

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

ULE REVIEW CHECKLIST

admn 10c

File No. 1464 | Docket No. 05.0009.0110

DATE RECEIVED 3/29/88 | ADOPTED W/O HEARING X

REVIEW DATE 4/7/88 | EMERGENCY RULE

DUE DATE 4/12/88

REVISOR APPROVED

APPROVED 4/12/88 | REVISOR DISAPPROVED

DISAPPROVED | FIELD W/SEC.STATE

WITHDRAWN | RETURNED TO AGENCY

✓ Rule as adopted (4 copies)

✓ Notice to Solicit Outside Information/Opinion

~~10/12/87~~ Date published in State Register

NO Comments

~~Petition for Adoption of a Rule~~

~~Board's Authorizing Resolution~~

✓ Proposed rule

yes Revisor's Certificate

✓ Notice of Intent to Adopt Rule ✓ copy of rule attached

507.09 Statutory Authority

yes Small Business Statement

No Expenditure of public money statement

yes Signature

✓ Statement of Need and Reasonableness

None Small Business Statement

N/A Fees - § 16A.128

✓ Affidavit of Mailing Notice of Intent to Adopt Rule

10/6/87 Date (30)/25 days before adoption

Publication in State Register

10/12/87 Date (30)/25 days before adoption

~~Resolution Adopting~~

✓ Findings of Fact, Conclusions & Order Adopting

3/28/88 Date

✓ Written requests, submissions or comments

✓ Declaration of attorney

Peggy Birk Name of SAAG representing agency

~~Notice of Submission to Attorney General~~

~~Affidavit of Mailing Notice to Attorney General~~

RE

ATTORNEY GENERAL

April 18, 1988

SCOTT P. BORCHERT
Enforcement Division
Department of Commerce

CHRISTIE B. ELLER
Assistant Attorney General

6-9421

In the Matter of the Adopted Rule Relating to
Uniform Conveyancing Blanks

The above-referenced rule has been approved as to its legality by the Attorney General on April 12, 1988.

Enclosed is the agency's copy of the approved rule. This office has already filed two copies with the Secretary of State, who will forward one copy to the Revisor of Statutes. The fourth is being retained by this division of the Attorney General's Office for its records.

Also enclosed are any petitions, requests, submissions or comments received by the agency and any extra copies of documents which the agency submitted to the Attorney General.

In order for a permanent rule without a hearing to become effective, your agency must establish a notice of adoption in the State Register in accordance with Minn. Stat. § 14.27. An emergency rule becomes effective five working days after approval by the Attorney General; however, the agency must publish a notice in the State Register in accordance with Minn. Stat. § 14.34.

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

CBE:nah
Enclosures

cc: Maryanne Hruby
Duane Harves

Department of Commerce

Adopted Permanent Rules Relating to Uniform Conveyancing Blanks

Rules as Adopted

2820.2900 FORM 35-M. INDIVIDUAL TO INDIVIDUAL; QUIT CLAIM DEED RESERVING LIEN IN MARRIAGE DISSOLUTION (DIVORCE) JUDGMENT AND DECREE.

Subpart 1. **Scope.** The recommended form for a quit claim deed reserving a lien in marriage dissolution (divorce) judgment and decree, individual to individual, is contained in subpart 2.

Subp. 2. **Form.**

QUIT CLAIM DEED RESERVING LIEN IN MARRIAGE DISSOLUTION (DIVORCE) JUDGMENT AND DECREE Form No. 35-M Minnesota Uniform Conveyancing Blanks

Individual to Individual

No delinquent taxes and transfer entered; Certificate of Real Estate Value ( ) filed ( ) not required
Certificate of Real Estate Value No. _____
_____, 19____

_____
County Auditor

by _____
Deputy

DEED TAX DUE HEREON: $ _____

Date: _____, 19____

(reserved for recording data)

FOR VALUABLE CONSIDERATION, _____, Grantor(s),
(marital status)

hereby convey(s) and quitclaim(s) to _____, Grantee(s),

real property in _____ County, Minnesota, described as follows:

(If more space is needed, continue on back)

together with all hereditaments and appurtenances belonging thereto, but reserving the lien(s), if any, in favor of Grantor, created in Marriage Dissolution (Divorce) Case No. _____ in _____ County, Minnesota.

_____

Affix Deed Tax Stamp Here

_____

STATE OF MINNESOTA }
COUNTY OF _____ } ss.

The foregoing instrument was acknowledged before me this _____ day of _____, 19__,
by _____, Grantor(s).

NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR RANK)

_____
SIGNATURE OF PERSON TAKING ACKNOWLEDGMENT

Tax Statements for the real property described in this instrument should be sent to (include name and address of Grantee):

THIS INSTRUMENT WAS DRAFTED BY (NAME AND ADDRESS):

2820.3000 FORM 36-M. RELEASE OF LAND FROM LIEN IN MARRIAGE DISSOLUTION (DIVORCE) JUDGMENT AND DECREE.

Subpart 1. **Scope.** The recommended form for the release of land in marriage dissolution (divorce) judgment and decree is contained in subpart 2.

Subp. 2. **Form.**

RELEASE OF LAND FROM LIEN IN MARRIAGE DISSOLUTION (DIVORCE) JUDGMENT AND DECREE Form No. 36-M Minnesota Uniform Conveyancing Blanks

Release of Land from Lien in Marriage Dissolution (Divorce) Judgment and Decree

(reserved for recording data)

Date: _____, 19__

FOR VALUABLE CONSIDERATION, the real property in _____ County, Minnesota, legally described as follows:

(If more space is needed, continue on back)

is hereby released from the lien(s) owned by the undersigned, created in Marriage Dissolution (Divorce) Case No. _____ in _____ County, Minnesota.
(If registered land, Judgment and Decree is filed as Document Number(s) _____, files of the Registrar of Titles.)

_____

_____

STATE OF MINNESOTA }
COUNTY OF _____ } ss.

The foregoing instrument was acknowledged before me this _____ day of _____, 19__, by _____.

THIS INSTRUMENT WAS DRAFTED BY (NAME AND ADDRESS):

_____
SIGNATURE OF PERSON TAKING ACKNOWLEDGMENT

NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR RANK)

MISCELLANEOUS FORMS

2820.9000 FORM 88-M. RELEASE OF LAND FROM JUDGMENT LIEN.

Subpart 1. **Scope.** The recommended form for a release of land from a judgment lien is contained in subpart 2.

