

Minnesota Attorney General: Administrative Rules Proceedings

Copyright Notice:

This material may be protected by copyright law (U.S. Code, Title 17). Researchers are liable for any infringement. For more information, visit www.mnhs.org/copyright.

Version 3
August 20, 2018

File No. 1535 ___ Docket No. _____

DATE RECEIVED 11/2/88 ADOPTED W/O HEARING ✓

REVIEW DATE 11/14/88 EMERGENCY RULE _____

DUE DATE 11/16/88 REVISOR APPROVED ✓

APPROVED ✓ REVISOR DISAPPROVED _____

DISAPPROVED _____ FILED W/SEC. OF STATE _____

WITHDRAWN _____ RETURNED TO AGENCY _____

✓ Rule as adopted (4 copies)

N/A Notice to Solicit Outside Information/Opinion (if applicable)

_____ Date published in State Register
_____ Comments

N/A Petition for Adoption of a Rule (if applicable)

N/A Board's Authorizing Resolution

_____ Date adopted

✓ Proposed Rule

_____ Revisor's Certificate

✓ Notice of Intent to Adopt Rule

✓ Statutory Authority
N/A Small Business Statement
N/A Expenditure of public money statement
✓ Signature

✓ Statement of Need and Reasonableness (if applicable)

✓ Small Business Statement
N/A Fees - § 16A.128

_____ Affidavit of Mailing Notice of Intent to Adopt Rule

✓ Date 30/25 days before adoption 3/30 + 3 days
✓ Notice attached
✓ Copy of rule or summary attached

✓ Publication in State Register 4/18/88

✓ Date 30/25 days before adoption 10/20/88

✓ 180-day deadline from: May 13 Aug 31 / June 30 Sept 30 / July 31 Oct 30

✓ end of comment period (§ 14.26) (rules without hearing) 4/18/88 → 5/18/88
N/A effective date of statutory authority (§ 14.29) (emergency rules)

N/A Resolution Adopting

_____ Date adopted

✓ Findings of Fact, Conclusions & Order Adopting

10/20/88 Date

✓ Written requests, submissions or comments

✓ Declaration of attorney

Julie Leppink Name of SAAG representing agency

✓ Notice of Submission to Atty. Gen. (if applicable)

✓ Aff. of Mailing Notice to Atty. Gen. (if applicable)

SF-00006-05 (4/86)

DEPARTMENT :

ATTORNEY GENERAL/EPD

STATE OF MINNESOTA

Office Memorandum

DATE :

11/14/88

TO :

JULIE LEPPINK
Special Assistant Attorney General

FROM :

JOCELYN F. OLSON
Assistant Attorney General

PHONE :

6-7343

SUBJECT :

IN THE MATTER OF THE PROPOSED ADOPTION OF AMENDMENTS TO THE ATTORNEY GENERAL RULE GOVERNING PROCEEDINGS FOR THE REVIEW OF RULES ADOPTED WITHOUT PUBLIC HEARINGS AND EMERGENCY RULES AS TO LEGALITY

The above-referenced rule amendments have been approved as to legality by the Attorney General on November 14, 1988.

Enclosed is the agency's copy of the approved rule. The office has 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.

In order to put the rule amendments into effect, your agency must publish a notice of adoption in the State Register in accordance with Minn. Stat. § 14.27.

If you have any questions, please contact me.

SS:mah

cc: Maryanne Hruby
Executive Director
Legislative Commission to
Review Administraive Rules

William Brown
Chief Administrative Law Judge
Office of Administrative Hearings

Office of the Attorney General

Adopted Permanent Rules Relating to Rule Reviews

Rules as Adopted

2010.0300 DOCUMENTS NECESSARY FOR REVIEW OF A RULE ADOPTED WITHOUT A PUBLIC HEARING.

To submit a rule adopted without a public hearing to the attorney general for review and approval pursuant to Minnesota Statutes, section 14.26, the agency must submit to the attorney general the following documents:

A. to D. [Unchanged.]

E. The notice of intent to adopt a rule without a public hearing as mailed. The notice must be signed by a person authorized to adopt the rule or authorized to sign and give notice of the intent to adopt the rule without a public hearing and must contain the following:

(1) to (3) [Unchanged.]

(4) A statement that 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.

(5) to (14) [Unchanged.]

(15) Any other notices required by law or rule to be included in the notice of intent to adopt a rule without a public hearing.

For the recommended format of the notice, see part 2010.9915.

F. to J. [Unchanged.]

K. The findings of fact, conclusions, and order adopting the rule which must contain the following:

(1) and (2) [Unchanged.]

(3) for rules that establish or adjust fees, a statement that before the notice of intent to adopt rules was submitted to the State Register, a copy of the notice and the

Approved by Revisor

proposed rule was sent to the chairs of the house appropriations committee and senate finance committee;

(4) to (8) [Unchanged.]

L. to O. [Unchanged.]

2010.0500 RULE SUBMISSION AND AGENCY FAILURE TO SUBMIT REQUIRED DOCUMENTS.

Subpart 1. **Rule submission.** A rule is considered submitted to the attorney general when the rule and the record consisting of the required documents are received at the Office of the Attorney General, ~~**Administration/**~~ Public Finance Division located at 515 Transportation Building, John Ireland Boulevard, Saint Paul, Minnesota 55155.

Subp. 2. **Failure to submit required documents.** Failure to submit all the required documents makes a submission incomplete. The attorney general must promptly inform the agency of the missing documents. If the missing documents include the required four copies of the rule as adopted, findings of fact, conclusions and order, declaration of the attorney in the attorney general's office who represents the agency, or the statement of need and reasonableness for a rule adopted without a public hearing, the rule review period will not be initiated. For other missing documents, if the agency submits the missing documents to the attorney general within the attorney general review period, the submission shall be deemed complete and the period of review shall continue to run. If the missing documents are not submitted within the review period, the rule must either be withdrawn from review or rejected by the attorney general.

2010.9915 RECOMMENDED NOTICE OF INTENT TO ADOPT A RULE WITHOUT A PUBLIC HEARING.

Department of _____

In the Matter of the Proposed Adoption of the Rule of the State _____ Governing _____	NOTICE OF INTENT TO ADOPT A RULE WITHOUT A PUBLIC HEARING

Notice is hereby given that the State _____

Approved by Revisor _____

intends to adopt the above-entitled rule without a public hearing following the procedures set forth in the Administrative Procedure Act for adopting rules without a public hearing in Minnesota Statutes, sections 14.22 to 14.28. The statutory authority to adopt the rule is [specific statutory citation.]

All persons have 30 days in which to submit comment 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.

Any person may make a written request for a public hearing on the rule 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 public 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 agency will proceed pursuant to Minnesota Statutes, sections 14.131 to 14.20.

Comments or written requests for a public hearing must be submitted to:

[Name, address, and telephone number]

The proposed rule may be modified if the modifications are supported by data and views submitted to the agency and do not result in a substantial change in the proposed rule as noticed.

[A copy of the proposed rule is attached to this notice.]

or

[The rule proposed for adoption relates to the following matters (informative statement describing the nature and effect of the proposed rule). A free copy of the rule is available upon request from _____.]

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

Approved
by Revisor _____

support the proposed rule has been prepared and is available from _____ upon request.

[If applicable, other notices which are required or chosen to be inserted in the Notice of Intent to Adopt a Rule Without a Public Hearing must be inserted, for example, Minnesota Statutes, section 14.11, subdivision 1, 14.115, subdivision 4.]

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 _____.

_____ _____
Date [Name]

_____
[Title]

2010.9940 RECOMMENDED NOTICE OF SUBMISSION OF RULE ADOPTED WITHOUT PUBLIC HEARING TO ATTORNEY GENERAL.

STATE OF MINNESOTA

DEPARTMENT OF _____

In the Matter of the Proposed Adoption of the Rule of the State _____ Governing _____	NOTICE OF SUBMISSION OF RULE ADOPTED WITHOUT PUBLIC HEARING TO THE ATTORNEY GENERAL

Pursuant to your request and in accordance with Minnesota Statutes, section 14.26:

PLEASE TAKE NOTICE that the above-captioned rule as adopted has been submitted to the Office of the Attorney General on the date of this notice, _____, 19___, for review as to legality and form to the extent form relates to legality. The proposed rule, the rule as adopted, all the notices, the Statement of Need and Reasonableness, all written comments and requests for a hearing received, and other required documents also have been submitted to the Attorney General.

