplete documentation

RULE REVIEW CHECKLIST

DATE RULE RECEIVED 12/17/81 1/12/82 Adopted w/a hearing ____
DATE FOR REVIEW 12/29/81 1/21/82 Adopted w/o hearing ✓
DATE DUE 12/31/81 1/26/82 Temporary rule ____

new submission

Approved 1/25/82 Disapproved ____ Returned to Agency ____

Resubmitted ____ Due ____
Approved ____ Disapproved ____ Returned to Agency ____

Date filed w/Secretary of State 1/25/82 Revisor approved 1/12/82 disapproved ____

---

✓ Rule as Adopted

✓ Rule as Proposed

✓ Order Adopting 12.14.81 Date

N/A Notice of Intent to Solicit Outside Opinion

____ Order for rulemaking Does not exist but see next item.
N/A date of Hearing

✓ Certificate of Board's Authorizing Resolution

✓ Notice of rulemaking
✓ Sufficiency omits Ps regarding hearing - no hearing required

combined ✓ Affidavit of Mailing Notice or rulemaking
10.20.81 At least 30 days prior to ~~hearing~~/adoption

✓ Mailing list Certificate

✓ Publication in State Register
11.2.81 At least 30/~~20~~ days prior to ~~hearing~~/adoption

N/A Hearing Examiner's Report

____ Chief Hearing Examiner's Report(s)
____ Approving H.E.'s Report
____ Approving agency action

N/A Agency's Findings of Fact - no changes from Rules as Proposed

N/A LCRAR Report or agency Affidavit

✓ Certificate of Board's Resolution Adopting Rules does not specifically name person to sign Order Adopting

N/A Order Approving Incorporation by Reference

✓ Statement of Need and Reasonableness

N/A Petition for Adoption of a Rule

N/A Record (includes transcript or tape, exhibits, comments received by agency, requests for a hearing, and other relevant materials)

✓ Certificate of Compliance w/Rulemaking Procedures

N/A Affidavit of Mailing Notice of Submission to Attorney General

✓ Notice of Submission to the Attorney General

SF-00006-02

STATE OF MINNESOTA

DEPARTMENT ATTORNEY GENERAL

# Office Memorandum

TO : ROBERT J. FERDERER
Chairman

DATE: January 25, 1982

ATTN: Cooper S. Ashley, Spec. Ass't. Atty. Gen.

FROM : Jerry S. Anderson
Special Assistant Attorney General

PHONE: 296-4692

SUBJECT: In the Matter of Proposed Adoption of
Rules Governing Increase in Filing Fees

Enclosed herewith are the rules you have submitted for approval. These rules have been approved by this office and filed with the Secretary of State. Please note that they have not been filed with the State Register. This must be done promptly by your agency.

Upon receipt and before transmittal to your agency, however, it is important that you recheck these rules as to:

1. Affixation of stamps of the Attorney General and Secretary of State to the last page of the rules;

2. Coverage by these stamps of all rules submitted; and

3. Inclusion of all pages to the rules in the approved set.

If you have any questions in this regard, please contact me.

Encs.

cc: Ms. Kathy Burek
Mr. Duane Harves

JSA:drw

SF-00006-02

STATE OF MINNESOTA

DEPARTMENT ATTORNEY GENERAL

# Office Memorandum

Received Dec 17th

TO : Ted Grindal
Special Assistant
Attorney General

DATE: December 16, 1981

FROM : Cooper S. Ashley CSA
Special Assistant
Attorney General

PHONE: 6-6438

SUBJECT: Minnesota Municipal Board
Rule 20 Revision

As we discussed on the telephone last week, the Minnesota Municipal Board ("MMB") has undertaken a revision of its Rule 20 which sets filing fee requirements. Pursuant to Minn. Stat. § 16A.128, the MMB is empowered to revise its filing fees without holding any type of Chapter 15 rule-making hearing.

In order to protect the MMB, however, I advised them to comply, as far as practical/possible, with certain provisions of the non-controversial rulemaking procedures of Minn. Stat. § 15.0412, subd. 4h.

The MMB has followed my directions and, upon completing their rulemaking functions, submitted to me the following documents, which I, in turn, am submitting to you for final Attorney General approval. It is my understanding that you must act on these documents within 14 days, at which time the final steps for promulgating this fee revision may be completed by the MMB.