Subp. 2. **Form.**

RELEASE OF LAND FROM JUDGMENT LIEN Form No. 88-M Minnesota Uniform Conveyancing Blanks

Release of Land from Judgment Lien

(reserved for recording data)

Date: _____, 19__

FOR VALUABLE CONSIDERATION, the real property in _____ County, Minnesota, legally described as follows:

(If more space is needed, continue on back)

is hereby released from the lien of the Judgment owned by the undersigned and docketed _____, 19__, in _____ Court in _____ County, Minnesota, Case No. _____, in favor of _____ and against _____. (If registered land, filed as Document Number _____, files of the Registrar of Titles.)

STATE OF MINNESOTA }
COUNTY OF _____ } ss.

The foregoing instrument was acknowledged before me this _____ day of _____, 19__, by _____.

THIS INSTRUMENT WAS DRAFTED BY (NAME AND ADDRESS):

SIGNATURE OF PERSON TAKING ACKNOWLEDGMENT

NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR RANK)

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

APR 18 1988

Joan Anderson Growe
Secretary of State

1:20 pm

State of Minnesota
Department of Commerce

Notice of Intent to Solicit Outside Opinion Regarding Proposed Rules Relating to Uniform Conveyancing Blanks including the Impact of the Rules on Small Businesses.

Notice is hereby given that the Department of Commerce is seeking information or opinions from persons outside the agency in preparing to promulgate new rules governing Uniform Conveyancing Blanks for the adoption of new blanks 35-M (Quit Claim Receiving Lein in Marriage Dissolution (Divorce) Judgment and Decree), 36-M (Release of Land From Lien in Marriage Dissolution (Divorce) Judgment and Decree), and 88-M (Release of Land from Judgment Lien). Promulgation of these rules is authorized by Minnesota Statutes, section 507.09 (1986) and Minnesota Statutes section 45.023 (1986).

Outside opinion is also being solicited as to how these rules will affect small businesses as defined by Minnesota Statutes section 14.115, subd. 1.

The Department of Commerce requests information and comments concerning the subject matter of these rules. Interested or affected persons or groups may submit statements of information or comment orally or in writing to: Scott P. Borchert, Department of Commerce, 500 Metro Square Building, St. Paul, Minnesota 55101, (612) 296-9431.

All statements of information and comment shall be accepted until April 30, 1987. Any written material received by the Department of Commerce shall become part of the record in the event that the rules are promulgated.



Michael A. Hatch
Commissioner of Commerce

Department of Commerce

Proposed Permanent Rules Relating to Uniform Conveyancing Blanks

Rules as Proposed (all new material)

2820.2900 FORM 35-M. INDIVIDUAL TO INDIVIDUAL; QUIT CLAIM DEED RESERVING LIEN IN MARRIAGE DISSOLUTION (DIVORCE) JUDGMENT AND DECREE.

Subpart 1. **Scope.** The recommended form for a quit claim deed reserving a lien in marriage dissolution (divorce) judgment and decree, individual to individual, is contained in subpart 2.

Subp. 2. **Form.**

QUIT CLAIM DEED RESERVING LIEN IN MARRIAGE DISSOLUTION (DIVORCE) JUDGMENT AND DECREE **Form No. 35-M** Minnesota Uniform Conveyancing Blanks
Individual to Individual

No delinquent taxes and transfer entered; Certificate of Real Estate Value ( ) filed ( ) not required
Certificate of Real Estate Value No. _____
_____, 19____

_____
County Auditor

by _____
Deputy

DEED TAX DUE HEREON: $ _____

Date: _____, 19____

(reserved for recording data)

FOR VALUABLE CONSIDERATION, _____
_____, Grantor(s),
(marital status)

hereby convey(s) and quitclaim(s) to _____
_____, Grantee(s),
real property in _____ County, Minnesota, described as follows:

(If more space is needed, continue on back)

together with all hereditaments and appurtenances belonging thereto, but reserving the lien(s), if any, in favor of Grantor, created in Marriage Dissolution (Divorce) Case No. _____ in _____ County, Minnesota.

_____

Affix Deed Tax Stamp Here _____

STATE OF MINNESOTA }
COUNTY OF _____ } ss.

The foregoing instrument was acknowledged before me this _____ day of _____, 19__,
by _____
_____, Grantor(s).

NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR RANK)

_____
SIGNATURE OF PERSON TAKING ACKNOWLEDGMENT

Tax Statements for the real property described in this instrument should be sent to (Include name and address of Grantee):

THIS INSTRUMENT WAS DRAFTED BY (NAME AND ADDRESS):

Approved by Revisor PMM

2820.3000 FORM 36-M. RELEASE OF LAND FROM LIEN IN MARRIAGE DISSOLUTION (DIVORCE) JUDGMENT AND DECREE.

Subpart 1. **Scope.** The recommended form for the release of land in marriage dissolution (divorce) judgment and decree is contained in subpart 2.

Subp. 2. **Form.**

RELEASE OF LAND FROM LIEN IN MARRIAGE DISSOLUTION (DIVORCE) JUDGMENT AND DECREE Form No. 36-M Minnesota Uniform Conveyancing Blanks

Release of Land from Lien in Marriage Dissolution (Divorce) Judgment and Decree

(reserved for recording data)

Date: _____, 19__

FOR VALUABLE CONSIDERATION, the real property in _____ County, Minnesota, legally described as follows:

(If more space is needed, continue on back)

is hereby released from the lien(s) owned by the undersigned, created in Marriage Dissolution (Divorce) Case No. _____ in _____ County, Minnesota.

(If registered land, Judgment and Decree is filed as Document Number(s) _____, files of the Registrar of Titles.)

_____

_____

STATE OF MINNESOTA }
COUNTY OF _____ } ss.

The foregoing instrument was acknowledged before me this _____ day of _____, 19__, by _____.

THIS INSTRUMENT WAS DRAFTED BY (NAME AND ADDRESS):

_____
SIGNATURE OF PERSON TAKING ACKNOWLEDGMENT

NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR RANK)

Approved by Revisor _____

MISCELLANEOUS FORMS

2820.9000 FORM 88-M. RELEASE OF LAND FROM JUDGMENT LIEN.

Subpart 1. **Scope.** The recommended form for a release of land from a judgment lien is contained in subpart 2.

