

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

SF-00006-02

STATE OF MINNESOTA

DEPARTMENT ATTORNEY GENERAL

Office Memorandum

TO : JAMES J. SOLEM, Executive Director
MINNESOTA HOUSING FINANCE AGENCY
ATTN: JAMES E. DINERSTEIN, Spec. Asst. Atty. Gen.

DATE: 12/23/81

FROM : JUDITH V. WEHRWEIN
Legal Assistant
Administration Division

PHONE: 297-3471

SUBJECT: IN THE MATTER OF THE PROPOSED AMENDMENT TO AND ADOPTION OF TEMPORARY RULES GOVERNING THE INCOME LIMITS FOR THE HOME IMPROVEMENT LOAN PROGRAM

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

Our File No. 763

RULE REVIEW CHECKLIST

DATE RULE RECEIVED 12/22/81
DATE FOR REVIEW
DATE DUE 12/30/81

Adopted w/a hearing
Adopted w/o hearing
Temporary rule ✓

Approved Disapproved Returned to Agency

Resubmitted Due
Approved Disapproved Returned to Agency

Date filed w/Secretary of State Revisor approved / disapproved

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✓ Rule as Adopted

✓ Rule as Proposed See SR.

✓ Order Adopting 12.17.81 Date

N/A Notice of Intent to Solicit Outside Opinion

✓ Order for rulemaking
N/A date of Hearing

✓ Certificate of Board's Authorizing Resolution

N/A Notice of rulemaking
Sufficiency

Affidavit of Mailing Notice or rulemaking
At least 30 days prior to hearing/adoption

Mailing list Certificate

✓ Publication in State Register
✓ 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

Agency's Findings of Fact

LCRAR Report or agency Affidavit

✓ Certificate of Board's Resolution Adopting Rules

N/A Order Approving Incorporation by Reference

Statement of Need and Reasonableness

Petition for Adoption of a Rule

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

Minnesota Housing Finance Agency

Adopted Temporary Rules Governing Income Limits for the Home Improvement Loan Program

Temporary Rule as Adopted

12 MCAR S 3.002 O. (Temporary) "Persons and families of low and moderate income" means:

1.-3. [Unchanged.]

4. with respect to home improvement loans and accessibility improvement assistance pursuant to Chapter Six of these rules, those persons and families whose adjusted income does not exceed $24,000 or such lower amount as the agency may establish to assure that the interest on obligations of the agency will be exempt from federal income taxation.

OFFICE OF THE REVISOR OF STATUTES

Certificate of Approval of Adopted Rules

Agency: Minnesota Housing Finance Agency

Rule Numbers: 12 MCAR S 3.002 0.

Rule Title: Adopted Temporary Rules Governing Income Limits for the Home Improvement Loan Program

Type of Rules: Permanent_____

Temporary X

Documents Incorporated by Reference:

The attached Rules are approved as to form.

Steven C. Cross
Revisor of Statutes

APPROVED AS TO LEGALITY
12/23 1981
WARREN SPANNAUS, ATTORNEY GENERAL
BY
SPECIAL ASSISTANT ATTORNEY GENERAL

Name: Lorna M. Breiter
Lorna M. Breiter

Title: Assistant Revisor

Phone: 296-2778

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
DEC 23 1981
Joan Anderson Growe
Secretary of State

9:27 A.M.

STATE OF MINNESOTA

MINNESOTA HOUSING FINANCE AGENCY

In the Matter of the Adoption of
Temporary Rules Governing Income Limits
for the Home Improvement Loan Program

CERTIFICATE OF BOARD'S RESOLUTION
ADOPTING TEMPORARY RULES

I, Arne Carlson, do hereby certify that I am Secretary of the Minnesota Housing Finance Agency, an agency 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 Agency, duly and properly called and held on the 17th day of December, 1981, that a quorum was present at said meeting, that a majority of those present voted for the resolution and that said resolution is set forth in the minutes of said meeting and has not been rescinded or modified.

> "RESOLVED, That rules relating to Adoption of Temporary Rules Governing Income Limits for the Home Improvement Loan Program, attached hereto as Exhibit A be and they hereby are approved and adopted pursuant to authority vested in us by Minnesota Statutes sections 462A.03, subdivision 10 (1981 Supplement), and 462A.06, subdivision 4 and 11 and that James J. Solem, the Executive Director of the Agency, be and hereby is authorized to sign an order adopting these temporary rules and further is authorized to perform the necessary acts to provide that these temporary rules shall have the force and effect of law."