With this background, I enclose for your review and approval the following documents:

(1) The original and three copies of the rule as adopted. It has been approved by the Revisor's Office. 1 MCAR § 1.203A.

(2) The original and three copies of the MMB's Order adopting the rule, dated December 14, 1981. 1 MCAR § 1.203 B.

(3) Notice of Intent to Adopt a Rule Without Public Hearing. 1 MCAR § 1.203 G.

(4) Affidavit of Mailing Notice of Intent to Adopt a Rule Without Public Hearing, Mailing List Certificate 1 MCAR § 1.203 H, I.

(5) Rule as Proposed, published in the State Register, Volume 6, Number 18, pp. 746-747, November 2, 1981. 1 MCAR § 1.203 J.

(6) Statement of Need and Reasonableness. 1 MCAR § 1.203 L.

For your information, no comments were received by the MMB during the 30 day comment period. Similarly, no individuals have registered with the MMB for receipt of notification of submission of the rulemaking record to the Attorney General.

Due to the fiscal crunch, it is extremely important that the MMB have their increased fees in place as soon as possible. Please advise if either myself or Pat Lundy at the MMB can help expedite matters.

Thank you for your prompt attention to this matter.

CSA/rmm
Enclosures

cc: Minnesota Municipal Board

SF-00006-02

Chrono 141

STATE OF MINNESOTA

DEPARTMENT ATTORNEY GENERAL

# Office Memorandum

TO : TERRENCE A. MERRITT, Executive Director
Minnesota Municipal Board
ATTENTION: Spec. Asst. Atty. Gen. COOPER ASHLEY

DATE: 12/31/81

FROM : JUDITH V. WEHRWEIN JVW
Legal Assistant

PHONE: 297-3471

SUBJECT: IN THE MATTER OF THE PROPOSED RULE OF THE MINNESOTA MUNICIPAL BOARD AMENDING FEES

As we discussed in our telephone conversation of December 30, 1981, submission to this office for review as to form and legality of the above-referenced rule is being withdrawn because of incomplete documentation.

We will retain the documents submitted December 17, 1981. When submitting the missing documents, please refer to our File No. 762.

Our 14-day review period will commence upon complete submission. Please feel free to call me if you have any questions.

JVW:sll

AG. copy — changes indicated were all in Rules as Proposed.

Rule as Adopted

MMC 20 10 MCAR S 4.020 Schedule of filing fees.

~~(a)~~ A. Incorporation of a municipality. A petition for incorporation of a municipality must be accompanied by a filing fee of ~~$300.00~~ $600 when filed with the ~~Commission~~ board.

~~(b)~~ 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~~ $200.

~~(c)~~ C. Annexation of unincorporated property. A filing fee of ~~$2.00~~ $4 per acre must accompany a petition to annex unincorporated property. The minimum fee is ~~$50.00~~ $100 and the maximum is ~~$300.00~~ $600. Where the petition is initiated by property owners, the filing fee will be reimbursed by the annexing municipality if annexation is successful.

~~(d)~~ D. Orderly annexations within a designated area. A filing fee of 50 ~~cents~~ $1 per acre must accompany the joint resolution or petition for designation. The minimum fee is ~~$12.50~~ $25 and the maximum is ~~$100.00~~ $200. Thereafter requests for the initiation of annexation of any part of the designated area shall be accompanied by a filing fee of 50 ~~cents~~ $1 per acre with a minimum of ~~$12.50~~ $25 and a maximum of ~~$100.00~~ $200.

~~(e)~~ E. Annexation by ordinance. A filing fee of ~~$2.00~~ $4 per acre must accompany the initial petition, resolution, or ordinance submitted to the ~~Commission~~ board (with a minimum of ~~$50.00~~ $100 and a maximum of ~~$300.00~~ $600) before a file will be opened on the proceeding.

~~(f)~~ F. Consolidation of two or more municipalities. A fee of ~~$100.00~~ $200 must accompany a petition for consolidation of a municipality or municipalities to an adjoining municipality when filed with the ~~Commission~~ board.

