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# Report of the Committee on Administrative Law

Minn. L. Rev. Editorial Board

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## REPORT OF THE COMMITTEE ON ADMINISTRATIVE LAW

TO THE MINNESOTA STATE BAR ASSOCIATION:

Your Committee recommends:

### Recommendations

1. That the bill relating to administrative procedure, establishing a publication board, and repealing Laws 1945, Chapters 452 and 590, heretofore approved and sponsored by this Association and introduced in the 1949 legislature as H.F. 1527, continue to be sponsored and supported by the Association. If this bill is passed, it is recommended that the Committee study its operation.

2. That the Committee continue to study the matters of administrative declaratory rules and review of administrative decisions and actions.

3. That the Committee prepare a proposed draft of a separate bill relating to a method of review of administrative decisions and actions for presentation to the 1950 meeting of this Association.

4. That the Committee be instructed to confer with the Attorney General, the State Department of Administration and the Legislative Research Committee in regard to the promulgation, registry and publication of the rules and regulations of the various state agencies.

### Report

This Association, recognizing the necessity for study of problems relating to administrative practice and procedures, has had a standing committee on administrative law for many years. Notwithstanding the diligent work of these committees, tangible results of their studies and efforts have been comparatively meager to date. At the 1945 legislative session the bill sponsored by this Association, Chapters 452 and 590, providing for the promulgation of rules and regulations of administrative agencies and for a state publication board to implement the publication of administrative rules and regulations were enacted. Experience under those enactments shortly proved that they were inadequate. Your Administrative Law Committee has heretofore prepared proposed drafts of a bill amending both of those acts and further clarifying the administrative procedure. The proposed bill was approved by the 1946 meeting of this Association and presented to the 1947 legislature. Failing passage in 1947, a new proposed bill, modifying the former proposal in minor respects only, was again approved at the 1948 meeting and presented to the 1949 legislature. Passage of that proposed bill at the current session of the legislature is in doubt at the time of preparation of this report.

The enactment of the proposed bill relating to administrative practice and procedure will fall far short of completing the work of the Administrative Law Committee. A well-rounded code should include at least procedure for the issuance of declaratory rulings and review thereof and uniform and simple procedure for judicial review in contested cases.