Subp. 2. **Form.**

RELEASE OF LAND FROM JUDGMENT LIEN Form No. 88-M Minnesota Uniform Conveyancing Blanks

Release of Land from Judgment Lien

(reserved for recording data)

Date: _____, 19__

FOR VALUABLE CONSIDERATION, the real property in _____ County, Minnesota, legally described as follows:

(If more space is needed, continue on back)

is hereby released from the lien of the Judgment owned by the undersigned and docketed _____, 19__, in _____ Court in _____ County, Minnesota, Case No. _____, in favor of _____ and against _____. (If registered land, filed as Document Number _____, files of the Registrar of Titles.)

_____

_____

_____

_____

STATE OF MINNESOTA }
COUNTY OF _____ } ss.

The foregoing instrument was acknowledged before me this _____ day of _____, 19__, by _____.

THIS INSTRUMENT WAS DRAFTED BY (NAME AND ADDRESS):

_____
SIGNATURE OF PERSON TAKING ACKNOWLEDGMENT

NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR RANK)

Approved by Revisor _____

Office of the Revisor of Statutes

Administrative Rules

TITLE: Proposed Permanent Rules Relating to Uniform Conveyancing Blanks

AGENCY: Department of Commerce

MINNESOTA RULES: Chapter 2820

The attached rules are approved for publication in the State Register

Paul M. Marinac
Assistant Deputy Revisor

State of Minnesota
Department of Commerce

In the Matter of the Proposed Adoption of Rules Relating to Uniform Conveyancing Blanks

Notice of Intent to Adopt Rules Without a Public Hearing

Notice is hereby given that the Department of Commerce intends to adopt the above-entitled rules without a public hearing following the procedures set forth in the Administrative Procedures Act for adopted rules without a public hearing in Minnesota Statutes, section 14.22-14.28. Authority for the adoption of these rules is contained in Minnesota Statutes, Section 507.09.

All persons have 30 days to submit comments in support of or in opposition to the proposed rule or any part or subpart of the rule. Comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed. The proposed rules may be modified if the modifications are supported by the data and views submitted to the Department and do not result in a substantial change.

Any person may make a written request for a public hearing within the 30 day comment period. If 25 or more persons submit a written request for a public hearing within the 30 day comment period, a public hearing will be held unless a sufficient number withdraw their request in writing. Any person requesting a hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed. If a public hearing is required, the department will proceed pursuant to Minnesota Statutes, sections 14.13 to 14.20.

Persons who wish to submit comments or a written request for a public hearing should submit them to:

Scott P. Borchert
Department of Commerce
500 Metro Square Building
St. Paul, MN 55101
(612) 296-9431

A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rules has been prepared and is available upon request from Scott P. Borchert.

Pursuant to Minnesota Statutes Section 14.115, subdivision 2, the impact on small business has been considered in the promulgation of the rules. Anyone wishing to present evidence or argument as to the rules' effect on small business may do so. The Department's position regarding the impact of the rules on small business is set forth in the Statement of Need and Reasonableness.

If no hearing is required, upon adoption of the rule, the rule and the required supporting documents will be submitted to the Attorney General for review as to legality and form to the extent the form relates to legality. Any person may request notification of the date of submission to the Attorney General. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the adopted rule, must submit the written request to Scott P. Borchert.

Michael A. Hatch
Commissioner of Commerce

STATE OF MINNESOTA
DEPARTMENT OF COMMERCE

In the Matter of the Proposed Rules Relating to Uniform Conveyancing Blanks	ORDER FOR NOTICE OF INTENT TO ADOPT RULES WITHOUT PUBLIC HEARING

IT IS ORDERED this 24th day of September 1987 that Notice of Intent to Adopt Rules Without a Public Hearing in the above-entitled matter be given to all persons who have registered their names with the Department of Commerce for that purpose and that said Notice be published in the State Register.

MICHAEL A. HATCH
Commissioner of Commerce

STATE OF MINNESOTA
DEPARTMENT OF COMMERCE

IN THE MATTER OF THE PROPOSED ADOPTION AND AMENDMENT OF FORMS RELATING TO MINNESOTA UNIFORM CONVEYANCING BLANKS PURSUANT TO MINN. STAT. CHAPTER 507	)))))	STATEMENT OF NEED AND REASONABLENESS

Commissioner of Commerce Michael A. Hatch ("Commissioner") presents herein his statement of the need for and reasonableness of the adoption of proposed forms relating to Minn. Stat. Chapter 507 (1982).

By Laws 1929, Chapter 135 (Minn. Stat. §507.08) the Uniform Conveyancing Blanks Commission was authorized. The Uniform Conveyancing Blanks were "... approved and recommended for use in the state..." by Laws 1931, Cahpter 272, Section 1 (Minn. Stat. §507.09).

Laws 1975, Chapter 61, Section 26 repealed Minn. Stat. §507.08 (i.e. the Commission).

Laws 1975, Chapter 61, Section 2 authorized the Commissioner of Securities to appoint an advisory committee on uniform conveyancing forms to recommend to the Commissioner amended or new forms to be adopted by rule. The committee was appointed in 1976.

Laws 1983, Cahpter 260, Section 62 (Minn. Stat. §507.09) changed the advisory committee to a task force.

On October 12, 1987, the Department caused to be published at Volume 12, Stat Register, page 741, a Notice of Intent to Solicit Outside Opinion concerning changes in the forms.

The authority to promulgate rules under Minn. Stat. Chapter 507 is set forth at Minn. Stat. §507.09 (1987). Where specific statutory authority is relied upon, it will be so noted.

The Commissioner has determined that the proposed adoption of these forms is necessary to carry out and make effective the provisions and purposes of Minn. Stat. Chapter 507 (1982).

The need for and reasonableness of each of the proposed forms and amendments to existing forms is as follows:

The task force, since its renewal in 1976, has had the following objectives in the revision or creation of conveyancing blanks:

1. Whenever possible, a one-page form (including all recording data) should be used to reduce recording time and alleviate storage problems in the offices of the County Recorders.

2. The forms should be understanable to the general public.

3. The format should minimize the amount of additional typing necessary to complete the form and the probability of error by the person preparing the form.

