

## CHAPTER 452—H. F. No. 340

*An act to prescribe uniform rules of practice for administrative agencies.*

Be it enacted by the Legislature of the State of Minnesota:

**Section 1. Definitions.** Subdivision 1. Unless the language or context clearly indicates that a different meaning is intended, the following words, terms, and phrases, for the purposes of this act, shall be given the meaning subjoined to them.

Subd. 2. "Administrative agency" or "the agency" means and includes any officer, board, commission, bureau, division, department, or tribunal, other than a court, having a state-wide jurisdiction and authority to make any order, finding, determination, award, or assessment.

Subd. 3. "Person" includes individuals, associations, partnerships, and corporation.

Subd. 4. "Rules and Regulations" means and includes rules, regulations, and amendments thereto, of general application issued by any administrative agency interpreting, regulating the application of, or regulating procedure under the statutes which the administrative agency is charged with administering, but shall not apply to rules and regulations adopted by an administrative agency relating solely to the internal operation of the agency nor to rules and regulations adopted relating to the management, discipline, or release of any person committed to any state institution.

**Sec. 2. Rules and regulations.** Subdivision 1. For the purpose of carrying out the duties and powers imposed upon and granted to administrative agencies, each agency may promulgate reasonable rules and regulations and may amend, modify, or annul the same, and may prescribe methods and procedure in connection therewith. They shall prescribe reasonable notice, a fair hearing, findings of fact based upon substantial evidence, and shall not exceed the powers vested by statute.

Subd. 2. After complying with Subdivision 4 of this section and not later than 90 days after the date on which this act becomes effective, each administrative agency shall prepare and file with the attorney general, its rules and regulations in effect at the time of the passage of this act, together with proposed new rules and regulations. The attorney general shall approve or disapprove on or before January 1, 1946, the rules and regulations so filed within said 90 days. The

failure on the part of any official whose duty it is to file with the attorney general the rules and regulations within 90 days as required by this subdivision to so file such rules and regulations shall constitute ground for his removal from office.

Subd. 3. Every rule or regulation filed in the office of the secretary of state as provided in subdivision 4 of this section shall have the force and effect of law. All rules and regulations in effect on the date of the passage of this act shall continue in effect until new rules and regulations are adopted pursuant to the provisions hereof, but not later than January 1, 1946.

Subd. 4. No rules or regulations shall be promulgated by any administrative agency subsequent to the effective date of this Act unless said agency shall have held a public hearing thereon following the giving, at least 30 days prior to said hearing, of notice of the intention to hold said hearing, by United States mail, to accredited representatives of trade associations or other interested groups who have registered their names with the secretary of state for that purpose. Every rule or regulation hereafter proposed by an administrative agency, before being adopted, shall be submitted, as to form and legality, with reasons therefor, to the attorney general, who, within 20 days, except as provided in subdivision 2 of this section, shall either approve or disapprove the same. If he approves the same, he shall file the rule or regulation in the office of the secretary of state. If the attorney general disapproves such rule, he shall state in writing his reasons therefor, and such rule shall not be filed in the office of the secretary of state. If he fails to approve or disapprove any rule or regulation within such 20 day period, the agency may file same in the office of the secretary of state. No rule or regulation hereafter made by an agency shall become effective until thirty (30) days after said rule or regulation has been filed in the office of the secretary of state. The secretary of state shall endorse on each rule or regulation the time and date of filing and maintain an index of such rule and regulation for public inspection.

Subd. 5. No fee shall be charged for any filing required by this section.

Sec. 3. **Petition for reconsideration.** Any person substantially interested or affected in his rights of person or property by a rule or regulation promulgated by an administrative agency may petition the agency for a reconsideration of such rule or regulation or for an amendment, modification, or waiver thereof. Such petition shall set forth a clear, con-

cise description of the facts, and the grounds, upon which such reconsideration, amendment, modification, or waiver is sought. The agency shall grant the petitioner a public hearing in the manner prescribed in Subd. 4 of Sec. 2.

**Sec. 4. Certain boards excepted.** This act shall not apply to the professional and regulatory examining and licensing boards enumerated in Minnesota Statutes 1941, Chapters 146 to 156, both inclusive, and Laws 1945, Chapter 242.

Approved April 21, 1945.

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#### CHAPTER 453—H. F. No. 453

*An act relating to taxes on money and credits and the assessed valuation thereof for purposes of debt limitations and classifications, authorizing counties, towns, cities, villages and boroughs to levy taxes in excess of any millage limitation imposed by law or home rule charter upon any county, city, village, borough or town, to replace their share of the tax on money and credits, as assessed and apportioned to them prior to the passage of this act, and amending Laws 1943, Chapter 656, Section 30.*

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Laws 1943, Chapter 656, Section 30, is amended to read as follows:

**Sec. 30. Moneys and credits exempted from taxation.**  
Subdivision 1. Money and credits, as defined in Minnesota Statutes 1941, Sections 285.01 and 285.02, as amended by Laws 1943, Chapter 596, Section 1, are hereby exempted from taxation.

Subd. 2. The exemption provided by this section shall not affect or prevent the assessment, levy, or collection of taxes on money and credits for any year or years prior to 1943.

Subd. 3. Minnesota Statutes 1941, Section 475.03, Subdivision 4, is amended to read as follows:

Subd. 4. The words "assessed value" mean the latest valuation for purposes of taxation, as finally equalized, of all property taxable within the municipality referred to including therein the valuation of money and credits as defined in Minne-