~~(g)~~ G. Detachment of property from a municipality. A filing fee of ~~$2.00~~ $4 per acre must accompany a petition to detach property from a municipality. The minimum fee is ~~$50.00~~ $100 and the maximum is ~~$300.00~~ $600.

~~(h)~~ H. Concurrent detachment and annexation of incorporated land. A filing fee of ~~$2.00~~ $4 per acre must accompany the

concurrent resolutions with a minimum fee of ~~$50.00~~ $100 and a maximum of ~~$300.00~~ $600.

Dec. 23, 1981

OFFICE OF THE REVISOR OF STATUTES

Certificate of Approval of Adopted Rules

**Agency:** Minnesota Municipal Board

**Rule Numbers:** 10 MCAR S 4.020

**Rule Title:** Adopted Rule Amending Filing Fees

**Type of Rules:** Permanent X

Temporary _____

**Documents Incorporated by Reference:**

The attached Rules are approved as to form.

Steven C. Cross
Revisor of Statutes

APPROVED AS TO LEGALITY
1/25 1982
WARREN SPANNAUS, ATTORNEY GENERAL
BY Jean Anderson
SPECIAL ASSISTANT ATTORNEY GENERAL

**Name:** Lorna M. Breiter
Lorna M. Breiter
**Title:** Assistant Revisor

**Phone:** 296-2778

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
JAN 25 1982
Joan Anderson Growe
Secretary of State
3:10 PM

Rule as Proposed

~~MMC 20~~ 10 MCAR S 4.020 Schedule of filing fees.

~~(a)~~ A. Incorporation of a municipality. A petition for incorporation of a municipality must be accompanied by a filing fee of ~~$300.00~~ $600 when filed with the ~~Commission~~ board.

~~(b)~~ 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~~ $200.

~~(c)~~ C. Annexation of unincorporated property. A filing fee of ~~$2.00~~ $4 per acre must accompany a petition to annex unincorporated property. The minimum fee is ~~$50.00~~ $100 and the maximum is ~~$300.00~~ $600. Where the petition is initiated by property owners, the filing fee will be reimbursed by the annexing municipality if annexation is successful.

~~(d)~~ D. Orderly annexations within a designated area. A filing fee of ~~50 cents~~ $1 per acre must accompany the joint resolution or petition for designation. The minimum fee is ~~$12.50~~ $25 and the maximum is ~~$100.00~~ $200. Thereafter requests for the initiation of annexation of any part of the designated area shall be accompanied by a filing fee of ~~50 cents~~ $1 per acre with a minimum of ~~$12.50~~ $25 and a maximum of ~~$100.00~~ $200.

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~~(f)~~ F. Consolidation of two or more municipalities. A fee of ~~$100.00~~ $200 must accompany a petition for consolidation of a municipality or municipalities to an adjoining municipality when filed with the ~~Commission~~ board.

~~(g)~~ G. Detachment of property from a municipality. A filing fee of ~~$2.00~~ $4 per acre must accompany a petition to detach property from a municipality. The minimum fee is ~~$50.00~~ $100 and the maximum is ~~$300.00~~ $600.

~~(h)~~ H. Concurrent detachment and annexation of incorporated land. A filing fee of ~~$2.00~~ $4 per acre must accompany the

APPROVED IN THE REVISOR OF STATUTES OFFICE BY:

concurrent resolutions with a minimum fee of ~~$50.00~~ $100 and a maximum of ~~$300.00~~ $600.

APPROVED IN THE REVISOR OF STATUTES OFFICE BY:

OFFICE OF THE REVISOR OF STATUTES
PROPOSED RULES

Agency Minnesota Municipal Board

Division

Agency Contact Pat Lundy Phone Number

Title: Proposed Rule Amending Schedule Of Filing Fees

Type of Rules: Permanent X Temporary

Incorporations by References: NONE

Rule Number Material Incorporated NONE
Author
Title
Place
Publisher
Date
Cost
Places Available

See Additional references on back Yes No X

Duplication of Statutory Language. NONE

Rule Number Statutory Section Duplicated

The attached rules are approved as to form.

