
CHAPTER 344—S.F.No.3160
[Coded in Part]

An act relating to the operation of state government; establishing a "state register" for official notices by state departments; amending Minnesota Statutes 1971, Sections 15.0412, Subdivisions 3, 4 and 5; and 15.0413, Subdivisions 1, 2, 3 and 5; and Chapter 15, by adding a section.

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

Section 1. Minnesota Statutes 1971, Section 15.0412, Subdivision 3, is amended to read:

Subd. 3. **STATE GOVERNMENT; STATE REGISTER.** Prior to the adoption of any rule authorized by law, or the suspension, amendment or repeal thereof, unless the agency follows the procedure of subdivision 4, the adopting agency shall ; ~~as far as practicable, publish or otherwise circulate~~ notice of its intended action in the state register as described in section 8 and afford interested persons opportunity to submit data or views orally or in writing.

Sec. 2. Minnesota Statutes 1971, Section 15.0412, Subdivision 4, is amended to read:

Subd. 4. No rule shall be adopted by any agency ~~subsequent to the effective date of sections 15.0411 to 15.0422~~ unless the agency first holds a public hearing thereon, following the giving of at least 30 days prior to the hearing of notice of the intention to hold such hearing, by United States mail, to representatives of associations or other interested groups or persons who have registered their names with the secretary of state for that purpose and in the state register as described in section 8 . Every rule hereafter proposed by an administrative agency, before being adopted, must be based upon a showing of need for the rule, and shall be submitted as to form and legality, with reasons therefor, to the attorney general, who, within 20 days, shall either approve or disapprove the rule. If he approves the rule, he shall promptly file it in the office of the secretary of state. If he disapproves the rule, he shall state in writing his reasons therefor, and the rule shall not be filed in the office of the secretary, nor published. If he fails to approve or disapprove any rule within the 20-day period, the agency may file the rule in the office of the secretary of state and publish the same. A rule shall become effective after it has been subjected to all requirements described in this subdivision and after its publication in the state register as described in section 8. Any rule adopted after July 1, 1975 which is not published in the state register shall be of no effect.

Sec. 3. Minnesota Statutes 1971, Section 15.0412, Subdivision 5, is amended to read:

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Subd. 5. Where statutes governing the agency permit the agency to exercise emergency powers, emergency rules and regulations may be established without compliance with the provisions of subdivision 4. These rules are to be effective for not longer than 60 days and may not immediately be reissued or continued in effect thereafter without following the procedure of subdivision 4. Emergency rules or regulations shall be published in the state register as soon as practicable.

Sec. 4. Minnesota Statutes 1971, Section 15.0413, Subdivision 1, is amended to read:

15.0413 EFFECT OF ADOPTION OF RULES; PUBLICATION; APPROPRIATION. Subdivision 1. Every rule or regulation filed in the office of the secretary of state as provided in section 15.0412 shall have the force and effect of law upon its publication in the state register and upon its further filing in the office of the commissioner of administration. Standards or statements of policy or interpretations of general application and future effect shall not have the effect of law unless they are adopted as a rule in the manner prescribed in section 15.0412. This section does not apply to opinions of the attorney general. The secretary of state shall keep a permanent ~~register-record~~ of rules filed with that office open to public inspection.

Sec. 5. Minnesota Statutes 1971, Section 15.0413, Subdivision 2, is amended to read:

Subd. 2. Each rule hereafter adopted, amended, or repealed shall become effective or be repealed upon filing publication of the new or amended rule or notice of repeal in the state register as provided in section 8 and upon their filing in the office of the secretary of state and the further filing in the office of the commissioner of administration unless a later date is required by statute or specified in the rule. The secretary of state shall endorse on each rule the time and date of filing and the commissioner of administration shall do likewise. The commissioner of administration shall maintain a permanent record of all dates of publication of the rules.

Sec. 6. Minnesota Statutes 1971, Section 15.0413, Subdivision 3, is amended to read:

Subd. 3. Rules and regulations hereafter promulgated, amended or repealed of each state officer, board, commission, bureau, division, department, or tribunal other than a court, having statewide jurisdiction and authorized by law to make rules and regulations, but not defined as an "agency" in section 15.0411 shall not have the effect of law unless they are filed in the office of the commissioner of administration in the same manner as rules and regulations of an agency are so filed and unless they are published in the state register. This subdivision, however, shall not apply to rules and regulations of the regents of the University of Minnesota.

