

---

**CHAPTER 68—H.F.No.1932**

*An act relating to state administrative procedures; amending Minnesota Statutes 1974, Section 15.0418; and Minnesota Statutes, 1975 Supplement, Section 15.0411, Subdivisions 3 and 4.*

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

Section 1. Minnesota Statutes, 1975 Supplement, Section 15.0411, Subdivision 3, is amended to read:

Subd. 3. **STATE ADMINISTRATIVE PROCEDURES; CONTESTED CASES.** "Rule" includes every agency statement of general applicability and future effect, including the amendment, suspension, or repeal thereof, made to implement or make specific the law enforced or administered by it or to govern its organization or procedure, but does not include (a) rules concerning only the internal management of the agency or other agencies, and which do not directly affect the rights of or procedure available to the public; or (b) rules of the commissioner of corrections relating to the internal management of institutions under his control and those rules governing the inmates thereof prescribed pursuant to section 609.105; or (c) rules of the division of game and fish published in accordance with section 97.53; or (e)-(d) rules relating to weight limitations on the use of highways when the substance of such rules is indicated to the public by means of signs; or (d)-(e) opinions of the attorney general.

Sec. 2. Minnesota Statutes, 1975 Supplement, Section 15.0411, Subdivision 4, is amended to read:

Subd. 4. "Contested case" means a proceeding before an agency in which the legal rights, duties, or privileges of specific parties are required by law or constitutional right to be determined after an agency hearing. "Contested case" does not include hearings held by the department of corrections involving the discipline or transfer of inmates or other hearings relating solely to inmate management.

Sec. 3. Minnesota Statutes 1974, Section 15.0418, is amended to read:

**15.0418 CONTESTED CASE; HEARING, NOTICE.** In any contested case all parties shall be afforded an opportunity for hearing after reasonable notice. The notice shall state the time, place and issues involved, but if, by reason of the nature of the proceeding, the issues cannot be fully stated in advance of the hearing, or if subsequent amendment of the issues is necessary, they shall be fully stated as soon as practicable, and opportunity shall be afforded all parties to present evidence and argument with respect thereto. ~~The agency shall~~

Changes or additions indicated by underline deletions by ~~strikeout~~

prepare an official record, which shall include testimony and exhibits, in each contested case, but it shall not be necessary to transcribe shorthand notes unless requested for purposes of rehearing or court review. If a transcript is requested, the agency may, unless otherwise provided by law, require the party requesting to pay the reasonable costs of preparing the transcript. Prior to assignment of a case to a hearing examiner as provided by section 15.052, all papers shall be filed with the agency. Subsequent to assignment of the case, the agency shall certify the official record to the office of hearing examiners, and thereafter, all papers shall be filed with that office. The office of hearing examiners shall maintain the official record which shall include subsequent filings, testimony and exhibits. All filings are deemed effective upon receipt. Upon issuance of the hearing examiner's report, the official record shall be certified to the agency. Informal disposition may also be made of any contested case by stipulation, agreed settlement, consent order or default. Each agency may adopt appropriate rules of procedure for notice and hearing in contested cases.

Sec. 4. This act shall be effective upon final enactment.

Approved March 24, 1976.

---

**CHAPTER 69—H.F.No.1959**

[Not Coded]

*An act authorizing the commissioner of administration to convey a portion of a water system at the Red Wing state training school to the city of Red Wing.*

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

**Section 1. CONVEYANCE OF STATE LANDS; RED WING, CITY OF.** Notwithstanding any law to the contrary, the commissioner of administration may convey by proper instrument in a form approved by the attorney general, to the city of Red Wing, in the name of and on behalf of the state of Minnesota, a portion of the water system at the Red Wing state training school. The conveyance shall be limited to that portion of ten inch water main from the boundary of the school property to a point where it connects to the school's original water system, all located on the training school property.

**Sec. 2.** The consideration to be paid by the city of Red Wing for the conveyance shall be determined by the commissioner of administration based upon the appraised value of said portion of the water system and the best interest of the state. The method of payment shall be determined by the commissioner of administration.

**Sec. 3.** The commissioner of administration may convey by proper instrument in a form approved by the attorney general, a perpetual

**Changes or additions indicated by underline deletions by strikethrough**