

# Minnesota Administrative Rules Status System (MARSS) Pilot Project

## 1 Executive Summary

### **Rulemaking background**

Rulemaking is the process that executive branch agencies use to adopt, amend, suspend, or repeal administrative rules. Adopted rules have the force and effect of law.

Rulemaking processes require the participation of multiple state offices in addition to the agency proposing the rule. At specific points in the rulemaking process, documents are created. Minnesota Statutes section 14.365 defines the 11 document types constituting the official rulemaking record. Each agency must make documents in the rulemaking record available for public inspection and preserve the documents permanently.

### **Minnesota Administrative Rules Status System (MARSS)**

The Minnesota Administrative Rules Status System (MARSS) is a concept for a new software application. The application would be built and maintained by the Revisor's Office. Executive branch agencies, and others, would upload their documents to the system. The goal is to improve public access, security, preservation, and transparency of state agencies' official rulemaking records through the creation of a single online records system. The envisioned system would serve as a single Internet location for the public to track rulemaking progress and access the official rulemaking record. Agencies could fulfill their requirement to maintain and preserve the official rulemaking record by submitting required documents to the Revisor for inclusion in the online records system. In summary, the benefits of MARSS will be:

- 1) Centralized Public Access – Provide a single, web accessible repository for all rulemaking records created by the 70+ agencies with rulemaking authority.
- 2) Authentication of Records – Provide means to authenticate rulemaking materials available online allowing the online copies of rulemaking records to be considered official.
- 3) Centralized Preservation – Preservation of rulemaking records will be accomplished by the single office maintaining the rulemaking repository. Agencies with rulemaking authority will be relieved of this responsibility.
- 4) Search and Reporting Capabilities – Reports, including reports on rulemaking activity by agency, dates, and type of proceeding will be created by querying the contents of a single rulemaking repository.
- 5) Comprehensive Security – User account authentication (logins) and authorization (permissions) for entities updating rulemaking records, ability to control public access to information in the rulemaking record, and the ability to add digital signatures to items in the rulemaking record.

### **MARSS Pilot Project**

Using funds provided by the legislature during the 2015 legislative session a pilot project was conducted between July 2016 and January 2017. The product of the pilot project is this final report containing recommendations on the resources necessary to create the MARSS system.

### **Recommendations**

The recommendations of the pilot project are:

1. Build the MARSS system using a combination of commercially available software applications, and custom written software to perform MARSS specific features.

2. Develop the system in 2 phases.

- a. Phase 1 – Rulemaking record maintenance. System capabilities will be:
- (1) Import existing data from the Revisor's current rule status system
  - (2) Authentication and authorization (i.e., logon and permissions) of users
  - (3) Rulemaking record creation. Add/remove documents to/from the record.
  - (4) Permanent preservation of rulemaking records
  - (5) Legislative staff receive notifications as rulemaking records are updated
  - (6) Public search of all rulemaking records
  - (7) Retrieval of complete rulemaking records or individual documents
- b. Phase 2 – Rulemaking notifications and system enhancements. System capabilities will be:
- (1) Associate legislative committees with rulemaking proceedings, making committee-specific reporting possible.
  - (2) Public subscription service. Subscribers receive notifications as rulemaking records are updated
  - (3) Central repository for document templates maintained by the Inter-agency Rules Committee (IRC)
  - (4) Search enhancements (e.g., ability to save complex searches)
  - (5) System workflow enhancements and electronic routing
  - (6) Digital signature enhancements (detects whether the signed document was altered or changed in any way).

3. Add 2 FTE positions to the Revisor's Office: a) Database Administrator; b) MARSS Administrator.

The estimated implementation costs for Phase 1 and Phase 2 are \$3,000,000 and \$2,000,000. Revisor IS staff, temporarily augmented by contractors, will build the system. Estimated annual maintenance cost for the resulting system is \$510,000.