4. The form should eliminate duplication of language and phrases rendered unnecessary by statute or case law.

The Quit Claim Deed Reserving Lien in Marriage Dissolution (Divorce) Judgment and Decree (Form No. 35-M) is proposed for adoption to alleviate confusion caused in divorce actions when property is involved. The form was created to meet a need in family law practice. The form has the support of members of the bar practicing in family law.

The form will aid the bar in protecting the property rights of parties to a dissolution action. It will provide the bar with a reasonable and specific form to preserve such rights.

The Release of Land From Lien in Marriage Dissolution (Divorce) Judgment and Decree (Form No. 36-M) and Rel se of Land from Judgment Lien (Form No. 88-M) are proposed to provide a form to release real property from liens imposed by Form 35-M. These forms provide the public with a necessary form to accomplish the release.

In the Matter of the Proposed Rules
Relating to Uniform Conveyancing Blanks

STATE OF MINNESOTA)
) ss
COUNTY OF RAMSEY)

AFFIDAVIT OF
MAILING

Jane Schaub, being first duly sworn, deposes and says:

I hereby certify that the list of persons, associations, and other interested groups who have requested, pursuant to Minnesota Statutes, section 14.14, subd. 1a, that their names be placed on file with and maintained by the Department of Commerce for the purpose of receiving notice of the proposed adoption of rules is accurate and complete as of 12:00 P.M., this 6th day October of 1987.

That on the 6th day of October 1987, at the City of St. Paul, County of Ramsey, State of Minnesota, the attached Notice of Intent to Adopt Rules Without a Public Hearing was served by depositing in the State of Minnesota Central Mail System for United States mailing at said City of St. Paul, a copy properly prepared with first-class postage prepaid, on all persons and associations who have requested that their names be placed on file with the Minnesota Department of Commerce for the purpose of receiving notice of the proposed adoption of rules by the department.

Jane Schaub

Jane Schaub

Subscribed and sworn to before me
this 7th day of October 1987.

Richard G. Gomsrud

Notary Public

RICHARD G. GOMSRUD
NOTARY PUBLIC—MINNESOTA
RAMSEY COUNTY
My Comm. Expires June 7, 1993

Gerald G. Dederick, P.A.

6800 France Ave. S., #750
Edina, MN 55435

Conrad M. Fredin
Harper, Eaton, Peterson & Orman
515 Providence Bldg., 332 W. Superior
Duluth, MN 55802

Susan J. Ladwig
North Star Policy Associates
114 Metro Square Bldg. 7 & Robert St.
St. Paul, MN 55101

Ron Marien
Household International
5148 W. 95th Street
Bloomington, MN 55437

Randy Nornes

13920 Echo Park Lane #9
Burnsville, MN 55337

Carla M. Riehle

1277 Fremont Avenue
St. Paul, MN 55106

[redacted]

Best and Flanagan
3500 IDS Center
Minneapolis, MN 55402-2213

Regulation Analyst
Alliance of American Insurers
1501 Woodfield Rd., Suite 400 West
Schaumburg, IL 60173-4980

Mr. Robert J. Demichelis
American Council of Life Insurance
1001 Pennsylvania Avenue, N.W.
Washington, DC 20004-2599

Frederick P. McGarvey
American Insurance Association
230 W. Monroe St.
Chicago, IL 60606

Morris J. Anderson, Exec. Dir.
Association of Minnesota Counties
555 Park Street, Suite 300
St. Paul, MN 55103

R. G. Lanham, Dir. of Research
Carleton Financial Computations
P.O. Box 570
South Bend, IN 46624-0570

Glen Tullman
Certified Collateral Corporation
640 N. LaSalle, Suite 640
Chicago, IL 60610

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Continental American Life Ins Company
P.O. Box 15750
Wilmington, Delaware 19850

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400 Marquette Ave. Suite 300
Minneapolis, MN 55401

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ytManager, Govt. Affairs Dept.
Crum & Forster Corporation
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Morristown, NJ 07960

Karen Koast
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Compliance Dept.
5 World Trade Center, 4th Floor
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Cooper Communities
P.O. Box 569
Bentonville, AR 72712-9989

LCRAR
Rm. 55, State Office Building
St. Paul, MN 55155

John R. Houston, Esq.
Lindquist & Vennum
4200 IDS Center
Minneapolis, MN 55402

Kathleen M. Kellerman
Mairs and Power, Inc.
W-2062 First National Bank Bldg.
St. Paul, MN 55101

Mr. Ronald R. Radtke, Mgr., Comp. Svcs.
Metropolitan Prop. & Liability Ins. Co.
700 Quaker Lane, P.O. Box 350
Warwick, RI 02887

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MN Asbestos Abatement Contract Assn
766 Transfer Road
St. Paul, MN 55114

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Minnesota Bankers Association
332 Baker Building
Minneapolis, MN 55402

Minnesota Insurance Guaranty Association
4640 West 77th Street Suite 342
Edina, MN 55435

Tom Haider
Minnesota League of Credit Unions
2788 East 82nd Street
Bloomington, MN 55420

MN Truckers Association
1821 University Ave., Room 134N
St. Paul, MN 55104

Jean Dawson
Minn. Government Report
B-12 Press Room, State Capitol
St. Paul, MN 55155

Joan M. Archer
Minn. Mfg. Housing Assoc.
222 E. Little Canada Rd., S222
St. Paul, MN 55117

John G. Horner
Minnesota Multi Housing Assn.
4740 Park Glen Road
Minneapolis, MN 55416

Doherty, Rumble & Butler, PA
E-1500 First Nat'l Bank Bldg.
St. Paul, MN 55101

Dominic J. Sposeto
Dominic Sposeto & Associates
2824 Irving Avenue S.
Minneapolis, MN 55408

Robert Alch
Equity Adjustment Co.
236 West Larpenteur Avenue
St. Paul, MN 55113

Robert Cameron
Finley, Kumble, Wagner, Heine
Underberg, Manley, Myerson & Casey
425 Park Avenue
New York, NY 10022

Fireman's Fund Emp. Ins. Co.
Contracts Department
Green Bay, WI 54344

Joyce Bulleri
Frank B. Hall & Co. of CA
1550 W. Fremont, P.O. Box C
Stockton, California 95201-3003

