

November 21, 2019

VIA EFILING ONLY

James G. Jordan
Minnesota Department of Revenue
600 N Robert St
Saint Paul, MN 55146
jim.jordan@state.mn.us

**Re: *In the Matter of the Amendments to Rules Governing the
Metropolitan Solid Waste Landfill Fee Minnesota Rules
OAH 21-9032-36488; Revisor R-D4539***

Dear Mr. Jordan:

Enclosed is the **ORDER ON REVIEW OF RULES UNDER MINN. STAT. § 14.388 AND MINN. R. 1400.2400** in the above-entitled matter.

With the approval of the adopted rules, the Office of Administrative Hearings has closed this file and is returning the rule record to the Agency so that the Agency can maintain the official rulemaking record in this matter as required by Minn. Stat. § 14.365. Upon submission to the Office of Administrative Hearings of the Agency's signed order approving the rules, the Office of Administrative Hearings will file the rules with the Secretary of State. The Agency's next step is to arrange for publication of the proposed amendments in the State Register as required by Minn. Stat. § 14.388, subd. 1 (2018).

If you have any questions regarding this matter, please contact Sheena Denny at (651) 361-7881, sheena.denny@state.mn.us or via facsimile at (651) 539-0310.

Sincerely,


LISA ARMSTRONG
Legal Assistant

Enclosure

cc: Legislative Coordinating Commission
Ryan Inman

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Amendments to Rules
Governing the Metropolitan Solid Waste
Landfill Fee Minnesota Rules

**ORDER ON REVIEW OF RULES UNDER
MINN. STAT. § 14.388 AND MINN.
R. 1400.2400**

This matter came before Administrative Law Judge Kimberly Middendorf upon the application of the Minnesota Department of Revenue (Department) for a legal review under Minn. Stat. § 14.388 (2018).

On November 12, 2019 the Department filed documents with the Office of Administrative Hearings seeking review and approval of the above-entitled rules under Minn. Stat. § 14.388 and Minn. R. 1400.2400 (2019).

Based upon a review of the written submissions by the Department, and for the reasons set out in the Memorandum which follows below,

IT IS HEREBY DETERMINED THAT:

1. The rules were adopted in compliance with the procedural requirements of Minnesota Statutes, Chapter 14 (2018), and Minnesota Rules, Chapter 1400 (2019).
2. According to Minn. Stat. § 270C.06, the Department has the statutory authority to adopt these proposed rules.
3. The proposed rule amendments incorporate specific changes to Minn. Stat. § 473.843 (2018) and bring the rules into conformity with the statute. The specific changes in the proposed rules are technical in nature and no interpretation of the law is required. The Department has the statutory authority to adopt these proposed rules using the exempt rulemaking process and, specifically, the good cause exemption pursuant to Minn. Stat. § 14.388, subd. 1 (3).

IT IS HEREBY ORDERED THAT:

The adopted rules are **APPROVED**.

Dated: November 21, 2019


KIMBERLY MIDDENDORF
Administrative Law Judge