Steven C. Cross
Revisor of Statutes

Name: Harry M. Walsh

Title: Deputy Revisor

Phone: 296-4752

STATE OF MINNESOTA

MINNESOTA MUNICIPAL BOARD

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IN THE MATTER OF PROPOSED )
ADOPTION OF RULES GOVERNING ) ORDER ADOPTING RULE
INCREASE IN FILING FEES )

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The above-entitled rule to double the Minnesota Municipal Board's filing fees was proposed and published in the State Register, Volume 6, Number 18, Pages 746-747, on November 2, 1981. A Notice of Intent and the proposed rule was sent to all persons, associations, and other interested groups who requested notice pursuant to Laws 1980, Chapter 615, ss 6. An opportunity existed for interested parties to submit comments within a 30 day period; no comments were received during said 30 days. This rule is needed and reasonable.

NOW THEREFORE, IT IS ORDERED, that the Rule increasing the Municipal Board's filing fees is adopted this 14th day of December, 1981 and shall be published in the State Register after final approval by the Attorney General. The Rule shall become effective five days after said publication.

Dated this 14th day of December, 1981.

MINNESOTA MUNICIPAL BOARD
165 Metro Square Building
Saint Paul, Minnesota 55101

Robert J. Ferderer
Chairman

CERTIFICATE OF BOARD'S

AUTHORIZING RESOLUTION

I, Robert J. Ferderer, do hereby certify that I am a member and the Chairman of the Minnesota Municipal Board, a board duly authorized under the laws of the State of Minnesota, and that the Municipal Board duly and properly called and held a meeting on the 9th day of October, 1981, that all members of the Municipal Board were present at said meeting, that Patricia D. Lundy, Assistant Executive Director of the Minnesota Municipal Board, informed the board members of the status of the proposed rule governing the increase in filing fees and the necessary requirements, and Ms. Lundy was authorized to proceed with all administrative action necessary (including publication in the State Register of the proposed rule increasing the filing fees as well as any and all acts incidental thereto) to make the new filing fees effective on January 1, 1982.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 7th day of January, 1982.

Robert J. Ferderer
Chairman

ATTEST: Terrence A. Merritt
Terrence A. Merritt
Executive Director

MINNESOTA MUNICIPAL BOARD

Proposed Rules Amending Filing Fees

Notice of Intent to Adopt Rules without a Hearing

Request for Public Comment

no need for 5, 6, 7 re hearing

Notice is hereby given that the Minnesota Municipal Board has proposed the following rule amending the fees charged for filing petitions and resolutions for proposed boundary adjustments. This rule is promulgated pursuant to Minnesota Statutes 414.01, Subd. 10, Minnesota Statutes 15.0412, Subd. 4(1981), and Minnesota Statutes 16A.128(1981). These provisions authorize the Minnesota Municipal Board to adopt rules amending its fees without a public hearing when the total fees estimated to be received during the fiscal biennium will not exceed 110 percent of the sum of all direct appropriations, transfers in, and salary supplements for that purpose for the biennium.

No hearing will be held prior to the promulgation of this rule by the Minnesota Municipal Board. A Statement of Need and Reasonableness is available to the public in the Municipal Board office. All interested persons are hereby afforded the opportunity to submit their comments on the proposed rule for 30 days immediately following publication of this material in the State Register by writing to the Executive Director, Minnesota Municipal Board, 165 Metro Square Building, Saint Paul, MN. The proposed rules may be modified if modifications are supported by the data and views submitted. Any written material received shall become part of the record in the final adoption of the proposed rules. Any person sho desires to be notified when the proposed rule and record herein are submitted to the Attorney General should so inform the Executive Director of the Minnesota Municipal Board. A copy of the proposed rule is attached to this Notice. Publication is hereby ordered.

STATE OF MINNESOTA

COUNTY OF RAMSEY

CERTIFICATE

In the Matter of the Proposed Adoption
of Rules of the State Municipal Board
Governing Chapter 414, on Filing Fees

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I hereby certify that the list of persons, associations, and other interested groups who have requested, pursuant to Laws 1980, Chapter 615, ss 6, that their names be placed on file with and maintained by the State Municipal Board for the purpose of receiving notice of the proposed adoption of rules by this agency is accurate and complete as of 9 a.m., this 20th day of Oct., 1981. I further certify that on this 20th day of October, 1981 I did mail a copy of the Notice of Intent to Adopt Rules without a Hearing and a copy of the proposed Rule doubling the filing fees to all parties on the attached list.