Harold J. Soderberg
Hessian, McKasy & Soderberg
4700 IDS Center
Minneapolis, MN 55402

Peggy Jacobs
IDS Financial Serv., Inc. - Unit 53
IDS Tower
Minneapolis, MN 55474

Independent Bankers of Minn.
7850 Metro Pkway., Suite 211
Bloomington, MN 55420

Rudy D. Broyles, CPCU
Insurance Services Office, Inc.
Suite 325-A 1919 S. Highland Ave.
Lombard, IL 60148

Jerrold T. Miller
J. T. Miller Company
1000 Currie Avenue
Minneapolis, MN 55403

John B. La Macchia & Associates
Actuaries Management Consultants
12 North Central Avenue
St. Louis, MO 63105

386 N. Wabasha, Suite 1025
St. Paul, MN 55102

Francis M. Fitzgerald II
Minn. Retail Merchants Assoc.
180 Metro Square Bldg.
St. Paul, MN 55101

Minn. School of Real Est. Inc.
9944 West 74th St.
Eden Prairie, MN 55344

Mary Miranowski
Builders Assoc. of MN
1410 Energy Park Dr. Suite 6
St. Paul, MN 55108

Abe Rosenthal, Pres.
Minn. Transport Services Assn.
1821 University Ave. (Suite N310)
St. Paul, MN 55104

Michael J. Ahern
Moss & Barnett
1200 Pillsbury Center
Minneapolis, MN 55402

John F. Stone
Moss & Barnett
1200 Pillsbury Center
Minneapolis, MN 55402

Robert L. Zeman, Asst. Couns.
Natl. Assoc. of Ind. Insurers
2600 River Road
Des Plaines, IL 60018-3286

William R. Anderson, Counsel
Natl. Assoc. of Life Underwriters
1922 F Street, NW
Washington, D.C. 20006-4387

Richard Bouhan, Gov't. Relations Dir.
Natl. Assoc. of Prof. Surplus Lines Off.
P.O. Box 1507
Roswell, GA 30077

Lee T. Peterson
Nelson, Nelson, Kufus & Peterson
665 N. Snelling Ave.
St. Paul, MN 55104

NIARS Corporation
Three Eighteen West Franklin
Minneapolis, MN 55404

Legal Svcs Dept. B17-12, 1 Beacon St.
Boston, MA 02108

Mark A. Welshons, Secretary
NWNL Reinsurance Company
P.O. Box 20
Minneapolis, MN 55440

Sam Ruhle
Office of Administrative Hearings
400 Summit Bank Building
Minneapolis, MN 55415

R. Mark Lawrence, Contract Specialist
Ohio State Life Insurance Company
2500 Farmers Drive
Columbus, OH 43085

Lois A. Hout, Asst Gen'l Coun & VP
Orion Group - Law Division
9 Farm Springs Dr.
Farmington, CT 06032

Pennsylvania Life Insurance Company
Compliance Dept. Mail Code 1-5
3130 Wilshire Blvd.
Santa Monica, CA 90406

Peter S. Popovich
Minnesota Court of Appeals
1300 Amhoist Tower
St. Paul, MN 55102

Phillips Legislative Service, Inc.
459 Rice Street
St. Paul, MN 55103
Mr/Ms:

Bruce A. Poulsen, V.P. & Counsel
Prudential Insurance Co. of America
8th Fl., P.O. Box 1143
Minneapolis, MN 55440

James M. Shamberger, Vice President
Reinsurance Association of America
1819 L St. NW, 7th Floor
Washington, D.C. 20036

John P. Flaten
Rider, Bennett, Egan & Arundel
2500 First Bank Pl. W.
Minneapolis, MN 55402

Ford M. Robbins
Robbins & Rashke
5200 Willson Road, Suite 407
Minneapolis, MN 55424

W. J. Hay
St. Paul Companies, Inc.
385 Washington Street
St. Paul, MN 55102

Karen Langland Himle
St. Paul Fire & Marine Ins. Co.
385 Washington St.
St. Paul, MN 55102

Paul Dwyer, Gen'l Counsel's Office
Title Insurance Company of MN
400 Second Avenue South
Minneapolis, MN 55401

Linda L. Lanam, V.P. & Chief Coun.
Union Fidelity Life Insurance Co.
4850 Street Road
Trevose, PA 19049

Cheryl Chafin
United Hospital Business Office
239 W. 7th St.
St. Paul, MN 55102

Jerome Scheibl, Vice President
Wausau Insurance Group
2000 Westwood Dr.
Wausau, WI 54401

John A. Knapp, Esq.
Winthrop & Weinstine
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Saint Paul, MN 55101

Workers Comp. Reinsurance Assoc.
900 Minnesota Mutual Life Center
400 North Robert Street
St. Paul, MN 55101-2092

Robert R. Abrohams Agency, Inc.
1112 Plymouth Bldg.
Minneapolis, MN 55402-1540

Bernard Rosenberg
Robins, Zelle, Larson & Kaplan
1800 International Centre
900 South Second Avenue South
Minneapolis, MN 55402

Robert T. Montague, Jr.
Robins, Zelle, Larson & Kaplan
1800 International Centre
900 Second Avenue South
Minneapolis, MN 55402

Thomas G. MacDonald
Robins, Zelle, Larson, & Kaplan
1800 International Centre
900 Second Avenue South
Minneapolis, MN 55402

Gerard J. Quinn, Asst. Gen'l Coun.
Securities Industry Association
120 Broadway
New York, NY 10271

Ted Burton
Longman Financial Srv Institue
9201 Bloomington Frwy E
Minneapolis, MN 55420-3409

Cezar M. Froelich, Esq.
Shefsky, Saitlin & Froelich, Ltd.
444 N. Michigan Ave., Suite 2300
Chicago, IL 60611

Phillip D. Lehmkuhl
Squire, Sanders & Dempsey
155 East Broad Street
Columbus, OH 43215

David A. Peterson
State Bond & Mortgage Company
100-106 North Minnesota Street
New Ulm, MN 56073

Charles F. Happach, President
State Capitol Credit Union
95 Sherburne
St. Paul, MN 55103

Arnie Anderson
State Planning Agency
101 Capitol Square Building
St. Paul, MN 55101

Mary Stanton, Staff Assoc./Fin.
State University System
555 Park St., Suite 230
St. Paul, MN 55103

MCCL
4249 Nicollet Avenue
Minneapolis, MN 55409

STATE OF MINNESOTA

DEPARTMENT OF COMMERCE
500 METRO SQUARE BUILDING
ST. PAUL, MN 55101

ATTENTION:
RULE RELATED MATERIAL

FIRST CLASS MAIL

STATE OF MINNESOTA

STATE REGISTER

DEPARTMENT OF ADMINISTRATION—DOCUMENTS DIVISION



Monday 30 March 1987

VOLUME 11, NUMBER 39

Pages 1765-1812

coursework before April 4, 1988, shall provide official evidence of successful completion of the examinations adopted in subpart 2 before licensure recommendation.

