

STATE OF MINNESOTA  
WASTE MANAGEMENT BOARD

In the Matter of the Proposed  
Amendments to Rules of the  
State Waste Management Board  
Governing Operating Procedures

STATEMENT OF NEED  
AND REASONABLENESS

I. INTRODUCTION

The subject of this rulemaking proceeding is the amendment of the operating procedures of the Waste Management Board (hereinafter "Board"). The procedural rules for the Board, 6 MCAR §§ 8.001 - 8.016, were adopted to provide an orderly and predictable method to conduct the business of the Board. It was particularly important that the Board have procedural rules because the Board will be making a number of difficult decisions on several controversial subjects and these decisions will be made in a forum which encourages participation by the public.

The present operating rules were drafted to extend the procedures in Robert's Rules of Order to accommodate the particular situations that the Board may face. Application of the rules has indicated that several changes are necessary. These amendments to the operating rules have been drafted to make the necessary changes.

These rules will follow the procedure for non-controversial rule making.

II. NEED FOR THE PROPOSED AMENDMENTS

The Board is required by Minnesota Statutes, Section 115A.06, subd. 2 to promulgate rules to govern its activities. Application

of the Board's operating rules indicates that amendments to the rules will clarify and specify several of the Board's operating procedures. These amendments are necessary to make the needed clarifications in the operating procedures of the Board.

### III. REASONABLENESS OF THE PROPOSED AMENDMENTS

#### 6 MCAR § 8.003 Board meetings and officers

##### A Board meetings

###### (6) Vice chairperson

This Section specifies the manner of selecting the vice chairperson. Minnesota Statutes Section 115A.05, subd. 2 provides that the chairperson "shall appoint all board officers. Change in 6 MCAR § 8.006A(6) is needed to conform the rule to statute.

###### (7) Conduct of meetings

###### (e) Voting

This section clarifies the voting requirements of the Board by specifying the different voting requirements on procedural and substantive issues. Requiring a majority vote of the members present on procedural questions only is reasonable since a majority vote of the entire Board is required on substantive issues.

6 MCAR § 8.006 Temporary board members

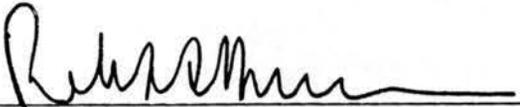
(c) Voting

This section specifies the voting requirements of the Board. This section also clarifies the different voting requirements on procedural and substantive issues. Requiring a majority vote of the members present on procedural questions only is reasonable since a majority vote of the entire Board is required on substantive issues.

6 MCAR § 8.012 Reimbursement for travel

This section specifies the manner for reimbursement from Board funds to any Board member or staff member for travel expenses. Removing the differentiation between authorization for in state and out of state travel is a reasonable way in which to simplify and clarify the chairperson's duties pertaining to travel reimbursements.

Dated: May 12, 1983.

  
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Robert Dunn  
Chairman, Waste Management Board