

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

Our File No. 486

RULE REVIEW CHECKLIST

new submission

DATE RULE RECEIVED 12-2-83 4-13-84 Adopted w/a hearing _____
DATE FOR REVIEW 12-12-83 4-23-84 Adopted w/o hearing ✓
DATE DUE 12-16-83 4-27-84 Temporary rule _____

Approved 4-27-84 mjc Disapproved _____ Returned to Agency _____

Resubmitted _____ Due _____
Approved _____ Disapproved _____ Returned to Agency _____

Date filed w/Secretary of State _____ Revisor approved 12/6/83 disapproved _____

✓ Rule as Adopted

✓ ✓ Rule as Proposed

✓ ✓ Order Adopting 3.30.84 11.28.83 Date combined w/ F of F

N/A N/A Notice of Intent to Solicit Outside Opinion

✓ ✓ Order for rulemaking
N/A N/A date of Hearing

N/A N/A Certificate of Board's Authorizing Resolution

✓ ✓ Notice of rulemaking contains "small biz" language.
✓ ? Sufficiency no "small biz" language.

✓ ✓ Affidavit of Mailing Notice or rulemaking
10.21.83 2.17.84 At least 30 days prior to ~~hearing~~/adoption

✓ ✓ Mailing list Certificate

✓ ✓ Publication in State Register
✓ 10.24.83 2.20.84 At least 30/~~20~~ days prior to ~~hearing~~/adoption

NA N/A Hearing Examiner's Report

✓ Chief Hearing Examiner's Report(s)
_____ Approving H.E.'s Report
_____ Approving agency action

✓ Agency's Findings of Fact

N/A LCRAR Report or agency Affidavit

Certificate of Board's Resolution Adopting Rules

✓ Order Approving Incorporation by Reference

✓ ✓ Statement of Need and Reasonableness contains "small biz" section
no small biz section

N/A N/A Petition for Adoption of a Rule

✓ ✓ Record (includes transcript or tape, exhibits, ~~comments~~ received by agency, requests for a hearing, and other relevant materials)

✓ ✓ Certificate of Compliance w/Rulemaking Procedures

N/A N/A Affidavit of Mailing Notice of Submission to Attorney General

✓ ✓ Notice of Submission to the Attorney General

SF-00006-03

STATE OF MINNESOTA

Office Memorandum

DEPARTMENT ATTORNEY GENERAL
Public Safety Litigation Div.

TO: JUDITH WEHRWEIN
Legal Assistant
Administration Bldg.

DATE: 12/16/83

FROM: LINDA F. CLOSE
Special Assistant
Attorney General

PHONE: 6-7580

RECEIVED
JAN 5 1984
ATTORNEY GENERAL
ADMINISTRATIVE AGENCIES

SUBJECT: PROPOSED LIQUOR RULES

This is to confirm our telephone conversation in which I stated that the following proposed rules are withdrawn.

11 MCAR § 1.8025
11 MCAR § 1.8058
11 MCAR § 1.8084

Thank you for your cooperation.

LFC:plp

SF-00006-02

STATE OF MINNESOTA

DEPARTMENT ATTORNEY GENERAL

Office Memorandum

TO Paul Tschida, Commissioner of Public Safety

DATE: April 27, 1984

ATTN: Linda F. Close, Special Asst., Attorney General

FROM: Martha J. Casserly
Special Assistant
Attorney General

MJC

PHONE: 296-4692

SUBJECT: In the Matter of the Proposed Adoption of Rules of the State Department of Public Safety Governing Liquor Control, Delivery, Transportation, Vehicle Permits.

Enclosed herewith are the rules you have submitted for approval. These rules have been approved by this office and filed with the Secretary of State. Please note that they have not been filed with the State Register. This must be done promptly by your agency.

Upon receipt and before transmittal to your agency, however, it is important that you recheck these rules as to:

1. Affixation of stamps of the Attorney General and Secretary of State;

2. Coverage by these stamps of all rules submitted; and

3. Inclusion of all pages to the rules in the approved set.

If you have any questions in this regard, please contact me.