[(If the proposed rule has been modified:) The proposed

Approved by Revisor _____

rule which was published in the State Register and made available to the public on _____, 19___, has been modified. A free copy of the rule as modified as well as the findings of fact, conclusions, and order explaining the amendments and adopting the rule is available upon request from _____. (or) A copy of the rule as modified is enclosed with this notice.]

The rule must be approved or disapproved by the Attorney General within 14 calendar days of the date of submission to the attorney general. You may submit written comments to the attorney general on the legality of the rule. Any written comments must be submitted within eight calendar days of the date of submission of the rule to the Attorney General. Your comments must address only the issue of legality of the rule or the legality of the specific parts or subparts of the rule. The attorney general standards for review are set forth in Minnesota Rules, part 2010.1000. You may receive a copy of the attorney general decision upon written request to the attorney general. Your comments or requests for the decision must be directed to:

The Office of the Attorney General
~~Administration/~~ Public Finance Division
515 Transportation Building
John Ireland Boulevard
Saint Paul, Minnesota 55155
Telephone Number: (612) ~~296-9715~~ 297-2040

Any written comments submitted to the Attorney General must be submitted simultaneously to:

[Name, address, and phone number of appropriate person in the agency]

[Name] _____

[Title] _____

Dated: _____

2010.9960 RECOMMENDED NOTICE OF SUBMISSION OF THE EMERGENCY RULE TO ATTORNEY GENERAL.

STATE OF MINNESOTA

DEPARTMENT OF _____

In the Matter of the Proposed Adoption of the Rule of the State _____ Governing _____	NOTICE OF SUBMISSION OF EMERGENCY RULE

Approved by Revisor _____

TO THE ATTORNEY GENERAL

Pursuant to your request and in accordance with Minnesota Statutes, section 14.32:

PLEASE TAKE NOTICE that the above-captioned emergency rule as adopted has been submitted to the Office of the Attorney General on the date of this notice, _____, 19___, for review as to legality and form to the extent form relates to legality. The proposed emergency rule, the rule as adopted, all the notices, all written comments received and other required documents also have been submitted to the attorney general.

[(If the proposed emergency rule has been modified:) The proposed emergency rule which was published in the State Register and made available to the public on _____, 19___, has been modified. A free copy of the emergency rule as modified as well as the findings of fact, conclusions, and order explaining the amendments and adopting the rule is available upon request from _____. (or) A copy of the rule as modified is enclosed with this notice.]

The rule must be approved or disapproved by the Attorney General on the tenth working day following date of receipt of the rule. You may submit written comments to the Attorney General. Any written comments must be submitted within seven working days of the date of this notice. Your comments must address only the issue of legality of the rule or the legality of the specific parts or subparts of the rule. The attorney general standards for review are set forth in Minnesota Rules, part 2010.1000. You may receive a copy of the attorney general decision upon written request to the attorney general. Your comments or requests for the decision must be directed to:

The Office of the Attorney General
Public Finance Division
515 Transportation Building
John Ireland Boulevard
Saint Paul, Minnesota 55155
Telephone: (612) ~~296-9715~~ 297-2040

Any written comments submitted to the Attorney General must be submitted simultaneously to:

[Name, address, and phone number of

Approved by Revisor _____

appropriate person in the agency]

_____
[Name]

_____
[Title]

Dated:_____

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
NOV 16 '88
Secretary of State

Approved
by Revisor _____

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

NOV 16 1988

Joan Anderson Growe
Secretary of State

9:40 AM

APPROVED AS TO FORM AND LEGALITY
November 14 19 88
HUBERT H. HUMPHREY, III
ATTORNEY GENERAL
BY Jocelyn F. Olson
SPECIAL ASSISTANT ATTORNEY GENERAL

Office of the Attorney General

Adopted Permanent Rules Relating to Rule Reviews

Rules as Adopted

2010.0300 DOCUMENTS NECESSARY FOR REVIEW OF A RULE ADOPTED WITHOUT A PUBLIC HEARING.

To submit a rule adopted without a public hearing to the attorney general for review and approval pursuant to Minnesota Statutes, section 14.26, the agency must submit to the attorney general the following documents:

A. to D. [Unchanged.]

E. The notice of intent to adopt a rule without a public hearing as mailed. The notice must be signed by a person authorized to adopt the rule or authorized to sign and give notice of the intent to adopt the rule without a public hearing and must contain the following:

(1) to (3) [Unchanged.]

(4) A statement that 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.

(5) to (14) [Unchanged.]

(15) Any other notices required by law or rule to be included in the notice of intent to adopt a rule without a public hearing.

For the recommended format of the notice, see part 2010.9915.

F. to J. [Unchanged.]

K. The findings of fact, conclusions, and order adopting the rule which must contain the following:

(1) and (2) [Unchanged.]

(3) for rules that establish or adjust fees, a statement that before the notice of intent to adopt rules was submitted to the State Register, a copy of the notice and the

Approved by Revisor

proposed rule was sent to the chairs of the house appropriations committee and senate finance committee;

(4) to (8) [Unchanged.]

L. to O. [Unchanged.]

2010.0500 RULE SUBMISSION AND AGENCY FAILURE TO SUBMIT REQUIRED DOCUMENTS.

Subpart 1. **Rule submission.** A rule is considered submitted to the attorney general when the rule and the record consisting of the required documents are received at the Office of the Attorney General, ~~**Administration/**~~ Public Finance Division located at 515 Transportation Building, John Ireland Boulevard, Saint Paul, Minnesota 55155.

Subp. 2. **Failure to submit required documents.** Failure to submit all the required documents makes a submission incomplete. The attorney general must promptly inform the agency of the missing documents. If the missing documents include the required four copies of the rule as adopted, findings of fact, conclusions and order, declaration of the attorney in the attorney general's office who represents the agency, or the statement of need and reasonableness for a rule adopted without a public hearing, the rule review period will not be initiated. For other missing documents, if the agency submits the missing documents to the attorney general within the attorney general review period, the submission shall be deemed complete and the period of review shall continue to run. If the missing documents are not submitted within the review period, the rule must either be withdrawn from review or rejected by the attorney general.

2010.9915 RECOMMENDED NOTICE OF INTENT TO ADOPT A RULE WITHOUT A PUBLIC HEARING.

Department of _____

In the Matter of the Proposed Adoption of the Rule of the State _____ Governing _____	NOTICE OF INTENT TO ADOPT A RULE WITHOUT A PUBLIC HEARING

Notice is hereby given that the State _____

Approved by Revisor _____

intends to adopt the above-entitled rule without a public hearing following the procedures set forth in the Administrative Procedure Act for adopting rules without a public hearing in Minnesota Statutes, sections 14.22 to 14.28. The statutory authority to adopt the rule is [specific statutory citation.]

All persons have 30 days in which to submit comment 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.

Any person may make a written request for a public hearing on the rule 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 public 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 agency will proceed pursuant to Minnesota Statutes, sections 14.131 to 14.20.

Comments or written requests for a public hearing must be submitted to:

[Name, address, and telephone number]

The proposed rule may be modified if the modifications are supported by data and views submitted to the agency and do not result in a substantial change in the proposed rule as noticed.

[A copy of the proposed rule is attached to this notice.]

or

[The rule proposed for adoption relates to the following matters (informative statement describing the nature and effect of the proposed rule). A free copy of the rule is available upon request from _____.]

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

Approved
by Revisor _____

support the proposed rule has been prepared and is available from _____ upon request.

[If applicable, other notices which are required or chosen to be inserted in the Notice of Intent to Adopt a Rule Without a Public Hearing must be inserted, for example, Minnesota Statutes, section 14.11, subdivision 1, 14.115, subdivision 4.]

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 _____.

