

Minnesota Office of Administrative Hearings
Administrative Law Division

REQUEST FOR COMMENTS on Possible Amendments to Rules Governing Procedures for Contested Cases, Revenue Recapture Act Hearings and Public Hearings, *Minnesota Rules*, Chapters 1400 and 1405.

Subject of Rules. The Minnesota Office of Administrative Hearings – Administrative Law Division (OAH) requests comments and suggestions on its possible amendments to rules governing its proceedings.

The OAH is considering rule amendments to streamline hearing practices across different types of administrative proceedings, better reflect the technological changes that have occurred since September of 2001 (when the last revision of OAH’s procedural rules was completed) and more closely align its hearing procedures with the General Rules of Practice of the District Courts.

OAH invites comment from interested stakeholders and members of the public on any matters relating to OAH’s hearing procedure or any procedural rule authorized under Minn. Stat. § 14.51.

Persons Affected. The proposed rules are likely to affect, and benefit, persons and entities that appear before the OAH in contested cases, Revenue Recapture Act hearings and public hearings.

Statutory Authority. Under Minn. Stat. § 14.51, the Chief Administrative Law Judge has authority to adopt rules governing “the procedural conduct of all hearings, relating to both rule adoption, amendment, suspension or repeal hearings, contested case hearings, and workers’ compensation hearings” as well as “the procedural conduct of other hearings conducted by the Office of Administrative Hearings.”

Public Comment. Interested persons may submit comments or information on these possible rules in writing, until **4:30 p.m.** on **Wednesday, October 31, 2012.**

The OAH will not publish a notice of intent to adopt the rules until more than 60 days have elapsed from the date of this request for comments. The OAH does not plan to appoint an advisory committee to comment on the possible rules.

Rules Drafts. The OAH has drafted the possible rule amendments. This item is available on the OAH website at <http://mn.gov/oah/administrative-law/comments/> and by way of written request to the agency contact person.

Agency Contact Person. Written comments, questions, requests to receive a draft of the rules, and requests for more information on these possible rules should be directed to: Honorable Eric L. Lipman, Assistant Chief Administrative Law Judge, P.O. Box 64620, St. Paul, Minnesota, 55164-0620, Telephone: (651) 361-7900, Facsimile:

(651) 361-7936, Electronic Mail: eric.lipman@state.mn.us; TTD users may call the OAH at (651) 361-7878.

Alternative Format. Upon request, this information can be made available in an alternative format, such as large print, Braille or audio. To make such a request, please contact the agency contact person at the address or telephone number listed above.

NOTE: Comments received in response to this notice will not necessarily be included in the formal rulemaking record if and when a proceeding to adopt rules is started. The agency is required to submit for review only those written comments received in response to the rules after they are formally proposed. If you submitted comments during the development of the rules, and you want to ensure that those same comments are part of the later review, you should resubmit the comments after the rules are formally proposed.

Signed by the Honorable Raymond R. Krause, Chief Administrative Law Judge, Office of Administrative Hearings on July 10, 2012.