Encs.

cc: Ms. Kathy Burek
Mr. Duane Harves

MJC:cb

AG copy

Department of Public Safety
Liquor Control Division

Adopted Rules Governing Liquor Control, Delivery and Transportation, Vehicle Permits

Rules as Adopted

11 MCAR S 1.8025 Regulatory permits and fees.

Any person engaged in the purchase, sale, or use for any purpose other than personal consumption of intoxicating alcoholic beverages or ethyl alcohol, shall obtain the appropriate regulatory permit and identification card from the commissioner as provided in this rule. The fee for each permit, other than one issued to a state or federal agency, is $12 and shall be submitted together with the appropriate application form provided by the commissioner. Identification cards and permits shall be issued for a period coinciding with that of the appropriate state or municipal license and are not transferable. In instances where there is no annual license period, cards and permits shall expire one year after the date of issuance. The authority to engage in the purchase, sale, or use granted by the card or permit may be revoked by the commissioner upon evidence of a violation by the holder of such a card or permit of any of the provisions of Minnesota Statutes , chapter 340, or any rule of the commissioner made pursuant to law.

In order to coordinate the expiration date of permits and cards with that of the appropriate state or municipal license, permits and cards issued in January 1985 in conjunction with state or municipal licenses expiring prior to July 1, 1985, shall be issued for a term extending until the expiration date of the license in 1986. Permits and cards issued in January 1985 in conjunction with state or municipal licenses expiring after June 30, 1985, shall be issued for a term extending until the expiration date of the license in 1985. The fee for cards and permits issued during January 1985 for periods of more or

less than one year shall be prorated at $1 per month. Subsequent renewals shall be for a 12-month period.

A.-C. [Unchanged.]

D. State or federal agency permits. Permits for state or federal agencies shall be issued without charge.

E. [Unchanged.]

11 MCAR S 1.8058 Delivery.

Licensed or authorized "off-sale" retail liquor dealers and no other class of dealers may make deliveries of intoxicating liquor from their stores to the residence of a purchaser or other location, provided however, that such delivery shall be made only to a person ~~18~~ 19 or more years of age; and provided further, that such delivery shall not be made to beer taverns or other public or private place in violation of law or ordinance.

A.-C. [Unchanged.]

D. Open stock deliveries prohibited. Only alcoholic beverages ordered and packed at the store for delivery shall be carried in the delivery vehicle.

11 MCAR S 1.8084 Transportation.

Only common carriers or duly licensed Minnesota manufacturers or wholesale distributors shall transport distilled spirits, wine, ethyl alcohol, or malt beverages into this state.

Effective date. Rules 11 MCAR SS 1.8025 D. and 1.8084 A., relating to the repeal of vehicle permits, are effective July 1, 1984, or five days after final publication in the State Register, whichever is later.

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
APR 30 1984 4:16 P.M.
Joan Anderson
Secretary of State

APPROVED AS TO FORM AND LEGALITY
April 27 1984
HUBERT H. HUMPHREY, III
ATTORNEY GENERAL
BY Martha J. Cassedy
SPECIAL ASSISTANT ATTORNEY GENERAL

AG copy.

Department of Public Safety
Liquor Control Division

Adopted Rules Governing Liquor Control, Delivery and Transportation, Vehicle Permits

Rules as Adopted

11 MCAR S 1.8025 Regulatory permits and fees.

Any person engaged in the purchase, sale, or use for any purpose other than personal consumption of intoxicating alcoholic beverages or ethyl alcohol, shall obtain the appropriate regulatory permit and identification card from the commissioner as provided in this rule. The fee for each permit, other than one issued to a state or federal agency, is $12 and shall be submitted together with the appropriate application form provided by the commissioner. Identification cards and permits shall be issued for a period coinciding with that of the appropriate state or municipal license and are not transferable. In instances where there is no annual license period, cards and permits shall expire one year after the date of issuance. The authority to engage in the purchase, sale, or use granted by the card or permit may be revoked by the commissioner upon evidence of a violation by the holder of such a card or permit of any of the provisions of Minnesota Statutes, chapter 340, or any rule of the commissioner made pursuant to law.

