

A bill for an act
relating to state government; requiring legislative approval for adoption of
rules; amending Minnesota Statutes 2010, sections 14.18, subdivision 1; 14.27;
14.389, subdivision 3.

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

Section 1. Minnesota Statutes 2010, section 14.18, subdivision 1, is amended to read:

Subdivision 1. **Generally.** Unless a later date is required by section 14.126 or other
law or is specified in the rule, a rule is effective after:

(1) it has been subjected to all requirements described in sections 14.131 to 14.20
~~and five working days after;~~

(2) the notice of adoption is published in the State Register ~~unless a later date is
required by section 14.126 or other law or specified in the rule;~~ and

(3) it has been approved by a law enacted after publication of the notice of adoption.

If the rule adopted is the same as the proposed rule, publication may be made by
publishing notice in the State Register that the rule has been adopted as proposed and by
citing the prior publication. If the rule adopted differs from the proposed rule, the portions
of the adopted rule that differ from the proposed rule must be included in the notice of
adoption together with a citation to the prior State Register publication of the remainder of
the proposed rule. The nature of the modifications must be clear to a reasonable person
when the notice of adoption is considered together with the State Register publication of
the proposed rule, except that modifications may also be made that comply with the form
requirements of section 14.07, subdivision 7.

If the agency omitted from the notice of proposed rule adoption the text of the
proposed rule, as permitted by section 14.14, subdivision 1a, paragraph (b), the chief

administrative law judge may provide that the notice of the adopted rule need not include the text of any changes from the proposed rule. However, the notice of adoption must state in detail the substance of the changes made from the proposed rule, and must state that a free copy of the portion of the adopted rule that was the subject of the rulemaking proceeding, not including any material adopted by reference as permitted by section 14.07, is available upon request to the agency.

Sec. 2. Minnesota Statutes 2010, section 14.27, is amended to read:

14.27 PUBLICATION OF ADOPTED RULE; EFFECTIVE DATE.

The rule is effective ~~upon~~ after publication of the notice of adoption in the State Register and after legislative approval in the same manner as provided for adopted rules in section 14.18.

Sec. 3. Minnesota Statutes 2010, section 14.389, subdivision 3, is amended to read:

Subd. 3. **Adoption.** The agency may modify a proposed rule if the modifications do not result in a substantially different rule, as defined in section 14.05, subdivision 2, paragraphs (b) and (c). If the final rule is identical to the rule originally published in the State Register, the agency must publish a notice of adoption in the State Register. If the final rule is different from the rule originally published in the State Register, the agency must publish a copy of the changes in the State Register. The agency must also file a copy of the rule with the governor. The rule is effective ~~upon publication in the State Register~~ if it has been approved by a law enacted after publication of the notice of adoption.

Sec. 4. **EFFECTIVE DATE; APPLICATION.**

This act is effective the day following final enactment and applies to rules for which a notice of adoption is published on or after that date.