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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH SESSION

HOUSE FILE NO. 2334

March 23, 2007
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The bill was read for the first time and referred to the Committee on Governmental Operations, Reform, Technology and Elections

A bill for an act

relating to state government; regulating rulemaking; modifying the requirements for rule adoption petitions; amending Minnesota Statutes 2006, section 14.09.

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

Section 1. Minnesota Statutes 2006, section 14.09, is amended to read:

14.09 PETITION FOR ADOPTION OF RULE.

Any person may petition an agency requesting the adoption, amendment, or repeal of any rule. The petition ~~shall~~ must be specific as to what action is requested and the need for the action. Upon receiving a petition an agency ~~shall have 60 days in which to make~~ must reply to the petitioner within 60 days with a specific and detailed reply in writing as to its planned disposition of the request and the reasons for its planned disposition of the request. If the agency does not reply to the petitioner within 60 days, the agency shall pay the petitioner $50 per day up to a maximum of 120 days for penalty for noncompliance with this section. Unless the agency replies to the petitioner in writing as to the planned disposition of the request, the agency must publish the notice under section 14.101 on the requested rule change by the petitioner 180 days after receiving the petition requesting adoption, amendment, or repeal of a rule. The agency must adopt the requested rule change by the petitioner within one year of the date that the petition was received. Any claims paid by an agency to a petitioner for noncompliance within the 60-day time limit must be reported to the legislative committee with oversight of the agency. If the agency states its intention to hold a public hearing on the subject of the request, it shall proceed according to sections 14.05 to 14.28. The chief administrative law judge shall prescribe by rule the form for all petitions under this section and may prescribe further procedures for their submission, consideration, and disposition.