In order to coordinate the expiration date of permits and cards with that of the appropriate state or municipal license, permits and cards issued in January 1984 in conjunction with state or municipal licenses expiring prior to July 1, 1984, shall be issued for a term extending until the expiration date of the license in 1985. Permits and cards issued in January 1984 in conjunction with state or municipal licenses expiring after June 30, 1984, shall be issued for a term extending until the expiration date of the license in 1984. The fee for cards and permits issued during January 1984 for periods of more or

less than one year shall be prorated at $1 per month. Subsequent renewals shall be for a 12-month period.

A.-C. [Unchanged.]

D. State or federal agency permits. Permits for state or federal agencies shall be issued without charge.

E. [Unchanged.]

11 MCAR S 1.8058 Delivery.

Licensed or authorized "off-sale" retail liquor dealers and no other class of dealers may make deliveries of intoxicating liquor from their stores to the residence of a purchaser or other location, provided however, that such delivery shall be made only to a person 18 or more years of age; and provided further, that such delivery shall not be made to beer taverns or other public or private place in violation of law or ordinance.

A.-C. [Unchanged.]

D. Open stock deliveries prohibited. Only alcoholic beverages ordered and packed at the store for delivery shall be carried in the delivery vehicle.

11 MCAR S 1.8084 Transportation.

Only common carriers or duly licensed Minnesota manufacturers or wholesale distributors shall transport distilled spirits, wine, ethyl alcohol, or malt beverages into this state.

Rules as Proposed

11 MCAR S 1.8025 Regulatory permits and fees.

Any person engaged in the purchase, sale, or use for any purpose other than personal consumption of intoxicating alcoholic beverages or ethyl alcohol, ~~or any vehicle used to transport intoxicating alcoholic beverages or ethyl alcohol~~ shall obtain the appropriate regulatory permit and identification card from the commissioner as provided in this rule. The ~~regulatory~~ fee for each permit, other than one issued to a state or federal agency, is ~~$5.00~~ $12 and shall be submitted together with the appropriate application form provided by the commissioner. ~~All~~ Identification cards and permits shall ~~expire on December 31st of the year~~ be issued for a period coinciding with that of the appropriate state or municipal license and are not transferable. In instances where there is no annual license period, cards and permits shall expire one year after the date of issuance. The authority to engage in the purchase, sale, or use ~~or transport~~ granted by the card or permit ~~in this section~~ may be revoked by the commissioner upon evidence of a violation by the holder of such a card or permit of any of the provisions of Minnesota Statutes ~~ch.~~, chapter 340, or any rule of the commissioner made pursuant to law.

In order to coordinate the expiration date of permits and cards with that of the appropriate state or municipal license, permits and cards issued in January 1985 in conjunction with state or municipal licenses expiring prior to July 1, 1985, shall be issued for a term extending until the expiration date of the license in 1986. Permits and cards issued in January 1985 in conjunction with state or municipal licenses expiring after June 30, 1985, shall be issued for a term extending until the expiration date of the license in 1985. The fee for cards and permits issued during January 1985 for periods of more or less than one year shall be prorated at $1 per month. Subsequent renewals shall be for a 12-month period.

A.-C. [Unchanged.]