Subp. 11. **Applicants prepared in other states.** Applicants for Minnesota licensure who are prepared in other states who otherwise meet the applicable statutes and rules shall be granted a one-year nonrenewable provisional license, during which time the applicant must provide official evidence of successful completion of the requirements of this part. Applicants prepared in other states who provide evidence of meeting requirements for initial Minnesota licensure shall be granted an entrance license.

8700.0502 PROVISIONAL LICENSES; TEACHING IN UNLICENSED SUBJECTS OR FIELDS. [Withdrawn at 11 S.R. _____.]

8700.0900 CONTINUING LICENSE. [Withdrawn at 11 S.R. _____.]

8700.1000 CLOCK HOURS. [Withdrawn at 11 S.R. _____.]

8700.1100 LOCAL COMMITTEES FOR CONTINUING EDUCATION AND RELICENSURE. [Withdrawn at 11 S.R. _____.]

8700.1300 TRANSFER OF CLOCK HOURS. [Withdrawn at 11 S.R. _____.]

8700.1400 GRANTOR OF CLOCK HOURS. [Withdrawn at 11 S.R. _____.]

8700.2200 RIGHT OF APPEAL. [Withdrawn at 11 S.R. _____.]

OFFICIAL NOTICES

Pursuant to the provisions of Minnesota Statutes § 14.10, an agency, in preparing proposed rules, may seek information or opinion from sources outside the agency. Notices of intent to solicit outside opinion must be published in the *State Register* and all interested persons afforded the opportunity to submit data or views on the subject, either orally or in writing.

The *State Register* also publishes other official notices of state agencies, notices of meetings, and matters of public interest.

Department of Commerce

Notice of Intent to Solicit Outside Opinion Regarding Proposed Rules Relating to Uniform Conveyancing Blanks including the Impact of the Rules on Small Businesses

Notice is hereby given that the Department of Commerce is seeking information or opinions from persons outside the agency in preparing to promulgate new rules governing Uniform Conveyancing Blanks for the adoption of new blanks 35-M (Quit Claim Receiving Lien in Marriage Dissolution (Divorce) Judgment and Decree), 36-M (Release of Land From Lien in Marriage Dissolution (Divorce) Judgment and Decree), and 88-M (Release of Land from Judgment Lien). Promulgation of these rules is authorized by Minnesota Statutes, section 507.09 (1986) and Minnesota Statutes section 45.023 (1986).

Outside opinion is also being solicited as to how these rules will affect small businesses as defined by Minnesota Statutes section 14.115, subd. 1.

The Department of Commerce requests information and comments concerning the subject matter of these rules. Interested or affected persons or groups may submit statements of information or comment orally or in writing to: Scott P. Borchert, Department of Commerce, 500 Metro Square Building, St. Paul, Minnesota 55101, (612) 296-9431.

All statements of information and comment shall be accepted until April 30, 1987. Any written material received by the Department of Commerce shall become part of the record in the event that the rules are promulgated.

Michael A. Hatch, Commissioner of Commerce

Department of Health: Maternal and Child Health Division

Notice of Solicitation of Outside Information or Opinions Regarding Proposed Rules Governing the Special Supplemental Food Program for Women, Infants, and Children carried out by the United States Department of Agriculture (WIC Program)

Notice is hereby given that the State Department of Health is seeking information or opinions from sources outside the department in preparing to propose the adoption of rules governing the Special Supplemental Food Program for Women, Infants, and Children

State of Minnesota

STATE REGISTER

Department of Administration—Documents Division

STATE OF MINNESOTA
OCT 12 1987
DEPARTMENT OF COMMERCE



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Proposed Rules

Pursuant to Minn. Stat. of 1982, §§ 14.22, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing, as long as the agency determines that the rules will be noncontroversial in nature. The agency must first publish a notice of intent to 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 25 or more persons make a written request for a hearing within the 30-day comment period;
3. of the manner in which persons shall request a hearing on the proposed rules; and
4. that the rule may be modified if the modifications are supported by the data and views submitted.

If, during the 30-day comment period, 25 or more persons submit to the agency a written request for a hearing of the proposed rules, the agency must proceed under the provisions of §§ 14.14-14.20, which state that if an agency decides to hold a public hearing, it must publish a notice of intent in the *State Register*.

Pursuant to Minn. Stat. §§ 14.29 and 14.30, agencies may propose emergency rules under certain circumstances. Proposed emergency rules are published in the *State Register* and, for at least 25 days thereafter, interested persons may submit data and views in writing to the proposing agency.

Department of Commerce

Proposed Permanent Rules Relating to Uniform Conveyancing Blanks

Notice of Intent to Adopt Rules Without a Public Hearing

Notice is hereby given that the Department of Commerce intends to adopt the above-entitled rules without a public hearing following the procedures set forth in the Administrative Procedures Act for adopted rules without a public hearing in *Minnesota Statutes*, section 14.22-14.28. Authority for the adoption of these rules is contained in *Minnesota Statutes*, Section 507.09.

All persons have 30 days to submit comments in support of or in opposition to the proposed rule or any part or subpart of the rule. Comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed. The proposed rules may be modified if the modifications are supported by the data and views submitted to the Department and do not result in a substantial change.

Any person may make a written request for a public hearing within the 30 day comment period. If 25 or more persons submit a written request for a public hearing within the 30 day comment period, a public hearing will be held unless a sufficient number withdraw their request in writing. Any person requesting a hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed. If a public hearing is required, the department will proceed pursuant to *Minnesota Statutes*, sections 14.13 to 14.20.

