

Types of Rule Processes

Summarized by Minnesota Department of Natural Resources (by Rules Coordinator, OSD Office of Policy and Planning, September 2013)

Green shading indicates rulemaking processes in Chapter 14

Blue shading indicates rulemaking processes in game and fish laws (exempt from Chapter 14)

	MAX DURATION (UNLESS OTHERWISE SPECIFIED IN LAW)	FORMAL PUBLIC HEARING	STATEWIDE PUBLIC COMMENT	OTHER LEGAL APPROVAL	SUBJECT TO VETO
Commissioner's orders <i>Refer to specific statutory authorities allowing the commissioner to act "by written order" with a complete exemption from rulemaking, including §14.386</i>	as specified in the order or until revised or rescinded	no	no	no	no
Exempt Permanent Fisheries Rules Designated Experimental Waters Minn. Stat. § 97C.001 Designated Special Management Waters Minn. Stat. § 97C.005 Fully exempt from Chapter 14; other procedures apply.	experimental waters → as specified in the rule; spec. mgmt. list → until revised	no instead— local meeting and publication in State Register	no	no	no ¹
Exempt Permanent Rules Minn. Stat. §14.386	2 years	no	no	Admin. Law Judge	yes
Expedited Emergency Game and Fish Rules Minn. Stat. § 84.027, subd. 13(b)	18 months	no	no	Asst. Attorney General	no ¹
Emergency Game and Fish Rules Minn. Stat. § 84.027, subd. 13(a) , and Minn. Stat. §§ 97A.0451 to 0459	180 days; ; may be continued once for up to 180 days	no	yes	Asst. Attorney General	no ¹
Good Cause Exempt Permanent Rules Minn. Stat. § 14.388 Rulemaking to: (1) address a serious and immediate threat to the public health, safety, or welfare (2) comply with a court order or a requirement in federal law . . . (see statute) (3) incorporate specific changes set forth in applicable statutes when no interpretation of law is required (4) make changes that do not alter the sense, meaning, or effect of a rule	2 years if adopted under clauses (1) or (2); otherwise, until revised or repealed	no	yes	Admin. Law Judge	no
Expedited Permanent Rules Minn. Stat. § 84.027, subd. 13a , and Minn. Stat. § 14.389 Possibility of hearing depends on whether the statutory authority references subd. 5 in § 14.389.	until revised or repealed	possible (see note at left)	yes	Admin. Law Judge	yes
Permanent Rules Minn. Stat. §§ 14.05 to 14.28	until revised or repealed	possible	yes	Admin. Law Judge	yes
Repeal of Permanent Rules Minn. Stat. § 14.3895	n.a.	possible	yes	Admin. Law Judge	no ²

¹ Per opinion from legal counsel to Office of the Governor dated November 11, 1999

² Per Administrative Rule Review Process, Office of the Governor