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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH
SESSION

HOUSE FILE NO. **587**

February 5, 2007

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The bill was read for the first time and referred to the Committee on Environment and Natural Resources

1.1 A bill for an act
1.2 relating to waters; modifying requirements for contested case hearing notices;
1.3 amending Minnesota Statutes 2006, section 103G.311, subdivision 2.

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

1.5 Section 1. Minnesota Statutes 2006, section 103G.311, subdivision 2, is amended to
1.6 read:

1.7 Subd. 2. **Hearing notice.** (a) Notwithstanding section 14.58, a contested case
1.8 hearing under this section is subject to the requirements of paragraphs (b) to (d).

1.9 (b) The hearing notice on an application must ~~state~~ include:

1.10 (1) the date, place, and time fixed by the commissioner for the hearing; ~~and~~

1.11 (2) the waters affected, the water levels sought to be established, or control structures
1.12 proposed; and

1.13 (3) a short statement of the issues in dispute.

1.14 ~~(b)~~ (c) The hearing notice must be published by the commissioner at the expense of
1.15 the applicant or, if the proceeding is initiated by the commissioner in the absence of an
1.16 applicant, at the expense of the commissioner.

1.17 ~~(c)~~ (d) The hearing notice must be:

1.18 (1) published once a week for two successive weeks before the day of hearing
1.19 in a legal newspaper published in the county where any part of the affected waters is
1.20 located; and

1.21 (2) mailed by the commissioner to the county auditor, the mayor of a municipality,
1.22 the watershed district, and the soil and water conservation district affected by the
1.23 application; ~~and~~

- 2.1 ~~(3) made under requirements prescribed by sections 14.57 to 14.59 and rules of the~~
- 2.2 ~~chief administrative law judge.~~