APPROVED IN THE REVISOR OF STATUTES OFFICE BY: Paul C. Rohde

D. ~~Vehicle-permit.--All-common-carriers-other-than railroads,-their-motor-affiliates,-or-public-water transportation-carriers,-transporting-into-or-within-the-state of-Minnesota,-distilled-spirits,-wine,-or-malt-beverages containing-more-than-3.2-percent-of-alcohol-by-weight-shall apply-to-the-commissioner-on-Form-No.-38-for-vehicle-permits-for each-vehicle-used-in-the-transportation-thereof.--Such-permit shall-be-issued-only-to-common-carriers-licensed-by-the Minnesota-Department-of-Public-Service-and-to-Minnesota manufacturers,-winers,-brewers,-wholesale-distributors,-retail "off-sale"-dealers-licensed-to-sell-intoxicating-liquor,-and other-qualified-persons,-PROVIDED-that-no-permits-are-required for-trailers.--Intoxicating-liquor-transported-in-any-manner other-than-specified-herein-shall-be-confiscated-and-surrendered to-the-commissioner-for-final-disposition~~ State or federal agency permits. Permits for state or federal agencies shall be issued without charge.

E. [Unchanged.]

11 MCAR S 1.8058 Delivery.

Licensed or authorized "off-sale" retail liquor dealers and no other class of dealers may make deliveries of intoxicating liquor from their stores to the residence of a purchaser or other location, provided however, that such delivery shall be made only to a person ~~eighteen~~ 18 or more years of age; and provided further, that such delivery shall not be made to beer taverns or other public or private place in violation of law or ordinance.

A.-C. [Unchanged.]

D. ~~Delivery-vehicle-permits-required.--See-11-MCAR-Section 1.8025-D.~~

E. Open stock deliveries prohibited. Only alcoholic beverages ordered and packed at the store for delivery shall be carried in the delivery vehicle.

11 MCAR S 1.8084 Transportation.

Only common carriers or duly licensed Minnesota manufacturers

APPROVED IN THE REVISOR OF STATUTES OFFICE BY:

or wholesale distributors shall transport distilled spirits, wine, ethyl alcohol, or malt beverages into this state.

~~A.--All common carriers except railroads, their motor affiliates and public water transportation carriers, shall obtain a permit as provided in 11 MCAR Section 1.8025 D., for each vehicle used to transport alcoholic beverages in Minnesota.~~

Effective date. Rules 11 MCAR SS 1.8025 D. and 1.8084 A., relating to the repeal of vehicle permits, are effective July 1, 1984, or five days after final publication in the State Register, whichever is later.

APPROVED IN THE REVISOR OF STATUTES OFFICE BY:

OFFICE OF THE REVISOR OF STATUTES

Proposed Rule

RD481

Agency: Department of Public Safety

Division: Liquor Control Division

Agency Contact: Diane Dybevik 296-7096

Rule Numbers: 11 MCAR SS 1.8025; 1.8058; and 1.8084

Title: Proposed Rules Governing Intoxicating Liquor Delivery, Transportation, Regulatory Permits and Fees.

Type of Rules: Permanent

Incorporations by Reference: None
Rule Number: Material Incorporated:

Duplication of Statutory Language: None
Rule Number: Statutory Section Duplicated:

The attached rules are approved as to form.

APPROVED AS TO FORM AND LEGALITY
April 27, 1984
HUBERT H. HUMPHREY, III
ATTORNEY GENERAL
BY Martha J. Casserly
SPECIAL ASSISTANT ATTORNEY GENERAL

Steven C. Cross
Revisor of Statutes

Paul Rohde
Senior Assistant Revisor
Phone: 296-0953
Date: February 2, 1984

STATE OF MINNESOTA

DEPARTMENT OF PUBLIC SAFETY

In the Matter of the Proposed Adoption of Rules of the State Department of Public Safety Governing Liquor Control, Delivery, Transportation, Vehicle Permits.

ORDER ADOPTING RULES

Notice of the Commissioner's intent to adopt the above-entitled rules without a public hearing was published in the State Register on February 20, 1984, and was sent by the United States mail to all persons on the list maintained by the agency pursuant to Minn. Stat. section 14.22, on February 17, 1984. After affording interested and affected persons an opportunity to submit comments for 30 days after Notice, receiving fewer than seven written requests for a public hearing within the 30-day comment period, reviewing and considering the comments, and determining the need for and reasonableness of the above captioned rules.