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Sec. 7. Minnesota Statutes 1971, Section 15.0413, Subdivision 5, is amended to read:

Subd. 5. Not later than January 1, 1965 and annually thereafter but not later than January 1 of each year the commissioner of administration shall arrange for publication and distribution of all rules and regulations in such form and at such prices to be charged as he may determine. No such published rules and regulations shall be distributed without charge except to the official depositories of state publications. The appropriation to any agency for supplies and expenses shall be deemed to include sufficient moneys for its purchase of necessary published rules and regulations. Upon proper notification by the agency which issues a rule or regulation or notice, the commissioner of administration shall be accountable for the publication of the state register under the provisions of section 8. The commissioner of administration shall require each agency which requests the publication of rules, regulations, or notices in the state register to pay for the proportionate cost of the state register unless other funds are provided and are sufficient to cover the cost of the state register.

The state register shall be for public sale at a location centrally located as determined by the commissioner of administration and at a price as the commissioner of administration shall determine. The commissioner of administration shall further provide for the regular mailing of the state register to any person, agency, or organization if so requested provided that the total cost of the mailing is borne by the requesting party. The supply and expense appropriation to any state agency is deemed to include funds to purchase the state register. Ten copies each of the state register, however, shall be provided without cost to the legislative reference library and to the state law library.

Sec. 8. Minnesota Statutes 1971, Chapter 15, is amended to adding a section to read:

[15.051] STATE REGISTER. Subdivision 1. PURPOSE. The commissioner of administration shall publish a state register containing all notices for hearings concerning rules or regulations, giving time, place and purpose of the hearing. Further, the register shall contain all rules or regulations, amendments thereof or repeals, as adopted under the provisions of this chapter. The commissioner shall further publish any executive order issued by the governor which shall become effective upon such publication. The commissioner may further publish official notices in the register which he deems to be of significant interest to the public. Such notices shall include, but shall not be limited to, the date on which a new agency becomes operational, the assumption of a new function by an existing state agency, or the appointment of commissioners.

The commissioner of administration shall ascertain that the content of the register is clearly ordered by the four categories described in this subdivision in order to provide easy access to this information

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by any interested party.

Subd. 2. PUBLICATION. The commissioner of administration shall publish the state register whenever he deems necessary, except that no notice for hearings or adopted rules or changes thereof, or executive order shall remain unpublished for more than ten calendar days.

The state register shall have a distinct and permanent masthead with the title "state register" and the words "state of Minnesota" prominently displayed. All issues of the state register shall be numbered and dated.

Subd. 3. SUBMISSION OF ITEMS FOR PUBLICATION. Any state agency which desires to publish a notice of hearing, rule or regulation or change thereof, or an executive order, shall submit a copy of the entire document, including dates when adopted, and filed with the secretary of state, to the commissioner of administration in addition to any other copies which may be required to be filed with the commissioner by other law.

Sec. 9. This act is effective on July 1, 1975.

Approved March 28, 1974.

CHAPTER 345—S.F.No.3183
[Not Coded]

An act relating to the city of Duluth; Spirit Mountain recreation area authority; authorizing the issuance of bonds and allowing for the negotiated sale thereof; permitting mortgage liens on the property of the authority; authorizing the issuance of an on-sale liquor license to the Spirit Mountain recreation area authority; amending Laws 1973, Chapter 327, Section 7, Subdivisions 1 and 3; and by adding a section.

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

Section 1. Laws 1973, Chapter 327, Section 7, Subdivision 1, is amended to read:

Sec. 7. SPIRIT MOUNTAIN RECREATION AREA AUTHORITY; REVENUE BONDS. Subdivision 1. Notwithstanding any limitations imposed by law or by the charter of the city of Duluth, the authority may issue negotiable revenue bonds for any one or more of its purposes. Revenue bonds under this section shall be issued in such amounts, times, and series as the authority shall determine by resolution, but shall not be issued until approved and ratified by resolution of the city council. Except as otherwise provided by this section, the maturities,

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