_____ _____
Date [Name]

_____
[Title]

2010.9940 RECOMMENDED NOTICE OF SUBMISSION OF RULE ADOPTED WITHOUT PUBLIC HEARING TO ATTORNEY GENERAL.

STATE OF MINNESOTA

DEPARTMENT OF _____

In the Matter of the Proposed Adoption of the Rule of the State _____ Governing _____	NOTICE OF SUBMISSION OF RULE ADOPTED WITHOUT PUBLIC HEARING TO THE ATTORNEY GENERAL

Pursuant to your request and in accordance with Minnesota Statutes, section 14.26:

PLEASE TAKE NOTICE that the above-captioned rule as adopted has been submitted to the Office of the Attorney General on the date of this notice, _____, 19___, for review as to legality and form to the extent form relates to legality. The proposed rule, the rule as adopted, all the notices, the Statement of Need and Reasonableness, all written comments and requests for a hearing received, and other required documents also have been submitted to the Attorney General.

[(If the proposed rule has been modified:) The proposed

Approved by Revisor _____

rule which was published in the State Register and made available to the public on _____, 19___, has been modified. A free copy of the rule as modified as well as the findings of fact, conclusions, and order explaining the amendments and adopting the rule is available upon request from _____. (or) A copy of the rule as modified is enclosed with this notice.]

The rule must be approved or disapproved by the Attorney General within 14 calendar days of the date of submission to the attorney general. You may submit written comments to the attorney general on the legality of the rule. Any written comments must be submitted within eight calendar days of the date of submission of the rule to the Attorney General. Your comments must address only the issue of legality of the rule or the legality of the specific parts or subparts of the rule. The attorney general standards for review are set forth in Minnesota Rules, part 2010.1000. You may receive a copy of the attorney general decision upon written request to the attorney general. Your comments or requests for the decision must be directed to:

The Office of the Attorney General
~~Administration/~~ Public Finance Division
515 Transportation Building
John Ireland Boulevard
Saint Paul, Minnesota 55155
Telephone Number: (612) ~~296-9715~~ 297-2040

Any written comments submitted to the Attorney General must be submitted simultaneously to:

[Name, address, and phone number of appropriate person in the agency]

[Name] _____

[Title] _____

Dated: _____

2010.9960 RECOMMENDED NOTICE OF SUBMISSION OF THE EMERGENCY RULE TO ATTORNEY GENERAL.

STATE OF MINNESOTA

DEPARTMENT OF _____

In the Matter of the Proposed Adoption of the Rule of the State _____ Governing _____	NOTICE OF SUBMISSION OF EMERGENCY RULE

Approved by Revisor _____

TO THE ATTORNEY GENERAL

Pursuant to your request and in accordance with Minnesota Statutes, section 14.32:

PLEASE TAKE NOTICE that the above-captioned emergency rule as adopted has been submitted to the Office of the Attorney General on the date of this notice, _____, 19___, for review as to legality and form to the extent form relates to legality. The proposed emergency rule, the rule as adopted, all the notices, all written comments received and other required documents also have been submitted to the attorney general.

[(If the proposed emergency rule has been modified:) The proposed emergency rule which was published in the State Register and made available to the public on _____, 19___, has been modified. A free copy of the emergency rule as modified as well as the findings of fact, conclusions, and order explaining the amendments and adopting the rule is available upon request from _____. (or) A copy of the rule as modified is enclosed with this notice.]

The rule must be approved or disapproved by the Attorney General on the tenth working day following date of receipt of the rule. You may submit written comments to the Attorney General. Any written comments must be submitted within seven working days of the date of this notice. Your comments must address only the issue of legality of the rule or the legality of the specific parts or subparts of the rule. The attorney general standards for review are set forth in Minnesota Rules, part 2010.1000. You may receive a copy of the attorney general decision upon written request to the attorney general. Your comments or requests for the decision must be directed to:

The Office of the Attorney General
Public Finance Division
515 Transportation Building
John Ireland Boulevard
Saint Paul, Minnesota 55155
Telephone: (612) ~~296-9715~~ 297-2040

Any written comments submitted to the Attorney General must be submitted simultaneously to:

[Name, address, and phone number of

Approved by Revisor _____

appropriate person in the agency]

_____
[Name]

_____
[Title]

Dated:_____

Approved
by Revisor _____

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

NOV 16 1988

Joan Anderson Growe
Secretary of State

9:40 AM

APPROVED AS TO FORM AND LEGALITY
November 14 19 88
HUBERT H. HUMPHREY, III
ATTORNEY GENERAL
BY Joulyn F. Olson
SPECIAL ASSISTANT ATTORNEY GENERAL

Office of the Attorney General

Proposed Permanent Rules Relating to Rule Reviews

Rules as Proposed

2010.0300 DOCUMENTS NECESSARY FOR REVIEW OF A RULE ADOPTED WITHOUT A PUBLIC HEARING.

To submit a rule adopted without a public hearing to the attorney general for review and approval pursuant to Minnesota Statutes, section 14.26, the agency must submit to the attorney general the following documents:

A. to D. [Unchanged.]

E. The notice of intent to adopt a rule without a public hearing as mailed. The notice must be signed by a person authorized to adopt the rule or authorized to sign and give notice of the intent to adopt the rule without a public hearing and must contain the following:

(1) to (3) [Unchanged.]

(4) A statement that 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. ~~If the agency is fixing fees by rulemaking pursuant to Minnesota Statutes, section 16A.128, subdivision 2a, on or before July 1, 1987, subitem (15) is applicable.~~

(5) to (14) [Unchanged.]

(15) ~~If the agency is fixing fees by rulemaking without a public hearing pursuant to Minnesota Statutes, section 16A.128, subdivision 2a, on or before July 1, 1987, subitem (4) of this subpart is inapplicable and is substituted with a statement that no public hearing need be held unless 20 percent of the persons who will be required to pay the fee submit to the agency during the 30-day period allowed for comment a written request for a public hearing on the proposed rule. For fees established or adjusted after July 1, 1987, subitem (4) is~~

Approved by Revisor

~~applicable.~~

~~(16)~~ Any other notices required by law or rule to be included in the notice of intent to adopt a rule without a public hearing.

For the recommended format of the notice, see part 2010.9915.

F. to J. [Unchanged.]

K. The findings of fact, conclusions, and order adopting the rule which must contain the following:

(1) and (2) [Unchanged.]

(3) for rules that establish or adjust fees ~~after July 1, 1987~~, a statement that before the notice of intent to adopt rules was submitted to the State Register, a copy of the notice and the proposed rule was sent to the chairs of the house appropriations committee and senate finance committee;

(4) to (8) [Unchanged.]

L. to O. [Unchanged.]

2010.0500 RULE SUBMISSION AND AGENCY FAILURE TO SUBMIT REQUIRED DOCUMENTS.

Subpart 1. **Rule submission.** A rule is considered submitted to the attorney general when the rule and the record consisting of the required documents are received at the Office of the Attorney General, ~~Administrative/Finance~~ Administration/Finance Division located at ~~204 Administration Building, 50 Sherburne Avenue,~~ 515 Transportation Building, John Ireland Boulevard, Saint Paul, Minnesota 55155.

Subp. 2. **Failure to submit required documents.** Failure to submit all the required documents makes a submission incomplete. The attorney general must promptly inform the agency of the missing documents. If the missing documents include the required four copies of the rule as adopted, findings of fact, conclusions and order, declaration of the attorney in the attorney general's office who represents the agency, or the statement of need and reasonableness for a rule adopted without a public hearing, the rule review period will

Approved
by Revisor _____

not be initiated. For other missing documents, if the agency submits the missing documents to the attorney general within the attorney general review period, the submission shall be deemed complete and the period of review shall continue to run. If the missing documents are not submitted within the review period, the rule must either be withdrawn from review or rejected by the attorney general.

2010.9915 RECOMMENDED NOTICE OF INTENT TO ADOPT A RULE WITHOUT A PUBLIC HEARING.

Department of _____

In the Matter of the Proposed Adoption of the Rule of the State _____ Governing _____	NOTICE OF INTENT TO ADOPT A RULE WITHOUT A PUBLIC HEARING

Notice is hereby given that the State _____ intends to adopt the above-entitled rule without a public hearing following the procedures set forth in the Administrative Procedure Act for adopting rules without a public hearing in Minnesota Statutes, sections 14.22 to 14.28. The statutory authority to adopt the rule is [specific statutory citation.]

