

CHAPTER 822—H. F. No. 1720

An act relating to rules and regulations promulgated by state agencies directing their publication and distribution by the commissioner of administration; appropriating moneys in connection therewith; amending Minnesota Statutes 1961, Sections 15.0413, and 15.047, Subdivision 1, and repealing Minnesota Statutes 1961, Sections 15.0414 and 15.047, Subdivision 3.

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

Section 1. Minnesota Statutes 1961, Section 15.0413, is amended to read:

15.0413 Administrative agencies; rules and regulations. 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 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. ~~All rules and regulations in effect and filed in the office of the secretary of state on the date of the passage of sections 15.0411 to 15.0422 shall continue in effect.~~ The secretary of state shall keep a permanent register of rules filed with that office open to public inspection.

Subd. 2. Each rule hereafter adopted, amended, or repealed shall become effective or be repealed upon filing the new or amended rule or notice of repeal in the office of the secretary of state *and the further filing in the office of the commissioner of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 and of first publication of each rule or amendment or repeat thereof.* *The commissioner of administration shall maintain a permanent record of all dates of publication of the rules.*

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 Rules and regulations hereafter promulgated, amended or repealed of each state officer, board, commission, bureau, division, department, or tribunal other than a court, having statewide jurisdiction and authorized by law to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.* This subdivision, however, shall not apply to rules and regulations of the regents of the University of Minnesota.

Changes or additions indicated by italics, deletions by strikeout.

Subd. 4. Rules and regulations heretofore promulgated by an agency or a state officer, board, commission, bureau, division, department, or tribunal other than a court, including those governmental bodies referred to in subdivision 3, shall not have the effect of law unless filed in such form as the commissioner of administration shall prescribe on or before July 1, 1964 in the office of the commissioner of administration.

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.

Subd. 6. An administrative rules publication account is hereby created in the state treasury. All receipts from the sale of rules and regulations authorized by this section shall be deposited in such account. The sum of \$26,000 is appropriated from the general revenue fund in the state treasury to such account. All moneys in the administrative rules publication account in the state treasury are appropriated annually to the commissioner of administration to carry out the terms and provisions of this section.

Sec. 2. Any funds in the administrative rules revolving fund as provided in Minnesota Statutes, Section 15.047, Subdivision 3, are hereby appropriated to the administrative rules publication account.

Sec. 3. Minnesota Statutes 1961, Section 15.047, Subdivision 1, is amended to read:

15.047 Regulations. *Subdivision 1. The publication board shall prescribe regulations for carrying out the provisions of sections 15.046 to 15.049. Among other things, such regulations shall provide for:*

(1) periodic publication of all rules and regulations filed with the secretary of state in accordance with sections 15.046 to 15.049;

(2) the selection, compilation and publication of such orders of administrative agencies as it may deem necessary;

(3) a uniform manner and form for the preparation, printing and indexing of regulations and compilations to the end that

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all regulations and compilations be published uniformly at the earliest practicable date;

(4) ~~the revisor of statutes~~ *commissioner of administration* shall prepare the compilation and indexing of the rules and regulations for publication.

Sec. 4. *Minnesota Statutes 1961, Sections 15.0414 and 15.047, Subdivision 3, are hereby repealed.*

Approved May 22, 1963.

CHAPTER 823—H. F. No. 1824

[Not Coded]

An act authorizing the commissioner of conservation to reconstruct certain water control structures located in Pope county, acquire lands and easements and appropriating money therefor.

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

Section 1. **Emily Lake (Pope county); water control.** In order to maintain a more desirable range of water levels on Emily Lake, Pope county, the commissioner of conservation is authorized and directed to reconstruct, modify and maintain the dam at the outlet of Emily Lake by providing a permanent spillway with a fixed crest at elevation 1078.2 feet, sea level datum; together with such other modifications and repairs as may be necessary to permit the discharge of water from the lake.

Sec. 2. The commissioner of conservation shall, before the construction authorized in section 1 is started, acquire by gift, purchase, or condemnation under Minnesota Statutes 1961, Chapter 117 and acts amendatory thereto, all necessary rights and easements in lands which will be affected by such construction.

Sec. 3. There is hereby appropriated to the commissioner of conservation \$5,000 from the moneys in the state treasury credited to the game and fish fund to be used to defray the cost and expense of the department of conservation in the acquisition, improvement, development and maintenance of sites for public access to public waters and for lake improvement for the purposes of this act; provided, any balance remaining unexpended on June 30, 1964 shall not cancel but remain available until the project is completed.

Approved May 22, 1963.

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