NOW, THEREFORE, IT IS ORDERED that these rules, identified as 11 MCAR 1.8025, 1.8058, and 1.8084 are adopted this 30th day of March, 1984, pursuant to authority vested in me by Minn. Stat. Section 299A.01, subd. 6, Minn. Stat. section 299A.02, and Chapter 340.

STATE OF MINNESOTA

Paul J. Tschida

PAUL J. TSCHIDA
COMMISSIONER OF PUBLIC SAFETY

ACDKHF0018

STATE OF MINNESOTA

DEPARTMENT OF PUBLIC SAFETY

In the Matter of the Proposed Adoption of Rules of the State Department of Public Safety Governing Liquor Control, Delivery and Transportation, Vehicle Permits.

FINDINGS OF FACT AND CONCLUSIONS AND ORDER ADOPTING RULES

Notice of the Commissioner's intent to adopt the above captioned rules without a public hearing was published in the State Register on October 24, 1983, and was sent by the United States Mail to all persons on the list maintained by the Department of Public Safety pursuant to Minnesota Statutes section 14.14 subdivision 1, on October 21, 1983. All interested and affected persons were afforded an opportunity to submit comments for 30 days after the Notice. No requests for a hearing, no written comments, and no requests for notice of submission to the Attorney General were received within the 30-day comment period. The need for and the reasonableness of the proposed rules are adequately and fully set forth in the Statement of Need and Reasonableness which is incorporated herein. The rules as originally proposed are adopted without any changes.

NOW, THEREFORE, IT IS ORDERED that these rules identified as 11 MCAR 1.8025, 1.8058 and 1.8084A, are adopted this 28th day of November, 1983, pursuant to authority vested in me by Minnesota Statutes section 299A.01, subd. 6 and Minn. Stat. section 299A.02 and Chapter 340.

STATE OF MINNESOTA

Paul J. Tschida

PAUL J. TSCHIDA
COMMISSIONER OF PUBLIC SAFETY

ACDKHF0016

STATE OF MINNESOTA

DEPARTMENT OF PUBLIC SAFETY

In the Matter of the Proposed
Adoption of Rules of the State
Department of Public Safety
Governing Liquor Control,
Delivery and Transportation,
Vehicle Permits.

ORDER FOR NOTICE OF
INTENT TO ADOPT RULES
WITHOUT PUBLIC HEARING

IT IS ORDERED this 1st day of February, 1984. that a Notice of Intent to Adopt Rules Without Public Hearing in the above-entitled matter be given to all persons who have registered their names with the State Department of Public Safety for that purpose and be published in the State Register.

STATE OF MINNESOTA

Paul J. Tschida

PAUL J. TSCHIDA
COMMISSIONER OF PUBLIC SAFETY

ACDKHF0006

STATE OF MINNESOTA

DEPARTMENT OF PUBLIC SAFETY

In the Matter of the Proposed
Adoption of Rules of the State
Department of Public Safety
Governing Liquor Control,
Delivery and Transportation,
Vehicle Permits.

ORDER FOR NOTICE OF
INTENT TO ADOPT RULES
WITHOUT PUBLIC HEARING

IT IS ORDERED this 3rd day of October, 1983, that a Notice of Intent to Adopt Rules Without Public Hearing in the above-entitled matter be given to all persons who have registered their names with the State Department of Public Safety for that purpose and be published in the State Register.

STATE OF MINNESOTA

Paul J. Tschida

PAUL J. TSCHIDA
COMMISSIONER OF PUBLIC SAFETY

ACDKHF0006

Department of Public Safety
Liquor Control Division

In The Matter of the Proposed Adoption of Rules of the State Department of Public Safety Governing Liquor Control, Delivery and Transportation, Vehicle Permits.

NOTICE OF INTENT TO ADOPT RULES WITHOUT A HEARING

Notice is hereby given that the State Department of Public Safety is proposing to adopt the above entitled rules without a public hearing. The Commissioner of Public Safety has determined that the proposed adoption of these rules will be noncontroversial in nature and has elected to follow procedures set forth in Minn. Stat. Sections 14.21 through 14.28.