IN WITNESS WHEREOF, I have hereunto subscribed my name this 17th day of December, 1981.

Chairman

Secretary

STATE OF MINNESOTA

MINNESOTA HOUSING FINANCE AGENCY

CERTIFICATE OF BOARD'S

AUTHORIZING RESOLUTION

I, Kent E. Eklund, do hereby certify that I am the Vice Chairman of the Minnesota Housing Finance Agency, an agency 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 Agency, duly and properly called and held on the 12th day of November, 1981, that a quorum was present at said meeting, that a majority of those present voted for the resolution and that said resolution is set forth in the minutes of said meeting and has not been rescinded or modified.

> "BE IT RESOLVED, by the Minnesota Housing Finance Agency that James J. Solem, Executive Director of the Agency, be and he hereby is granted the authority and directed to sign an Order of the Minnesota Housing Finance Agency directing the publication in the State Register of proposed temporary rules governing Income Limits for the Home Improvement Loan Program attached hereto as Exhibit "A" as well as perform any and all acts incidental thereto."

IN WITNESS WHEREOF, I have hereunto subscribed my name this 12th day of November, 1981.

Chairman

Kent E. Eklund
Vice Chairman

EXHIBIT A

Minnesota Housing Finance Agency

Temporary Rule As Proposed

12 MCAR Section 3.002

O. "Persons and Families of Low and Moderate Income" means:

4. with respect to Home Improvement Loans pursuant to Chapter Six of these Rules, those persons and families whose Adjusted Income does not exceed ~~$10,000~~ 24,000.

STATE OF MINNESOTA

MINNESOTA HOUSING FINANCE AGENCY

In the Matter of the Adoption of
Temporary Rules Governing Income Limits
for the Home Improvement Loan Program.

ORDER ADOPTING
TEMPORARY RULES

The above-entitled matter was published in the State Register on Monday, November 23, 1981, as a proposed temporary rule pursuant to Minnesota Statutes section 15.0412, subdivision 5. After affording interested and affected persons an opportunity to submit written data and views within 20 days of the publication date, reviewing and considering the data and views, and determining that the above-captioned rules are needed and reasonable.

NOW, THEREFORE, IT IS ORDERED that these rules identified as Temporary Rules Governing Income Limits for the Home Improvement Loan Program are adopted this 17th day of December, 1981, pursuant to authority vested in the Agency by Minnesota Statutes sections 462A.03, subdivision 10 (1981 Supplement), and 462A.06, subdivision 4 and 11.

James J. Solem, Executive Director

STATE OF MINNESOTA

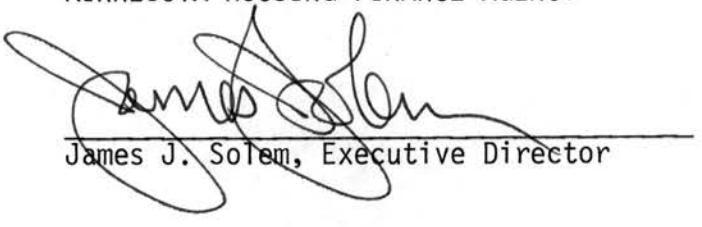
MINNESOTA HOUSING FINANCE AGENCY

In the Matter of the Proposed Amendment to and Adoption of Temporary Rules Governing the Income Limits of the Home Improvement Loan Program.

ORDER FOR NOTICE OF INTENT TO ADOPT RULES WITHOUT PUBLIC HEARING

IT IS ORDERED this 12th day of November 1981 that a Notice of Intent to Adopt Rules Without Public Hearing in the above-entitled matter be given to all persons who have registered their names with the Minnesota Housing Finance Agency for that purpose and be published in the State Register.

MINNESOTA HOUSING FINANCE AGENCY



James J. Solem, Executive Director

Rule as Proposed

Repealer. Rules Agr 434-457 are repealed.

Minnesota Housing Finance Agency

Proposed Temporary Rules Governing Income Limits for the Home Improvement Loan Program

Request for Public Comment

Notice is hereby given that the Minnesota Housing Finance Agency has proposed the following temporary rules for the purpose of setting income limits for the Home Improvement Loan Program, pursuant to Laws of 1981, ch. 306, § 3.