All persons have 30 days in which to submit comment 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.

Any person may make a written request for a public hearing on the rule 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 public 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 agency will proceed pursuant to Minnesota Statutes, sections 14.131 to 14.20.

Comments or written requests for a public hearing must be

Approved by Revisor _____

submitted to:

[Name, address, and telephone number]

The proposed rule may be modified if the modifications are supported by data and views submitted to the agency and do not result in a substantial change in the proposed rule as noticed.

[A copy of the proposed rule is attached to this notice.]

or

[The rule proposed for adoption relates to the following matters (informative statement describing the nature and effect of the proposed rule). A free copy of the rule is available upon request from _____.]

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 rule has been prepared and is available from _____ upon request.

[If applicable, other notices which are required or chosen to be inserted in the Notice of Intent to Adopt a Rule Without a Public Hearing must be inserted, for example, Minnesota Statutes, section 14.11, subdivision 1, 14.115, subdivision 4~~, or 16A.128, subdivision 2a~~.]

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 _____.

_____ _____
Date [Name]

_____
[Title]

2010.9940 RECOMMENDED NOTICE OF SUBMISSION OF RULE ADOPTED WITHOUT PUBLIC HEARING TO ATTORNEY GENERAL.

STATE OF MINNESOTA

Approved
by Revisor _____

DEPARTMENT OF _____

In the Matter of the Proposed Adoption of the Rule of the State _____ Governing _____

NOTICE OF SUBMISSION OF RULE ADOPTED WITHOUT PUBLIC HEARING TO THE ATTORNEY GENERAL

Pursuant to your request and in accordance with Minnesota Statutes, section 14.26:

PLEASE TAKE NOTICE that the above-captioned rule as adopted has been submitted to the Office of the Attorney General on the date of this notice, _____, 19___, for review as to legality and form to the extent form relates to legality. The proposed rule, the rule as adopted, all the notices, the Statement of Need and Reasonableness, all written comments and requests for a hearing received, and other required documents also have been submitted to the Attorney General.

[(If the proposed rule has been modified:) The proposed rule which was published in the State Register and made available to the public on _____, 19___, has been modified. A free copy of the rule as modified as well as the findings of fact, conclusions, and order explaining the amendments and adopting the rule is available upon request from _____. (or) A copy of the rule as modified is enclosed with this notice.]

The rule must be approved or disapproved by the Attorney General within 14 calendar days of the date of submission to the attorney general. You may submit written comments to the attorney general on the legality of the rule. Any written comments must be submitted within eight calendar days of the date of submission of the rule to the Attorney General. Your comments must address only the issue of legality of the rule or the legality of the specific parts or subparts of the rule. The attorney general standards for review are set forth in Minnesota Rules, part 2010.1000. You may receive a copy of the attorney general decision upon written request to the attorney general. Your comments or requests for the decision must be directed to:

The Office of the Attorney General
Administration/Finance Division
~~204 Administration Building~~

Approved by Revisor _____

515 Transportation Building
~~50 Sherburne Avenue~~
John Ireland Boulevard
Saint Paul, Minnesota 55155
Telephone Number: (612) ~~296-1288~~ 296-9715

Any written comments submitted to the Attorney General must be submitted simultaneously to:

[Name, address, and phone number of appropriate person in the agency]

[Name] _____

[Title] _____

Dated: _____

2010.9960 RECOMMENDED NOTICE OF SUBMISSION OF THE EMERGENCY RULE TO ATTORNEY GENERAL.

STATE OF MINNESOTA

DEPARTMENT OF _____

In the Matter of the Proposed Adoption of the Rule of the State _____ Governing _____	NOTICE OF SUBMISSION OF EMERGENCY RULE TO THE ATTORNEY GENERAL

Pursuant to your request and in accordance with Minnesota Statutes, section 14.32:

PLEASE TAKE NOTICE that the above-captioned emergency rule as adopted has been submitted to the Office of the Attorney General on the date of this notice, _____, 19___, for review as to legality and form to the extent form relates to legality. The proposed emergency rule, the rule as adopted, all the notices, all written comments received and other required documents also have been submitted to the attorney general.

[(If the proposed emergency rule has been modified:) The proposed emergency rule which was published in the State Register and made available to the public on _____, 19___, has been modified. A free copy of the emergency rule as modified as well as the findings of fact, conclusions, and order explaining the amendments and adopting the rule is available upon request from _____. (or) A copy of the rule as modified is enclosed with this notice.]

The rule must be approved or disapproved by the Attorney General on the tenth working day following date of receipt of

Approved by Revisor _____

the rule. You may submit written comments to the Attorney General. Any written comments must be submitted within seven working days of the date of this notice. Your comments must address only the issue of legality of the rule or the legality of the specific parts or subparts of the rule. The attorney general standards for review are set forth in Minnesota Rules, part 2010.1000. You may receive a copy of the attorney general decision upon written request to the attorney general. Your comments or requests for the decision must be directed to:

The Office of the Attorney General
~~204 Administration Building~~
515 Transportation Building
~~50 Sherburne Avenue~~
John Ireland Boulevard
Saint Paul, Minnesota 55155
Telephone: (612) ~~296-1288~~ 296-9715

Any written comments submitted to the Attorney General must be submitted simultaneously to:

[Name, address, and phone number of appropriate person in the agency]

_____
[Name]

_____
[Title]

Dated: _____

Approved
by Revisor _____

Office of the Revisor of Statutes

Administrative Rules

TITLE: Proposed Permanent Rules Relating to Rule Reviews

AGENCY: Office of the Attorney General

MINNESOTA RULES: Chapter 2010

The attached rules are approved for publication
in the State Register

Paul M. Marinac
Assistant Deputy Revisor

In the Matter of the Proposed Adoption of Amendments to the Attorney General Rule Governing Proceedings for the Review of Rules Adopted Without Public Hearings and Emergency Rules as to Legality

NOTICE OF INTENT TO ADOPT AMENDMENTS TO A RULE WITHOUT A PUBLIC HEARING

Notice is hereby given that the Attorney General intends to adopt the above-entitled amendments to a rule without a public hearing following the procedures set forth in the Administrative Procedure Act for adopting rules without a public hearing in Minnesota Statutes, sections 14.22 to 14.28. The statutory authority to adopt the rule is Minn. Stat. §§ 14.06, 14.09, 14.26, 14.32 and 14.365(8).

All persons have 30 days in which to submit comments in support of or in opposition to the proposed rule or to 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.

Any person may make a written request for a public hearing on the rule 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 public 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 agency will proceed pursuant to Minnesota Statutes, sections 14.131 to 14.20.

Comments or written requests for a public hearing must be submitted to:

Julie A. Leppink
Administration/Finance Division
515 Transportation Building
John Ireland Boulevard
St. Paul, Minnesota 55155

The proposed rule may be modified if the modifications are supported by data and views submitted to the agency and do not result in a substantial change in the proposed rule as noticed.

A copy of the proposed rule is attached to this notice.

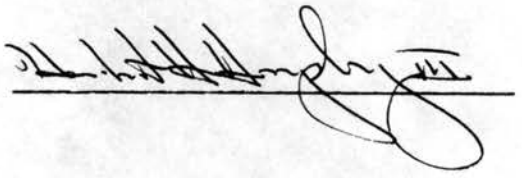
A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rule has been prepared and is available from Julie A. Leppink upon request.

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 form and 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 Julie A. Leppink at the address listed above.

3-25-88
Date

HUBERT H. HUMPHREY, III
Attorney General
State of Minnesota



STATE OF MINNESOTA

OFFICE OF THE ATTORNEY GENERAL

In the Matter of the Proposed Adoption Amendments to the Attorney General Rule Governing Procedures for the Review of Rules Adopted Without Hearings and Emergency Rules as to Legality.

