

A bill for an act

relating to waters; modifying requirements for contested case hearing notices;
amending Minnesota Statutes 2006, section 103G.311, subdivision 2.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2006, section 103G.311, subdivision 2, is amended to
read:

Subd. 2. **Hearing notice.** (a) The hearing notice on an application must ~~state~~
include:

(1) the date, place, and time fixed by the commissioner for the hearing; ~~and~~
(2) the waters affected, the water levels sought to be established, or control structures
proposed; and

(3) the matters prescribed by sections 14.57 to 14.59 and rules adopted thereunder.

(b) A summary of the hearing notice must be published by the commissioner at the
expense of the applicant or, if the proceeding is initiated by the commissioner in the
absence of an applicant, at the expense of the commissioner.

(c) The summary of the hearing notice must be:

(1) published once a week for two successive weeks before the day of hearing
in a legal newspaper published in the county where any part of the affected waters is
located; and

(2) mailed by the commissioner to the county auditor, the mayor of a municipality,
the watershed district, and the soil and water conservation district affected by the
application; ~~and~~

~~(3) made under requirements prescribed by sections 14.57 to 14.59 and rules of the
chief administrative law judge.~~