Patricia D. Lundy

Patricia D. Lundy
Assistant Executive Director

The following parties have requested notification of any Rules Hearings that this agency may conduct. This list was prepared on January 14, 1981. In the future, all persons requesting to be notified will also be placed on this list.

Conrad M. Fredin
Attorney at Law
811 Firtst National Bank Bldg.
Duluth, MN 55802

Phillips Legislative Service, Inc.
459 Rice Street
St. Paul, MN 55103

Thomas M. Polt
Attorney at Law
McCarthy Bldg.
Eyota, MN 55934

Donald E. Montgomery
Executive Director
Assoc. Builders & Contractors, Inc.
6300 Walker St., Suite 109
Minneapolis, MN 55416

Bob Franklin
City Editor
Minneapolis Tribune
425 Portland Ave.
Minneapolis, MN 55488

Peter S. Popovich
Attorney at Law
314 Minnesota Building
St. Paul, MN 55101

David R. Sollenberger
Winona City Manager
4th & Lafayette St.
Winona, MN 55987

David R. Knodell, Esq.
Olson, Gunn and Seran, Ltd.
315 Peavey Bldg.
730 Second Ave. S.
Minneapolis, MN 55402

Requests made after 1/14/81 listed on following pages.

Frundt, Frundt & Johnson
Attorneys at Law
117 West 5th St.
Blue Earth, MN 56013

Robert H. Trautman, Editor
West Publishing Co.
50 W. Kellogg Blvd.
P.O. Box 3526
St. Paul, MN 55165

Parties that were mailed to that have not requested notification:

Minnesota Township Assoc.
c/o Dave Friecke, Executive Director
P.O. Box 246
St. Michael, MN 55376

Director
State Planning Agency
101 Capitol Square Bldg.
St. Paul, MN 55101

Director
Metropolitan Council
300 Metro Square Bldg.
St. Paul, MN 55101

R. Thomas Gillaspy, Ph.D.
State Demographer
State Planning Agency
101 Capitol Square Bldg.
St. Paul, MN 55101

The League of Minnesota Cities
300 Hanover Bldg.
480 Cedar St.
St. Paul, MN 55101

# PROPOSED RULES

Pursuant to Minn. Laws of 1980, § 15.0412, subd. 4h, an agency may propose to adopt, amend, suspend or repeal rules without [illegible] public hearing, as long as the agency determines that the rules will be noncontroversial in nature. The agency must first publish a notice of [illegible] adopt rules without a public hearing, together with the proposed rules, in the *State Register*. The notice must advise the public:

1. that they have 30 days in which to submit comment on the proposed rules;
2. that no public hearing will be held unless seven or more persons make a written request for a hearing within the 30-day comment [illegible];
3. of the manner in which persons shall request a hearing on the proposed rules;

and

4. that the rule may be modified if modifications are supported by the data and views submitted.

If, during the 30-day comment period, seven or more persons submit to the agency a written request for a hearing of the proposed rules, [illegible] must proceed under the provisions of § 15.0412, subds. 4 through 4g, which state that if an agency decides to hold a public hearing, it must publish in the *State Register* a notice of its intent to do so. This notice must appear at least 30 days prior to the date set for the hearing, along with the [illegible] the proposed rules. (If the agency has followed the provisions of subd. 4h and has already published the proposed rules, a citation to [illegible] publication may be substituted for republication.)

Pursuant to Minn. Stat. § 15.0412, subd. 5, when a statute, federal law or court order to adopt, suspend or repeal a rule does not allow [illegible] usual rulemaking process, temporary rules may be proposed. Proposed temporary rules are published in the *State Register*, and for [illegible] thereafter, interested persons may submit data and views in writing to the proposing agency.

# Minnesota Municipal Board

## Proposed Rules Amending Filing Fees

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

Notice is hereby given that the Minnesota Municipal Board has proposed the following rule amending the fees [illegible] filing petitions and resolutions for proposed boundary adjustments. This rule is promulgated pursuant to Minnesota [illegible] § 414.01, subd. 10, Minnesota Statutes, § 15.0412, subd. 4 (1981), and Minnesota Statutes, § 16A.128 (1981). These [illegible] authorize the Minnesota Municipal Board to adopt rules amending its fees without a public hearing when the total [illegible] to be received during the fiscal biennium will not exceed 110 percent of the sum of all direct appropriations, [illegible] salary supplements for that purpose for the biennium.