STATEMENT OF NEED AND REASONABLENESS

I. INTRODUCTION

The Attorney General is required to review administrative rules adopted without public hearings or through the emergency rulemaking procedure for legality and for form to the extent form relates to legality. This Statement of Need and Reasonableness justifies the need for and reasonableness of the proposed amendments to the Attorney General rule in accordance with Minn. Stat. § 14.131 and Minn. Rules pt. 1400.0500.

II. STATUTORY AUTHORITY

The Attorney General is required by Minn. Stat. §§ 14.26 and 14.32 to review rules adopted by state agencies without public hearings and through emergency rulemaking procedures. To accomplish this responsibility, the Attorney General is authorized [. . .] to promulgate rules setting forth requirements and procedures for submission of rules for review. [Minn. Stat. §§ 14.06, 14.05 and 14.09]. The Attorney General Rule was promulgated in 1986; the proposed rules are minor amendments to Chapter 2010.

III. NEED AND REASONABLENESS

Generally, the proposed amendments change an address and remove obsolete language from the rules. In only one part is a requirement added to the rule review procedures. The following discussion analyzes the need for and reasonableness of the amendments as required by Minn. Stat. § 14.23 and Minn. R. pt. 2010.0700.

2010.0300, subparts E(4); E(4); E(15) and K(3)

References to procedures applicable to rules setting fees prior to July 1, 1987, have been omitted.

Deleting the reference to rules promulgated prior to the July 1, 1987 effective date of Minn. Stat. § 16A.128, subds. 1a and 2a, is necessary because July 1, 1987, has passed and the references are obsolete. It is reasonable to delete the references because doing so will make the rule more easily understood and clarify that subsection E(4) now applies to all rules promulgated pursuant to § 16A.128, subd. 2a.

2010.0500, subpart 1; 2010.9940; 2010.9960

These amendments change the address of the Administration/ Finance Division of the Attorney General's Office.

This amendment is needed because the Administration/ Finance Division moved in January, 1988. The change is necessary to assure that rules passed without public hearings and emergency rules are submitted to the correct division for Attorney General review.

2010.0500, subpart 1 also changes the Administrative to Administration Division. The change is needed and reasonable because it assures that the rule reflects the Administration/Finance Division's correct name.

2010.0500, subpart 2

The declaration of the attorney in the Attorney General's Office who represents the agency has been added to the list of documents required to be submitted before the rule review period will be initiated.

This amendment is necessary because the declaration is often missing when an agency submits a rule or review by the Attorney General's Office. The declaration of counsel is particularly important because it includes the four digit client code necessary for Attorney General billing.

Requiring the declaration of counsel is reasonable because doing so will ensure that the rule has been approved by the agency's counsel before it is submitted for review. In addition, if the declaration is required the Administration/Finance Division can be assured that the rule is being submitted for official review pursuant to Minn. Stat. §§ 14.26 and 14.32 and not for pre-submission review by an individual attorney.

Repealer

As explained above, it is proposed that 2010.0300, subpart E(15) be repealed.

III. OTHER STATUTORY REQUIREMENTS

Minn. Stat. § 14.115 requires agencies, when proposing a new rule or amending existing rules which may affect small businesses, to consider certain methods for reducing the impact of the rule and to provide certain notices to small businesses. The proposed amendments concern only agencies which submit rules to the Attorney for review. Small businesses will not be even indirectly affected by the address changes, deletion of obsolete material, or the requirement that an agency mut promptly submit a declaration of counsel.

Minn. Stat. § 14.11, subd. 2 is inapplicable as the proposed rule will not have any direct and substantial adverse impact on agricultural land. Sections 115.43, subd. 1, 116.07, subd. 6 and 144A.29, subd. 4 do not apply to the Attorney General. Section 16A.128, subd. 1 is inapplicable because the proposed rule does not set any fee. A fiscal note is not required pursuant to section 3.982 as the rule will not force any local agency or school district to incur costs.

CONCLUSION

Based on the foregoing, the amendments to Attorney General rule proposed to be set forth in Minn. Rules Chapter 2010 are needed to assist state agencies inthe promulgation of their rules and are reasonable because they clarify the requirements for submission of rules to the Attorney General's Office for review.

In the Matter of the Proposed Adoption of the Amendments to The Attorney General Rule Governing Procedures for the Review of Rules Adopted Without Public Hearings and Emergency Rules as to Legality

AFFIDAVIT OF MAILING THE NOTICE OF INTENT TO ADOPT AMENDMENTS TO A RULE WITHOUT A PUBLIC HEARING

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

GRACE THORPE, being sworn says:

That on the 30th day of March, 1988, at the City of St. Paul, County of Ramsey, State of Minnesota, I mailed the attached Notice of Intent to Adopt a Rule Without a Public Hearing by depositing in the State of Minnesota Central Mail System for United States mailing, a copy thereof, with postage prepaid, to all persons and associations on the Attorney General mailing list.

Grace Thorpe
GRACE THORPE

Subscribed and sworn to before me this 17th day of June, 1988.

Jean M Short
Notary Public

JEAN M. SHORT
NOTARY PUBLIC—MINNESOTA
DAKOTA COUNTY
My Commission Expires June 4, 1991

In the Matter of the Proposed Adoption of Amendments to the Attorney General Rule Governing Proceedings for the Review of Rules Adopted Without Public Hearings and Emergency Rules as to Legality

NOTICE OF INTENT TO ADOPT AMENDMENTS TO A RULE WITHOUT A PUBLIC HEARING

Notice is hereby given that the Attorney General intends to adopt the above-entitled amendments to a rule without a public hearing following the procedures set forth in the Administrative Procedure Act for adopting rules without a public hearing in Minnesota Statutes, sections 14.22 to 14.28. The statutory authority to adopt the rule is Minn. Stat. SS 14.06, 14.09, 14.26, 14.32 and 14.365(8).

All persons have 30 days in which to submit comments in support of or in opposition to the proposed rule or to 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.

Any person may make a written request for a public hearing on the rule 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 public 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 agency will proceed pursuant to Minnesota Statutes, sections 14.131 to 14.20.

Comments or written requests for a public hearing must be submitted to:

Julie A. Leppink
Administration/Finance Division
515 Transportation Building
John Ireland Boulevard
St. Paul, Minnesota 55155

The proposed rule may be modified if the modifications are supported by data and views submitted to the agency and do not result in a substantial change in the proposed rule as noticed.

A copy of the proposed rule is attached to this notice.

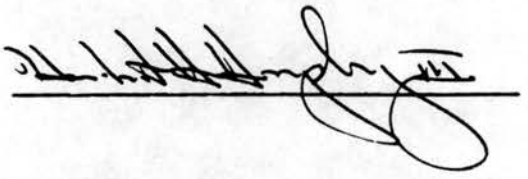
A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rule has been prepared and is available from Julie A. Leppink upon request.

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 form and 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 Julie A. Leppink at the address listed above.

3-25-88
Date

HUBERT H. HUMPHREY, III
Attorney General
State of Minnesota



In the Matter of the Proposed Adoption of the Amendments to the Attorney General Rule Governing Procedures for the Review of Rules Adopted Without Public Hearings and Emergency Rules as to Legality

CERTIFICATE OF MAILING LIST

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

MARTHA J. CASSERLY, being sworn says:

I hereby certify that the list of persons and associations who have requested, pursuant to Minnesota Statutes, sections 14.14, subdivision 1a and 14.22 or 14.30, that their names be placed on the Attorney General's rulemaking mailing list is accurate, complete, and current as of this 30th day of March, 1988.

Martha J. Casserly
MARTHA J. CASSERLY

Subscribed and sworn to before me this 17th day of June, 1988.

Virginia Dubanoski
Notary Public

VIRGINIA DUBANOSKI
NOTARY PUBLIC - MINNESOTA
ANOKA COUNTY
My Commission Expires Sept. 30, 1990

1505.2060 INSPECTION, INSTALLATION, MAINTENANCE, AND MODIFICATION.

Subpart 1. **Official entry.** For the purpose of carrying out parts 1505.2000 to 1505.2070, the commissioner, the commissioner's agents, or other designated state agency or county officials may enter a premises at a reasonable time to:

A. inspect equipment subject to parts 1505.2000 to 1505.2070;

B. inspect or sample water, lands, or crops reported to be exposed to pesticides;

C. inspect or investigate complaints or injury to humans, crops, land, or environment;

D. sample pesticides being applied or to be applied; and

E. observe the use and application of pesticides.

Subp. 2. **Proper installation.** Irrigation systems, devices, valves, pesticide injection units, pumps, and solution tanks used for chemigation purposes must be installed and maintained according to manufacturer's recommendations to ensure proper function during chemigation.