Persons interested in these rules shall have 30 days to submit comments on the proposed rules. The proposed rules may be modified prior to final adoption if modifications are supported by the data and views submitted to the Department of Public Safety and do not result in a substantial change in the proposed language.

Unless seven or more persons submit written requests for a public hearing on the proposed rules within the 30-day comment period, a public hearing will not be held. The written request must be specific on which rule(s) a hearing is desired. Identification of the particular objection, the suggested modifications, and the reasons or data relied upon to support the suggested modifications are desired. In the event a public hearing is required, the department will proceed according to the provisions of Minn. Stat. Sections 14.13 through 14.20.

Persons who wish to submit comments or a written request for a public hearing, or persons who wish to receive a free copy of this notice and/or a free copy of the proposed rules, should address their correspondence to the address below and include the name of the rulemaking:

Diane Dybevik
Department of Public Safety
211 Transportation Building
St. Paul, MN 55155

The Department's authority to adopt the proposed rules is contained in Minnesota Statutes Section 299A.02 and Chapter 340. A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rules and identifies the data and information relied upon to support the proposed rules has been prepared and is available from the Department of Public Safety upon request.

You are hereby advised, pursuant to Laws 1983, Ch. 188, "Small business consideration in rulemaking", that the proposed rule amendments may have an impact on some small businesses in Minnesota. The portions of the rule as revised which may affect small businesses include:

1. The annual fee for regulatory permits, authorizing persons to engage in the purchase, sale or use other than consumption of intoxicating alcoholic beverages or ethyl alcohol, is increased from $5 to $12.

2. The requirement for common carriers to obtain a vehicle permit to transport distilled spirits, wine or malt liquor is repealed.

3. The requirement that off-sale liquor dealers have a vehicle permit to engage in home delivery of intoxicating liquor is repealed.

The department believes that items 2 and 3 above will benefit small businesses. The repeal of vehicle permits to transport liquor in common carriers and for deliveries eliminates an element of government regulation for 7,500 permit holders. Item 1 above, a fee increase, will cost an additional 7,500 holders of these permits $7 more each or a total of $52,500 more per year. Holders of liquor regulatory permits should review this rule to determine the impact on them.

Upon adoption of the final rules without a public hearing, the proposed rules, this Notice, the Statement of Need and Reasonableness, all written comments received, and the final Rules as Adopted will be delivered to the Attorney General for review as to form and legality, including the issue of substantial change. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the final rules as proposed for adoption, should submit a written request to the above address.

Please be advised that Minn. Stat. Chapter 10A requires each lobbyist to register with the State Ethical Practices Board within five days after he or she commences lobbying. Minn. Stat. Section 10A.01, subdivision 11 defines a lobbyist as any individual: (a) engaged for pay or other consideration, or authorized by another individual or association to spend money, who spends more than five hours in any month or more than $250, not including his own travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials; or (b) who spends more than $250, not including his own travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials. The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 41 State Office Building, St. Paul, Minnesota 55155, telephone (612) 296-5615.

The department estimates that the total cost to all local public bodies in the state is under $2,000 to implement the rules for the two years immediately following their adoption, within the meaning of Minnesota Statutes Section 14.11, subdivision 1.

A copy of the proposed rules is attached to this notice.

STATE OF MINNESOTA

Feb 10, 1984
DATE

Paul J. Tschida
PAUL J. TSCHIDA
COMMISSIONER OF PUBLIC SAFETY

ACDKHF0008

Department of Public Safety
Liquor Control Division

In The Matter of the Proposed Adoption of Rules of the State Department of Public Safety Governing Liquor Control, Delivery and Transportation, Vehicle Permits.

NOTICE OF INTENT TO ADOPT RULES WITHOUT A HEARING

Notice is hereby given that the State Department of Public Safety is proposing to adopt the above entitled rules without a public hearing. The Commissioner of Public Safety has determined that the proposed adoption of these rules will be noncontroversial in nature and has elected to follow procedures set forth in Minn. Stat. Sections 14.21 through 14.28.