No hearing will be held prior to the promulgation of this rule by the Minnesota Municipal Board. A statement of [illegible] reasonableness is available to the public in the Municipal Board office. All interested persons are hereby afforded [illegible] opportunity to submit their comments on the proposed rule for 30 days immediately following publication of this material in the *State Register* by writing to the Executive Director, Minnesota Municipal Board, 165 Metro Square Building, Saint Paul [illegible] The proposed rules may be modified if modifications are supported by the data and views submitted. Any written material received shall become part of the record in the final adoption of the proposed rules. Any person who desires to be notified [illegible] the proposed rule and record herein are submitted to the Attorney General should so inform the Executive Director of the Minnesota Municipal Board. A copy of the proposed rule is attached to this notice. Publication is hereby ordered.

### Rule as Proposed

~~MMC 20~~ 10 MCAR § 4.020 Schedule of filing fees.

~~(a)~~ A. Incorporation of a municipality. A petition for incorporation of a municipality must be accompanied by a filing fee of ~~$300.00~~ $600 when filed with the ~~Commission~~ board.

~~(b)~~ B. Consolidation proceedings; municipality and town. A petition for consolidation of a municipality and [illegible] accompanied by a filing fee of ~~$100.00~~ $200.

~~(c)~~ C. Annexation of unincorporated property. A filing fee of ~~$2.00~~ $4 per acre must accompany a petition to annex unincorporated property. The minimum fee is ~~$50.00~~ $100 and the maximum is ~~$300.00~~ $600. Where the petition is signed by [illegible] property owners, the filing fee will be reimbursed by the annexing municipality if annexation is successful.

~~(d)~~ D. Orderly annexations within a designated area. A filing fee of ~~50 cents~~ $1 per acre must accompany the joint resolution or petition for designation. The minimum fee is ~~$12.50~~ $25 and the maximum is ~~$100.00~~ $200. Thereafter requests to the initiation of annexation of any part of the designated area shall be accompanied by a filing fee of ~~50 cents~~ $1 per acre with a minimum of ~~$12.50~~ $25 and a maximum of ~~$100.00~~ $200.

~~(e)~~ E. Annexation by ordinance. A filing fee of ~~$2.00~~ $4 per acre must accompany the initial petition, resolution or ordinance submitted to the ~~Commission~~ board (with a minimum of ~~$50.00~~ $100 and a maximum of ~~$300.00~~ $600) [illegible] will be opened on the proceeding.

Consolidation of two or more municipalities. A fee of ~~$100.00~~ $200 must accompany a petition for consolidation municipality or municipalities to an adjoining municipality when filed with the ~~Commission~~ board.

Detachment of property from a municipality. A filing fee of ~~$2.00~~ $4 per acre must accompany a petition to detach from a municipality. The minimum fee is ~~$50.00~~ $100 and the maximum is ~~$300.00~~ $600.

Concurrent detachment and annexation of incorporated land. A filing fee of ~~$2.00~~ $4 per acre must accompany the resolutions with a minimum fee of ~~$50.00~~ $100 and a maximum of ~~$300.00~~ $600.

# partment of Revenue
# ome Tax Division

## osed Rule Relating to Depreciation for Corporation Income Tax (13 MCAR 1.6501)

### of Hearing

hearing concerning the adoption of the proposed new rule will be held in Room 81, State Office Building, 435 Park Paul, Minnesota 55155, on Thursday, December 3, 1981, commencing at 9:00 a.m. The proposed new rule may be as a result of the hearing process. Therefore, if you are affected in any manner by the proposed new rule, you are urged ipate in the rule hearing process.

the agency's presentation at the hearing, all interested (or affected) persons will have an opportunity to ask and make comments. Statements may be made orally and written material may be submitted. In addition, whether or appearance is made at the hearing, written statements or materials may be submitted to George Beck, Office of e Hearings, Room 300, 1745 University Avenue, St. Paul, Minnesota 55104, (612) 296-8108, either before the within five working days after the close of the hearing. The hearing examiner may, at the hearing, order that the be kept open for a longer period not to exceed 20 calendar days. The rule hearing procedure is covered by Minn. Stat. 15.0417 and 15.052 and by 9 MCAR §§ 2.101-2.112 (Minnesota Code of Agency Rules). If you have any questions procedure, call or write the hearing examiner.

