

1 Office of the Attorney General

2

3 Adopted Permanent Rules Relating to Rule Reviews

4

5 Rules as Adopted

6 2010.0300 DOCUMENTS NECESSARY FOR REVIEW OF A RULE ADOPTED

7 WITHOUT A PUBLIC HEARING.

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

12 A. to D. [Unchanged.]

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

18 (1) to (3) [Unchanged.]

19 (4) A statement that if 25 or more persons submit
20 a written request for a public hearing within the 30-day comment
21 period, a public hearing will be held unless a sufficient number
22 withdraw their request in writing.

23 (5) to (14) [Unchanged.]

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

27 For the recommended format of the notice, see part
28 2010.9915.

29 F. to J. [Unchanged.]

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

32 (1) and (2) [Unchanged.]

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



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

3 (4) to (8) [Unchanged.]

4 L. to O. [Unchanged.]

5 2010.0500 RULE SUBMISSION AND AGENCY FAILURE TO SUBMIT REQUIRED
6 DOCUMENTS.

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

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

29 2010.9915 RECOMMENDED NOTICE OF INTENT TO ADOPT A RULE WITHOUT A
30 PUBLIC HEARING.

31 Department of _____

32 In the Matter of the Proposed
33 Adoption of the Rule of
34 the State _____
35 Governing _____

NOTICE OF
INTENT TO
ADOPT A RULE
WITHOUT A
PUBLIC HEARING

36
37 Notice is hereby given that the State _____

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

6 All persons have 30 days in which to submit comment in
7 support of or in opposition to the proposed rule or any part or
8 subpart of the rule. Comment is encouraged. Each comment
9 should identify the portion of the proposed rule addressed, the
10 reason for the comment, and any change proposed.

11 Any person may make a written request for a public hearing
12 on the rule within the 30-day comment period. If 25 or more
13 persons submit a written request for a public hearing within the
14 30-day comment period, a public hearing will be held unless a
15 sufficient number withdraw their request in writing. Any person
16 requesting a public hearing should state his or her name and
17 address, and is encouraged to identify the portion of the
18 proposed rule addressed, the reason for the request, and any
19 change proposed. If a public hearing is required, the agency
20 will proceed pursuant to Minnesota Statutes, sections 14.131 to
21 14.20.

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

24 [Name, address, and telephone number]

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

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

29 or

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

34 A Statement of Need and Reasonableness that describes the
35 need for and reasonableness of each provision of the proposed
36 rule and identifies the data and information relied upon to

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

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

7 If no hearing is required, upon adoption of the rule, the
8 rule and the required supporting documents will be submitted to
9 the Attorney General for review as to legality and form to the
10 extent the form relates to legality. Any person may request
11 notification of the date of submission to the Attorney General.
12 Persons who wish to be advised of the submission of this
13 material to the Attorney General, or who wish to receive a copy
14 of the adopted rule, must submit the written request to
15 _____.

16 _____
17 Date [Name]
18 _____
19 [Title]

20 2010.9940 RECOMMENDED NOTICE OF SUBMISSION OF RULE ADOPTED
21 WITHOUT PUBLIC HEARING TO ATTORNEY GENERAL.

22 STATE OF MINNESOTA
23 DEPARTMENT OF _____

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

27 Pursuant to your request and in accordance with Minnesota
28 Statutes, section 14.26:
29

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

38 [(If the proposed rule has been modified:) The proposed
39

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

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

20 The Office of the Attorney General
 21 ~~Administration~~ Public Finance Division
 22 515 Transportation Building
 23 John Ireland Boulevard
 24 Saint Paul, Minnesota 55155
 25 Telephone Number: (612) 296-9715 297-2040
 26

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

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

31 [Name] _____
 32
 33 [Title] _____

34 Dated: _____

35 2010.9960 RECOMMENDED NOTICE OF SUBMISSION OF THE EMERGENCY RULE
 36 TO ATTORNEY GENERAL.

37 STATE OF MINNESOTA

38 DEPARTMENT OF _____

39 In the Matter of the Proposed Adoption NOTICE OF
 40 of the Rule of the State _____ SUBMISSION OF
 41 Governing _____ 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
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

10/10/88

[REVISOR] PMM/CF AR1299

1 appropriate person in the agency]

2
3
4
5
6
7

[Name]

[Title]

Dated: _____