Subp. 3. **Calibration and inspection.** During periods of chemigation, the owner or operator shall periodically calibrate the pesticide injection system. The owner or operator shall also periodically inspect the entire system for proper operation.

Subp. 4. **Modification.** If modification or changes in design, technology, irrigation practices, or other similar reasons warrant the use or placement of equipment other than that specified in parts 1505.2000 to 1505.2070, the Department of Agriculture shall allow the changes if protection to the water supply is at least equal to that provided by the equipment or equipment placement, required in parts 1505.2000 to 1505.2070. Prior to making any changes in the system, the applicant shall submit a revised chemigation permit application to the commissioner. The commissioner has 45 days to review the application and issue a new permit or advise the applicant in writing of an unsatisfactory review, detailing all necessary revisions.

1505.2070 PROHIBITED ACTS.

It is a violation of Minnesota Statutes, chapter 18B, for a person to apply pesticides to land, crops, or plants in or with irrigation water in violation of parts 1505.2000 to 1505.2070.

EFFECTIVE DATE. Parts 1505.2000 to 1505.2070 become effective January 1, 1989.

Office of the Attorney General

Proposed Permanent Rules Relating to Rule Reviews

Notice of Intent to Adopt Amendments to a Rule Without a Public Hearing

Notice is hereby given that the Attorney General intends to adopt the above-entitled amendments to a rule without a public hearing following the procedures set forth in the Administrative Procedure Act for adopting rules without a public hearing in *Minnesota Statutes*, sections 14.22 to 14.28. The statutory authority to adopt the rule is *Minnesota Statutes* §§ 14.06, 14.09, 14.26, 14.32 and 14.365(8).

All persons have 30 days in which to submit comments in support of or in opposition to the proposed rule or to 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.

Any person may make a written request for a public hearing on the rule 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 public 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 agency will proceed pursuant to *Minnesota Statutes*, sections 14.131 to 14.20.

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.

Comments or written requests for a public hearing must be submitted to:

Julie A. Leppink
Administration/Finance Division
515 Transportation Building
John Ireland Boulevard
St. Paul, Minnesota 55155

The proposed rule may be modified if the modifications are supported by data and views submitted to the agency and do not result in a substantial change in the proposed rule as noticed.

A copy of the proposed rule is attached to this notice.

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 rule has been prepared and is available from Julie A. Leppink upon request.

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 form and 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 Julie A. Leppink at the address listed above.

Dated: 25 March 1988

Hubert H. Humphrey, III
Attorney General
State of Minnesota

Rules as Proposed

2010.0300 DOCUMENTS NECESSARY FOR REVIEW OF A RULE ADOPTED WITHOUT A PUBLIC HEARING.

To submit a rule adopted without a public hearing to the attorney general for review and approval pursuant to Minnesota Statutes, section 14.26, the agency must submit to the attorney general the following documents:

A. to D. [Unchanged.]

E. The notice of intent to adopt a rule without a public hearing as mailed. The notice must be signed by a person authorized to adopt the rule or authorized to sign and give notice of the intent to adopt the rule without a public hearing and must contain the following:

(1) to (3) [Unchanged.]

(4) A statement that 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. ~~If the agency is fixing fees by rulemaking pursuant to Minnesota Statutes, section 16A.128, subdivision 2a, on or before July 1, 1987, subitem (15) is applicable.~~

(5) to (14) [Unchanged.]

(15) ~~If the agency is fixing fees by rulemaking without a public hearing pursuant to Minnesota Statutes, section 16A.128, subdivision 2a, on or before July 1, 1987, subitem (4) of this subpart is inapplicable and is substituted with a statement that no public hearing need be held unless 20 percent of the persons who will be required to pay the fee submit to the agency during the 30-day period allowed for comment a written request for a public hearing on the proposed rule. For fees established or adjusted after July 1, 1987, subitem (1) is applicable.~~

~~(16)~~ Any other notices required by law or rule to be included in the notice of intent to adopt a rule without a public hearing.

For the recommended format of the notice, see part 2010.9915.

F. to J. [Unchanged.]

K. The findings of fact, conclusions, and order adopting the rule which must contain the following:

(1) and (2) [Unchanged.]

(3) for rules that establish or adjust fees ~~after July 1, 1987~~, a statement that before the notice of intent to adopt rules was submitted to the *State Register*, a copy of the notice and the proposed rule was sent to the chairs of the house appropriations committee and senate finance committee;

(4) to (8) [Unchanged.]

L. to O. [Unchanged.]

2010.0500 RULE SUBMISSION AND AGENCY FAILURE TO SUBMIT REQUIRED DOCUMENTS.

Subpart 1. **Rule submission.** A rule is considered submitted to the attorney general when the rule and the record consisting of the required documents are received at the Office of the Attorney General, ~~Administrative Finance~~ Administration/Finance Division located at ~~201 Administration Building, 50 Sherburne Avenue,~~ 515 Transportation Building, John Ireland Boulevard, Saint Paul, Minnesota 55155.

Subp. 2. **Failure to submit required documents.** Failure to submit all the required documents makes a submission incomplete. The attorney general must promptly inform the agency of the missing documents. If the missing documents include the required four copies of the rule as adopted, findings of fact, conclusions and order, declaration of the attorney in the attorney general's office who represents the agency, or the statement of need and reasonableness for a rule adopted without a public hearing, the rule review period will not be initiated. For other missing documents, if the agency submits the missing documents to the attorney general within the attorney general review period, the submission shall be deemed complete and the period of review shall continue to run. If the missing documents are not submitted within the review period, the rule must either be withdrawn from review or rejected by the attorney general.

2010.9915 RECOMMENDED NOTICE OF INTENT TO ADOPT A RULE WITHOUT A PUBLIC HEARING.

Department of _____

In the Matter of the Proposed
Adoption of the Rule of
the State _____
Governing _____

NOTICE OF INTENT TO ADOPT A RULE WITHOUT A PUBLIC HEARING

Notice is hereby given that the State _____ intends to adopt the above-entitled rule without a public hearing following the procedures set forth in the Administrative Procedure Act for adopting rules without a public hearing in Minnesota Statutes, sections 14.22 to 14.28. The statutory authority to adopt the rule is [specific statutory citation.]

All persons have 30 days in which to submit comment 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.

Any person may make a written request for a public hearing on the rule 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 public 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 agency will proceed pursuant to Minnesota Statutes, sections 14.131 to 14.20.

Comments or written requests for a public hearing must be submitted to:

[Name, address, and telephone number]

The proposed rule may be modified if the modifications are supported by data and views submitted to the agency and do not result in a substantial change in the proposed rule as noticed.

[A copy of the proposed rule is attached to this notice.]

or

[The rule proposed for adoption relates to the following matters (informative statement describing the nature and effect of the proposed rule). A free copy of the rule is available upon request from _____.]

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 rule has been prepared and is available from _____ upon request.

[If applicable, other notices which are required or chosen to be inserted in the Notice of Intent to Adopt a Rule Without a Public Hearing must be inserted, for example, Minnesota Statutes, section 14.11, subdivision 1, 14.115, subdivision ~~1, or 16A.128, subdivision~~ 2a.]

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.

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 _____.

_____ _____

Date [Name]

_____

[Title]

2010.9940 RECOMMENDED NOTICE OF SUBMISSION OF RULE ADOPTED WITHOUT PUBLIC HEARING TO ATTORNEY GENERAL.

STATE OF MINNESOTA

DEPARTMENT OF _____

In the Matter of the Proposed Adoption
of the Rule of the State _____
Governing _____

NOTICE OF SUBMISSION OF RULE ADOPTED WITHOUT PUBLIC HEARING TO THE ATTORNEY GENERAL

Pursuant to your request and in accordance with Minnesota Statutes, section 14.26:

PLEASE TAKE NOTICE that the above-captioned rule as adopted has been submitted to the Office of the Attorney General on the date of this notice, _____, 19_____, for review as to legality and form to the extent form relates to legality. The proposed rule, the rule as adopted, all the notices, the Statement of Need and Reasonableness, all written comments and requests for a hearing received, and other required documents also have been submitted to the Attorney General.