five days prior to the hearing a statement of need and reasonableness will be available for review at the agency and at of Administrative Hearings. This statement of need and reasonableness will include a summary of all the evidence be presented by the agency at the hearing justifying both the need for and the reasonableness of the proposed rule. this statement of need and reasonableness may be obtained from the Office of Administrative Hearings at a minimal

proposed new rule (13 MCAR § 1.6501) reads as follows:

property held by a corporation and used in a trade or business or held for the production of income and which is placed after December 31, 1980, a reasonable allowance for depreciation shall be based on the provisions of the accelerated ery system, including the useful class lives, as contained in section 168 of the Internal Revenue Code as provided in of the Economic Recovery Tax Act of 1981, P.L. 97-34."

gency's authority to adopt the proposed new rule is contained in Minn. Stat. §§ 290.09, subd. 7(A) and 290.52 and in an of the Attorney General, dated September 23, 1981.

gency estimates that there will be no cost to local public bodies in the state to implement the rule for the next two years following its adoption within the meaning of Minn. Stat. § 15.0412, subd. 7.

person may request notification of the date on which the hearing examiner's report will be available, after which da may not take any final action on the rules for a period of five working days. Any person may request notificati which the hearing record has been submitted or resubmitted to the Attorney General by the agency. If you ou may so indicate at the hearing. After the hearing you may request notification by sending a writte examiner in the case of the hearing examiner's report or to the agency in the case of the agenc sion to the Attorney General.

PROPOSED RULES SECTION — Underlining indicates additions to existing rule lan from existing rule language. If a proposed rule is totally new, it is designated " SECTION — Underlining indicates additions to proposed rule language. ~~Str~~ rule language.

The pro FOR D Form ques not an

CERTIFICATE OF BOARD'S

RESOLUTION ADOPTING RULES

I, Robert J. Ferderer, do hereby certify that I am a member and the Chairman of the Minnesota Municipal Board, a board duly authorized under the laws of the State of Minnesota, that the Municipal Board duly and properly called and held a meeting on the 14th day of December, 1981, that all members of the Municipal Board were present at said meeting, that the members of the board reviewed the draft order for the adoption of rules governing an increase in filing fees, that it was unanimously voted to approve the order adopting the rule, and that said vote is set forth in the minutes of said meeting and has not been rescinded or modified.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 7th day of January, 1982.

Robert J. Ferderer
Chairman

ATTEST: Terrence A. Merritt
Terrence A. Merritt
Executive Director

STATE OF MINNESOTA

MUNICIPAL BOARD

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IN THE MATTER OF THE )
PROPOSED RULE OF THE )
MINNESOTA MUNICIPAL ) STATEMENT OF NEED AND REASONABLENESS
BOARD AMENDING FILING)
FEES )

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The above-captioned rule is an amendment to existing Rule 20 of the Minnesota Municipal Board, the schedule of filing fees.

The need to adopt this rule arises because the fiiing fees have not been increased since 1974 while costs to the Board have been continually increasing. The agency's authority to promulgate rules is contained in M.S. 414.01, Subd. 10. The authority to revise this rule without public hearing is contained in M.S. 15.0412, Subd. 4(1981), M.S. 16A.128(1981).

Dated this 20th day of October, 1981.

MINNESOTA MUNICIPAL BOARD
165 Metro Square Building
Saint Paul, Minnesota 55101

Terrence A. Merritt

Terrence A. Merritt
Executive Director

STATEMENT OF COMPLIANCE WITH

RULEMAKING PROCEDURES

I, Special Assistant Attorney General Cooper S. Ashley, do hereby declare that I have examined the proposed rules and all related documents and that, based on my examination and my personal familiarity with the applicable procedures, the Administrative Procedure Act, the rules of the Office of Administrative Hearings, and the rules of the Attorney General have been followed. Any exceptions are noted below.

Cooper S. Ashley

COOPER S. ASHLEY
Special Assistant
Attorney General

Dated: January 12, 1982