

SENATE
STATE OF MINNESOTA
EIGHTY-NINTH SESSION

S.F. No. 1360

(SENATE AUTHORS: WIKLUND)

DATE	D-PG	OFFICIAL STATUS
03/04/2015	532	Introduction and first reading Referred to State and Local Government
03/16/2015	834	Comm report: To pass
	893	Second reading
04/22/2015	2107	HF substituted on General Orders HF1725

1.1 A bill for an act
 1.2 relating to state government; permitting electronic filing for hearings in contested
 1.3 cases at the Office of Administrative Hearings; amending Minnesota Statutes
 1.4 2014, section 14.58.

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

1.6 Section 1. Minnesota Statutes 2014, section 14.58, is amended to read:

1.7 **14.58 NOTICE AND HEARING.**

1.8 In any contested case all parties shall be afforded an opportunity for hearing after
 1.9 reasonable notice. The notice shall state the time, place and issues involved, but if, by
 1.10 reason of the nature of the case, the issues cannot be fully stated in advance of the hearing,
 1.11 or if subsequent amendment of the issues is necessary, they shall be fully stated as soon
 1.12 as practicable, and opportunity shall be afforded all parties to present evidence and
 1.13 argument with respect thereto. Prior to assignment of a case to an administrative law
 1.14 judge as provided by sections 14.48 to 14.56, all papers shall be filed with the agency.
 1.15 Subsequent to assignment of the case, the agency shall certify the official record to the
 1.16 Office of Administrative Hearings, and thereafter, all papers shall be filed with that
 1.17 office. The agency and any other party to a contested case may file all necessary notices,
 1.18 documents, and other necessary information with the Office of Administrative Hearings
 1.19 by any reliable method of electronic transmission in the manner approved by that office.
 1.20 The Office of Administrative Hearings shall maintain the official record which shall
 1.21 include subsequent filings, testimony and exhibits. All filings are deemed effective upon
 1.22 receipt. The record shall contain a written transcript of the hearing only if preparation
 1.23 of a transcript is requested by the agency, a party, or the chief administrative law judge.
 1.24 The agency or party requesting a transcript shall bear the cost of preparation. When the

- 2.1 chief administrative law judge requests preparation of the transcript, the agency shall
- 2.2 bear the cost of preparation. Upon issuance of the administrative law judge's report, the
- 2.3 official record shall be certified to the agency.