[(If the proposed rule has been modified:) The proposed rule which was published in the *State Register* and made available to the public on _____, 19_____, has been modified. A free copy of the rule as modified as well as the findings of fact, conclusions, and order explaining the amendments and adopting the rule is available upon request from _____ (or) A copy of the rule as modified is enclosed with this notice.]

The rule must be approved or disapproved by the Attorney General within 14 calendar days of the date of submission to the attorney general. You may submit written comments to the attorney general on the legality of the rule. Any written comments must be submitted within eight calendar days of the date of submission of the rule to the Attorney General. Your comments must address only the issue of legality of the rule or the legality of the specific parts or subparts of the rule. The attorney general standards for review are set forth in Minnesota Rules, part 2010.1000. You may receive a copy of the attorney general decision upon written request to the attorney general. Your comments or requests for the decision must be directed to:

The Office of the Attorney General
Administration/Finance Division
~~204 Administration Building~~
515 Transportation Building
~~50 Sherburne Avenue~~
John Ireland Boulevard
Saint Paul, Minnesota 55155
Telephone Number: (612) ~~296-1288~~ 296-9715

Any written comments submitted to the Attorney General must be submitted simultaneously to:

[Name, address, and phone number of
appropriate person in the agency]

[Name] _____

[Title] _____

Dated: _____

2010.9960 RECOMMENDED NOTICE OF SUBMISSION OF THE EMERGENCY RULE TO ATTORNEY GENERAL.

STATE OF MINNESOTA

DEPARTMENT OF _____

In the Matter of the Proposed Adoption
of the Rule of the State _____
Governing _____

NOTICE OF SUBMISSION OF EMERGENCY RULE TO THE ATTORNEY GENERAL

Pursuant to your request and in accordance with Minnesota Statutes, section 14.32:

PLEASE TAKE NOTICE that the above-captioned emergency rule as adopted has been submitted to the Office of the Attorney General on the date of this notice, _____, 19_____, for review as to legality and form to the extent form relates to legality. The proposed emergency rule, the rule as adopted, all the notices, all written comments received and other required documents also have been submitted to the attorney general.

[(If the proposed emergency rule has been modified:) The proposed emergency rule which was published in the State Register and made available to the public on _____, 19_____, has been modified. A free copy of the emergency rule as modified as well as the findings of fact, conclusions, and order explaining the amendments and adopting the rule is available upon request from _____. (or) A copy of the rule as modified is enclosed with this notice.]

The rule must be approved or disapproved by the Attorney General on the tenth working day following date of receipt of the rule. You may submit written comments to the Attorney General. Any written comments must be submitted within seven working days of the date of this notice. Your comments must address only the issue of legality of the rule or the legality of the specific parts or subparts of the rule. The attorney general standards for review are set forth in Minnesota Rules, part 2010.1000. You may receive a copy of the attorney general decision upon written request to the attorney general. Your comments or requests for the decision must be directed to:

The Office of the Attorney General
~~204 Administration Building~~
515 Transportation Building
~~50 Sherburne Avenue~~
John Ireland Boulevard
Saint Paul, Minnesota 55155
Telephone: (612) ~~296-1288~~ 296-9715

Any written comments submitted to the Attorney General must be submitted simultaneously to:

[Name, address, and phone number of
appropriate person in the agency]

_____
[Name]

_____
[Title]

Dated:_____

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
OFFICE OF THE ATTORNEY GENERAL

In the Matter of the Proposed Adoption of Amendments to the Attorney General Rule Governing Procedures for the Review of Rules Adopted Without Public Hearings and Emergency Rules as to Legality

FINDINGS OF FACT, CONCLUSIONS, AND ORDER ADOPTING AMENDMENTS TO A RULE WITHOUT PUBLIC HEARING

Notice of the Attorney General's intent to adopt the above-entitled rule was published in the State Register on April 18, 1988 and was sent by United States mail to all persons on the list maintained by the agency pursuant to Minnesota Statutes, sections 14.14, subdivision 1a and 14.22 on March 30, 1988. 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.

All persons were given the opportunity to submit comments on the rule for 30 days after the notice of proposed rulemaking was published. No requests for a public hearing on the rule were received by the Attorney General. No comments on the rule were received by the Attorney General. One request for notice of submission to the Attorney General was received by the Attorney General.

Based on the evidence of the record before the Attorney General, I find the following:

In June of 1988, the name of the Division whose attorneys reviews rules was changed from Administration/Finance to Public Finance Division. In addition, because of office changes, the central telephone number for the Public Finance Division is now 297-2040. Accordingly, the Attorney General Rule was amended to reflect these changes as follows:

In Minn. Rules Pt. 2010.0500, the name of the division of the Attorney General's Office responsible for reviewing rules was incorrectly listed and has been changed to read "Public Finance Division."

In Minn. Rules pt. 2010.9940, the recommended Notice of Submission of Rule Adopted Without Public Hearing to the Attorney General, the name of the division and the telephone number for the division was amended to the correct and new division name and telephone number.

Similarly, in Minn. Rules pt. 2010.9960, the recommended Notice of Submission of Emergency Rule to the Attorney General, the division name was inadvertently omitted and the telephone number was incorrectly listed. Accordingly, the new division name and telephone number have been inserted in the form.

The cluster at 515 Transportation Building contains four separate divisions and over 30 attorneys, paralegals and investigators. Presently, when correspondence does not contain the name of a person or of a division, there can be delays before the correspondence is routed to the correct person. Since it is

not possible to insert the name of the attorney reviewer in the rules, the correct name of the division is necessary. Finally, the corrected telephone number is necessary so that persons involved in rulemaking can contact the Public Finance Division with any questions or concerns about the Attorney General review process.

These amendments are not substantial changes as defined under Minn. Rule 2010 pt. 1000(d) since they have no impact on the requirements of the rulemaking process. Specifically, changing and adding the name of the Public Finance Division and amending the telephone number will neither affect any new classes of persons, introduce a new subject matter, nor make a change so as to invite reaction.

The above-captioned rule is needed and reasonable.

NOW, THEREFORE, IT IS ORDERED that the rule identified as the Attorney General Rule governing procedures for the review of rules adopted without a public hearing and emergency rules as to legality is adopted this 20th day of October, 1988, pursuant to the authority vested in me by Minnesota Statutes, sections 14.06 and 14.09.

HUBERT H. HUMPHREY, III
Attorney General

In the Matter of the Proposed Adoption of Amendments to the Attorney General Rule Governing Procedures for the Review of Rules Adopted Without Public Hearings and Emergency Rules as to Legality

DECLARATION OF COUNSEL

I, Julie A. Leppink, Special Assistant Attorney General, do hereby declare that I have examined the above-captioned rule, and the supporting rulemaking record, and that, based on my examination, the Administrative Procedure Act and Minnesota Rules, chapter 2010 have been followed. Any exceptions are listed below. For Attorney General billing purposes, the four-digit docket client code is .0050.

Julie A. Leppink

JULIE A. LEPPINK
Special Assistant
Attorney General

Dated: 11/1/88

STATE OF MINNESOTA

OFFICE OF THE ATTORNEY GENERAL

In the Matter of the Proposed Adoption of the Amendments to the Attorney General Rule Governing Procedures for the Review of Rules Adopted Without Public Hearings and Emergency Rules as to Legality	AFFIDAVIT OF MAILING THE NOTICE OF SUBMISSION OF RULE ADOPTED WITHOUT PUBLIC HEARING TO THE ATTORNEY GENERAL

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

MARTHA J. CASSERLY, being sworn says:

That on the 1st day of November, 1988, in the City of St. Paul, County of Ramsey, State of Minnesota, I mailed the attached Notice of Submission to the Attorney General by depositing in the State of Minnesota Central Mail System for United States mailing, a copy thereof, with postage prepaid, to all persons and associations who requested notice that the rule in the above-entitled matter has been submitted to the Attorney General.