All interested persons are hereby afforded the opportunity to submit their comments on the proposed rule for 20 days immediately following publication of this material in the *State Register* by writing to Monte Aaker, Research Coordinator, Minnesota Housing Finance Agency, Suite 200—Nalpak Building, 333 Sibley Street, St. Paul, Minnesota 55101. The temporary rule may be revised on the basis of comments received. Any written material received shall become part of the record in the final adoption of the temporary rule.

November 12, 1981

James J. Solem
Executive Director

Temporary Rule as Proposed

12 MCAR § 3.002 O. (Temporary) "Persons and families of low and moderate income" means:

1-3. [Unchanged.]

4. with respect to home improvement loans and accessibility improvement assistance pursuant to Chapter Six of these rules, those persons and families whose adjusted income does not exceed ~~$18,000~~ $24,000 or such lower amount as the agency may establish to assure that the interest on obligations of the agency will be exempt from federal income taxation.

Department of Public Safety
Driver and Vehicle Services Division

Proposed Rules Governing Requirements for Commercial Driver Training Vehicles, Instruction, Instructor and School Licensing

Notice of Intent to Adopt Rules without a Hearing

Notice is hereby given that the State Department of Public Safety is proposing to adopt the above entitled rules without a public hearing. The Commissioner of Public Safety has determined that the proposed adoption of these rules will be noncontroversial in nature and has elected to follow procedures set forth in Minn. Stat. § 15.0412, subdivision 4h.

Persons interested in these rules shall have 30 days to submit comments on the proposed rules. The proposed rules may be modified prior to final adoption if modifications are supported by the data and views submitted to the Department of Public Safety and do not result in a substantial change in the proposed language.

Unless seven or more persons submit written requests for a public hearing on the proposed rules within the 30-day comment period, a public hearing will not be held. The written request must be specific on which rule(s) a hearing is desired. Identification of the particular objection, the suggested modifications, and the reasons or data relied upon to support the suggested modifications is desired. In the event a public hearing is required, the department will proceed according to the provisions of Minn. Stat. § 15.0412, subdivision 4-4f.

Persons who wish to submit comments or a written request for a public hearing, or persons who wish to receive a copy of this notice and/or a copy of the proposed rules, should address their correspondence to:

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

STATE OF MINNESOTA

MINNESOTA HOUSING FINANCE AGENCY

In the Matter of the Proposed Amendment to and Adoption of Temporary Rules Governing the Income Limits for the Home Improvement Loan Program.

STATEMENT OF COMPLIANCE WITH RULEMAKING PROCEDURES

I, Special Assistant Attorney General, James E. Dinerstein do hereby declare that I have examined the 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.

James E. Dinerstein
Special Assistant Attorney General

Dated: December 18, 1981

MINNESOTA HOUSING FINANCE AGENCY

December 18, 1981

Mr. Jerry Anderson
Special Assistant Attorney General
G-25 - Administration Building
50 Sherburne Avenue
St. Paul, Minnesota 55155

RE: In the Matter of the Proposed Adoption of Temporary Rules Governing Income Limits for Home Improvement Loan Program.

Dear Mr. Anderson:

Enclosed please find for your review pursuant to Minnesota Statutes Section 15.0412, Subdivision 5, the adopted rules of the Minnesota Housing Finance Agency.

The following materials are submitted to you for your review pursuant to 1 MCAR § 1.204:

Temporary Rules as Adopted.

Order Adopting and Certificate of Agency's Authorizing Resolution.

Order for Publication and Certificate of Agency's Authorizing Resolution.

Rule as Proposed.

Certificate of Compliance with Rulemaking Procedures.

The adopted rule is the same as the proposed rule. The Agency did not receive comments on the proposed rule. The Agency did not publish a notice of intent to solicit outside opinion.

Sincerely,

James J. Solem
Executive Director

JJS/bmw
Encl.

RECEIVED
DEC 22 1981
ATTORNEY GENERAL
ADMINISTRATIVE AGENCIES

333 Sibley Street, St. Paul, Minnesota 55101 (612) 296-7608
Equal Opportunity Housing and Equal Opportunity Employment