Persons who wish to submit comments or a written request for a public hearing should submit them to:

Scott P. Borchert
Department of Commerce
500 Metro Square Building
St. Paul, MN 55101
(612) 296-9431

A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rules has been prepared and is available upon request from Scott P. Borchert.

Pursuant to *Minnesota Statutes* Section 14.115, subdivision 2, the impact on small business has been considered in the promulgation of the rules. Anyone wishing to present evidence or argument as to the rules' effect on small business may do so. The Department's position regarding the impact of the rules on small business is set forth in the Statement of Need and Reasonableness.

If no hearing is required, upon adoption of the rule, the rule and the required supporting documents will be submitted to the Attorney General for review as to legality and form to the extent the form relates to legality. Any person may request notification of the date of submission to the Attorney General. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the adopted rule, must submit the written request to Scott P. Borchert.

Michael A. Hatch
Commissioner of Commerce

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.

2820.3000 FORM 36-M. RELEASE OF LAND FROM LIEN IN MARRIAGE DISSOLUTION (DIVORCE) JUDGMENT AND DECREE.

Subpart 1. **Scope.** The recommended form for the release of land in marriage dissolution (divorce) judgment and decree is contained in subpart 2.

Subp. 2. **Form.**

RELEASE OF LAND FROM LIEN IN MARRIAGE DISSOLUTION (DIVORCE) JUDGMENT AND DECREE Form No. 36-M Minnesota Uniform Conveyancing Blanks

Release of Land from Lien in Marriage Dissolution (Divorce) Judgment and Decree

(reserved for recording data)

Date: _____, 19__

FOR VALUABLE CONSIDERATION, the real property in _____ County, Minnesota, legally described as follows:

(If more space is needed, continue on back)

is hereby released from the lien(s) owned by the undersigned, created in Marriage Dissolution (Divorce) Case No. _____ in _____ County, Minnesota.

(If registered land, Judgment and Decree is filed as Document Number(s) _____ _____, files of the Registrar of Titles.)

_____

_____

STATE OF MINNESOTA }
COUNTY OF _____ } ss.

The foregoing instrument was acknowledged before me this _____ day of _____, 19__, by _____

_____

THIS INSTRUMENT WAS DRAFTED BY (NAME AND ADDRESS):

_____
SIGNATURE OF PERSON TAKING ACKNOWLEDGMENT

NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR RANK)

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.

Rules as Proposed (all new material)

2820.2900 FORM 35-M. INDIVIDUAL TO INDIVIDUAL; QUIT CLAIM DEED RESERVING LIEN IN MARRIAGE DISSOLUTION (DIVORCE) JUDGMENT AND DECREE.

Subpart 1. **Scope.** The recommended form for a quit claim deed reserving a lien in marriage dissolution (divorce) judgment and decree, individual to individual, is contained in subpart 2.

Subp. 2. **Form.**

QUIT CLAIM DEED RESERVING LIEN IN MARRIAGE DISSOLUTION (DIVORCE) JUDGMENT AND DECREE **Form No. 35-M** Minnesota Uniform Conveyancing Blanks
Individual to Individual

No delinquent taxes and transfer entered; Certificate of Real Estate Value ( ) filed ( ) not required
Certificate of Real Estate Value No. _____
_____, 19____

_____
County Auditor

by _____
Deputy

DEED TAX DUE HEREON: $ _____

Date: _____, 19____

(reserved for recording data)

FOR VALUABLE CONSIDERATION, _____
_____, Grantor(s),
(marital status)
hereby convey(s) and quitclaim(s) to _____
_____, Grantee(s),
real property in _____ County, Minnesota, described as follows:

(If more space is needed, continue on back)
together with all hereditaments and appurtenances belonging thereto, but reserving the lien(s), if any, in favor of Grantor, created in Marriage Dissolution (Divorce) Case No. _____ in _____ County, Minnesota.

_____

Affix Deed Tax Stamp Here

_____

STATE OF MINNESOTA }
COUNTY OF _____ } ss.

The foregoing instrument was acknowledged before me this ____ day of _____, 19__,
by _____
_____, Grantor(s).

NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR RANK)

_____
SIGNATURE OF PERSON TAKING ACKNOWLEDGMENT

Tax Statements for the real property described in this instrument should be sent to (Include name and address of Grantee):

THIS INSTRUMENT WAS DRAFTED BY (NAME AND ADDRESS):

MISCELLANEOUS FORMS

2820.9000 FORM 88-M. RELEASE OF LAND FROM JUDGMENT LIEN.

Subpart 1. **Scope.** The recommended form for a release of land from a judgment lien is contained in subpart 2.

Subp. 2. **Form.**

RELEASE OF LAND FROM JUDGMENT LIEN Form No. 88-M Minnesota Uniform Conveyancing Blanks

Release of Land from Judgment Lien

Date: _____, 19__ (reserved for recording data)

FOR VALUABLE CONSIDERATION, the real property in _____ County, Minnesota, legally described as follows:

(If more space is needed, continue on back)

is hereby released from the lien of the Judgment owned by the undersigned and docketed _____, 19__, in _____ Court in _____ County, Minnesota, Case No. _____, in favor of _____ and against _____. (If registered land, filed as Document Number _____, files of the Registrar of Titles.)

STATE OF MINNESOTA }
COUNTY OF _____ } ss.

The foregoing instrument was acknowledged before me this _____ day of _____, 19__, by _____

THIS INSTRUMENT WAS DRAFTED BY (NAME AND ADDRESS):

SIGNATURE OF PERSON TAKING ACKNOWLEDGMENT

NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR RANK)

Board of Optometry

Proposed Permanent Rules Relating to Terms and Renewal of License

Notice of Intent to Adopt Rules Without a Public Hearing

Notice is hereby given that the State Board of Optometry intends to adopt permanent rules relating to the term and renewal of

STATE OF MINNESOTA

DEPARTMENT OF COMMERCE

In the Matter of the Proposed Adoption of the Rules Relating to Uniform Conveyancing Blanks

FINDINGS OF FACT, CONCLUSION, AND ORDER ADOPTING RULE WITHOUT PUBLIC HEARING

Notice of the Commissioner's intent to adopt the above-entitled rule was published in the State Register on October 12, 1987 and was sent by United State mail to all persons on the list maintained by the agency pursuant to Minnesota Statutes, sections 14.14, subdivision 1a and 14.22 on October 7, 1987. The statement of need and reasonableness was prepared before the notice of intent to adopt a rule without a public hearing was mailed to all persons on the rulemaking mailing list and published in the State Register and was available to the public.