Martha J. Casserly
MARTHA J. CASSERLY
Special Assistant
Attorney General

Subscribed and sworn to before me
this 1st day of November, 1988.

Robin E. Rank
Notary Public

ROBIN E. RANK
NOTARY PUBLIC - MINNESOTA
DAKOTA COUNTY
My Commission Expires July 26, 1989

STATE OF MINNESOTA

OFFICE OF THE ATTORNEY GENERAL

In the Matter of the Proposed Adoption of the Amendments to the Attorney General Rule Governing Procedures for the Review of Rules Adopted Without Public Hearings and Emergency Rules as to Legality	NOTICE OF SUBMISSION OF A RULE ADOPTED WITHOUT A PUBLIC HEARING TO THE ATTORNEY GENERAL

Pursuant to your request and in accordance with Minnesota Statutes, section 14.26:

PLEASE TAKE NOTICE that the above-captioned rule as adopted has been submitted to the Office of the Attorney General on the date of this notice, November 1, 1988, for review as to legality and form to the extent form relates to legality. The proposed rule, the rule as adopted, all the notices, the Statement of Need and Reasonableness, all written comments and requests for a hearing received, and other required documents also have been submitted to the attorney general.

The proposed rule which was published in the State Register and made available to the public on April 18, 1988, has been modified. A copy of the rule as modified and the findings of fact, conclusions and order explaining the amendments is enclosed with this notice.

The rule must be approved or disapproved by the attorney general within 14 calendar days of the date of submission to the attorney general. You may submit written comments to the attorney general on the legality of the rule. Any written comments must be submitted within eight calendar days of the date of submission of the rule to the attorney general. Your comments must address only the issue of legality of the rule or the legality of the specific parts or subparts of the rule. The attorney general standards for review are set forth in Minnesota Rules, part 2010.1000. You may receive a copy of the attorney general decision upon written request to the attorney general. Your comments or requests for the decision must be directed to:

Jocelyn F. Olson
Assistant Attorney General
Attorney General's Office
Suite 200
520 Lafayette Road
Saint Paul, Minnesota 55155
Telephone Number: (612) 296-7341

Any written comments submitted to the Attorney General must be submitted simultaneously to:

Martha J. Casserly
Special Assistant Attorney General
Office of the Attorney General
515 Transportation Building
John Ireland Boulevard
Saint Paul, Minnesota 55155
Telephone Number: (612) 296-6839

Dated: 11/1/88

Martha J. Casserly
MARTHA J. CASSERLY
Special Assistant Attorney General

PRESIDENT
Robert Hauer

VICE PRESIDENTS
Barbara Farrell
Michael Sullivan

TREASURER
Felino de la Pena

EXECUTIVE DIRECTOR
Jeremy Lane

AGENCY ADMINISTRATOR
Roger C. Cobb

LAW OFFICES

of the

LEGAL AID SOCIETY OF MINNEAPOLIS, INC.

SOUTHSIDE OFFICE
2929 FOURTH AVENUE SOUTH
MINNEAPOLIS, MINNESOTA 55408
(612) 827-3774

MANAGING ATTORNEY
Stephen D. Swanson

SUPERVISING ATTORNEY
James E. Wilkinson

ATTORNEYS
Paul C. Clabo
Karim El-Ghazzawy
Lisa E. Knazan
Barbara J. Kuhn
Katie Trotzky

LEGAL ASSISTANTS
Patricia J. Bellanger
Kathy Jenkins

April 15, 1988

Ms. Julie A. Leppink
Administration/Finance Division
515 Transportation Building
John Ireland Boulevard
St. Paul, Minnesota 55155

RE: Proposed Amendments to Attorney General Rules Governing Procedures for Review of Rules Adopted Without Public Hearings and Emergency Rules as to Legality

Dear Ms. Leppink:

Pursuant to M.S. §§14.22 and 14.26, please notify me when the above proposed amendments are submitted to the Attorney General and send me a copy of any modifications that may be proposed to those amendments.

Thank you.

Yours truly,

LEGAL AID SOCIETY OF MINNEAPOLIS

Stephen D. Swanson

Stephen D. Swanson
Attorney at Law

sds:gac

RECEIVED
APR 18 1988
ATTORNEY GENERAL'S OFFICE
515 TRANSPORTATION BLDG
ST. PAUL, MN 55155

United Way
Agency

SF-00006-05 (4/86)

STATE OF MINNESOTA

Office Memorandum

DEPARTMENT : ATTORNEY GENERAL

DATE : November 1, 1988

TO : JOCELYN OLSON
Attorney General's Office

FROM : JULIE A. LEPPINK
Special Assistant
Attorney General

PHONE : 6-9422

SUBJECT : Attorney General Rule

Enclosed please find the Attorney General Rule for your review and approval. If you have questions about the review process please call Martha Casserly at 6-6839.

As a reminder, please submit two copies of the enclosed adopted rule promptly to the Revisor's Office.

JAL:rer
Enclosures

RECEIVED
NOV 02 1988
ATTORNEY GENERAL'S OFFICE
SUITE 200
520 LAFAYETTE ROAD
ST. PAUL, MN 55155

SF-00006-05 (4/86)

DEPARTMENT : ATTORNEY GENERAL

STATE OF MINNESOTA

Office Memorandum

DATE : December 22, 1987

TO : JOCELYN F. OLSON
Assistant Attorney General

FROM : CHRISTIE B. ELLER CBE
Assistant Attorney General

PHONE : 6-6555

SUBJECT : Rules

RECEIVED
DEC 24 1987
ATTORNEY GENERAL'S OFFICE
SUITE 200
520 LAFAYETTE ROAD
ST. PAUL, MN 55155

Enclosed please find the Rules Checklist that is used by our office in connection with rules review. As we discussed in our recent telephone conversation, I do not anticipate that the change to the Attorney General's Office Rules on Rules will be controversial as it relates to the address change and the required submission of the attorney's certification from the attorney in our office representing the agency proposing rules. At the present time, it is hoped that the rule might be ready for review within the next six to eight weeks. We'll certainly keep you posted when we have a more definite schedule.

Please do not hesitate to contact me if you feel someone else should review the rules.

CBE:nah

Attachment

RULE REVIEW CHECKLIST

File No._____ Docket No._____

DATE RECEIVED_____ ADOPTED W/O HEARING_____

REVIEW DATE_____ EMERGENCY RULE_____

DUE DATE_____

REVISOR APPROVED_____

APPROVED_____ REVISOR DISAPPROVED_____

DISAPPROVED_____ FIELD W/SEC.STATE_____

WITHDRAWN_____ RETURNED TO AGENCY_____

_____ Rule as adopted (4 copies)

_____ Notice to Solicit Outside Information/Opinion

_____ Date published in State Register

_____ Comments

_____ Petition for Adoption of a Rule

_____ Board's Authorizing Resolution

_____ Proposed rule

_____ Revisor's Certificate

_____ Notice of Intent to Adopt Rule

_____ Statutory Authority

_____ Small Business Statement

_____ Expenditure of public money statement

_____ Signature

_____ Statement of Need and Reasonableness

_____ Small Business Statement

_____ Fees - § 16A.128

_____ Affidavit of Mailing Notice of Intent to Adopt Rule

_____ Date 30/25 days before adoption

_____ Publication in State Register

_____ Date 30/25 days before adoption

_____ Resolution Adopting

_____ Findings of Fact, Conclusions & Order Adopting

_____ Date

_____ Written requests, submissions or comments

_____ Declaration of attorney

_____ Name of SAAG representing agency

_____ Notice of Submission to Attorney General

_____ Affidavit of Mailing Notice to Attorney General

Findings

No statement re request for notice of Submission to A.G. However notice was sent.

Notice of Intent

No statement that the rule is attached nor a description of the rule changes. However, per Jane Schaub, the rule was attached when mailed.

Authority

~~OR~~ 45.023

45.025