All persons were given the opportunity to submit comment on the rule for 30 days after notice of proposed rulemaking. No requests for a public hearing on the rule were received by the agency.

No requests for notice of submission to the attorney general were received by the agency.

Based on the comments and evidence in the record before the agency, I find the following:

The above-captioned rule is needed and reasonable.

NOW, THEREFORE, IT IS ORDERED that the rules identified as Uniform Conveyancing Blanks, is adopted this 28th day of March 1988, pursuant to authority vested in me by Minnesota Statutes, section 507.09.

Michael A. Hatch

Commissioner of Commerce

STATE OF MINNESOTA

DEPARTMENT OF COMMERCE

In the Matter of the Proposed Adoption of the Rules Relating to Uniform Conveyancing Blanks

FINDINGS OF FACT, CONCLUSION, AND ORDER ADOPTING RULE WITHOUT PUBLIC HEARING

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Michael A. Hatch

Commissioner of Commerce

MINNESOTA TITLE

Title Insurance Company of Minnesota
400 Second Avenue South
Minneapolis, Minnesota 55401

612/371 1111
1/800/328 4441

State of Minnesota
OCT 9 1987
Department of Commerce

October 8, 1987

Scott P. Borchert
Department of Commerce
500 Metro Square Building
St. Paul, MN 55101

RE: Proposed Permanent Rules Relating to Uniform Conveyancing Blanks

Dear Scott:

I have received your most recent mailing regarding the Quit Claim Deed Reserving Lien of Marriage, Release of Land From Lien In Marriage Dissolution, and Release of Land From Judgment Lien. Please change your mailing records so that I receive any future notices, rather than having them sent to the attention of Paul Dwyer in the Office of the General Counsel at this Company. Thank you.

I have two comments regarding the proposed forms. The first is in regard to Form 35-M, Quit Claim Deed Reserving Lien in Marriage Dissolution Judgment and Decree. I question the need for the words "if any" in the reservation clause of the document. Elimination of those words would eliminate any confusion as to the intent of the grantor and would make the grant a more affirmative statement of a reservation of a lien.

My second comment has to do with your Form No. 36-M, Release of Land From Lien of Marriage Dissolution Judgment and Decree. It appears to me that the releasing clause is only intended to cover judgment and decrees filed in the Office of the Registrar of Titles if the property is torrens. Is the form intended to cover filings in the Office of the County Recorder? I suppose the same question pertains to your Form 88-M, Release of Land From Judgment Lien.

I look forward to your response. Otherwise, we have seen a need for forms similar to these for quite some time. Best regards.

Sincerely,

Jack Zachow
Associate Counsel
Assistant Vice President

JZ:rjf

In the Matter of the Proposed Adoption of Rules regarding Uniform Conveyancing Blanks, Adopting New Forms 35-M (Quit Claim Deed Reserving Deed Reserving Lien in Marriage Dissolution (Divorce); 36-M (Release of Land from Lien in Marriage Dissolution (Divorce) Judgment and Decree; and 88-M (Release of Land from Judgment Lien)

STATEMENT OF COMPLIANCE WITH RULEMAKING PROCEDURES

I, PEGGY J. BIRK, 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.

Peggy J. Birk
Special Assistant Attorney General

Date: February 5, 1988

SF-00006-05 (4/86)

DEPARTMENT : of Commerce

STATE OF MINNESOTA

Office Memorandum

DATE : March 29, 1988

TO : Julie A. Leppink
Special Assistant Attorney General

3/29/88 Rec'd

FROM : Scott P. Borchert
Enforcement Division

PHONE : 6-9431

SUBJECT : Rules Relating to Uniform Conveyancing Blanks

Enclosed please find the documents previously submitted for approval.

These documents have been revised as follows:

1. The Recommended Finding of Fact Conclusions, and Order Adopting the Rules Without Public Hearing has been substituted for the Order Adopting Rules;

2. Inclusion of 1 copy of the proposed rules and 4 copies of the adopted rules;

3. The four-digit docket client code is 0110.

In the Matter of the Proposed Rules
relating to Uniform Conveyancing Blanks

STATE OF MINNESOTA)
)ss AFFIDAVIT
County of Ramsey)

Scott P. Borchert, being first duly sworn, deposes and says: I am the representative of the Department of Commerce on the Uniform Conveyancing Blank Advisory Task Force. The Task Force was formed pursuant to Minnesota Statute §507.09 for the purpose of recommending the adoption of conveyancing forms to the Commissioner of Commerce.

Your affiant has prepared documents for the adoption of proposed Minnesota Rules 2820.2900, .3000 and .4000.

During the adoption process the effect of the proposed rules on small business was considered. After consideration of Minnesota Statutes §14.155, the Department's position is that the rules will not impact small business.

Contrary to the language of the Notice of Intent to Adopt Rules Without a Public Hearing the Department's position regarding the impact of the rules on small business was omitted from the Statement of Need and Reasonableness. No request for the position of the Department on the impact of the rules on small business was made to this agency. No evidence or argument was submitted to the Department regarding the rules effect on small business. No request for a copy of the Statement of Need and Reasonableness or for a public hearing on the adoption of the rules was made to the agency. Therefore it is submitted that said omission of the Department's position in the Statement of Need and Reasonable amounts to harmless error in the rulemaking procedure.

SCOTT P. BORCHERT

Subscribed and sworn to before me
this 12th day of April, 1988.

Annette M. Storm
Notary Public

ANNETTE M. STORM
NOTARY PUBLIC -- MINNESOTA
DAKOTA COUNTY
My commission expires March 27, 1991

In the Matter of the Proposed Rules
relating to Uniform Conveyancing Blanks

STATE OF MINNESOTA)
)ss AFFIDAVIT
County of Ramsey)

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SCOTT P. BORCHERT

Subscribed and sworn to before me
this 12th day of April, 1988.

Annette M. Storm
Notary Public

ANNETTE M. STORM
NOTARY PUBLIC -- MINNESOTA
DAKOTA COUNTY
My commission expires March 27, 1991