Persons interested in these rules shall have 30 days to submit comments on the proposed rules. The proposed rules may be modified prior to final adoption if modifications are supported by the data and views submitted to the Department of Public Safety and do not result in a substantial change in the proposed language.

Unless seven or more persons submit written requests for a public hearing on the proposed rules within the 30-day comment period, a public hearing will not be held. The written request must be specific on which rule(s) a hearing is desired. Identification of the particular objection, the suggested modifications, and the reasons or data relied upon to support the suggested modifications are desired. In the event a public hearing is required, the department will proceed according to the provisions of Minn. Stat. Sections 14.13 through 14.20.

Persons who wish to submit comments or a written request for a public hearing, or persons who wish to receive a copy of this notice and/or a copy of the proposed rules, should address their correspondence to the address below and include the name of the rulemaking:

Diane Dybevik
Department of Public Safety
211 Transportation Building
St. Paul, MN 55155

The Department's authority to adopt the proposed rules is contained in Minnesota Statutes Section 299A.02 and Chapter 340. A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rules and identifies the data and information relied upon to support the proposed rules has been prepared and is available from the Department of Public Safety upon request.

Upon adoption of the final rules without a public hearing, the proposed rules, this Notice, the Statement of Need and Reasonableness, all written comments received, and the final Rules as Adopted will be delivered to the Attorney General for review as to form and legality, including the issue of substantial change. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the final rules as proposed for adoption, should submit a written request to the above address.

Please be advised that Minn. Stat. Chapter 10A requires each lobbyist to register with the State Ethical Practices Board within five days after he or she commences lobbying. Minn. Stat. Section 10A.01, subdivision 11 defines a lobbyist as any individual: (a) engaged for pay or other consideration, or authorized by another individual or association to spend money, who spends more than five hours in any month or more than $250, not including his own travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials; or (b) who spends more than $250, not including his own travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials. The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 41 State Office Building, St. Paul, Minnesota 55155, telephone (612) 296-5615.

The department estimates that there will be no cost to local public bodies in the state to implement the rules for the two years immediately following their adoption, within the meaning of Minnesota Statutes Section 14.11, subdivision 1.

A copy of the proposed rules is attached to this notice.

STATE OF MINNESOTA

10/6/83
DATE

Paul J. Tschida
PAUL J. TSCHIDA
COMMISSIONER OF PUBLIC SAFETY

ACDKHF0008

Rules as Proposed

11 MCAR S 1.8025 Regulatory permits and fees.

Any person engaged in the purchase, sale, or use for any purpose other than personal consumption of intoxicating alcoholic beverages or ethyl alcohol, ~~or any vehicle used to transport intoxicating alcoholic beverages or ethyl alcohol~~ shall obtain the appropriate regulatory permit and identification card from the commissioner as provided in this rule. The ~~regulatory~~ fee for each permit, other than one issued to a state or federal agency, is ~~$5.00~~ $12 and shall be submitted together with the appropriate application form provided by the commissioner. ~~All~~ Identification cards and permits shall ~~expire on December 31st of the year~~ be issued for a period coinciding with that of the appropriate state or municipal license and are not transferable. In instances where there is no annual license period, cards and permits shall expire one year after the date of issuance. The authority to engage in the purchase, sale, or use ~~or transport~~ granted by the card or permit ~~in this section~~ may be revoked by the commissioner upon evidence of a violation by the holder of such a card or permit of any of the provisions of Minnesota Statutes ~~ch.~~, chapter 340, or any rule of the commissioner made pursuant to law.

In order to coordinate the expiration date of permits and cards with that of the appropriate state or municipal license, permits and cards issued in January 1984 in conjunction with state or municipal licenses expiring prior to July 1, 1984, shall be issued for a term extending until the expiration date of the license in 1985. Permits and cards issued in January 1984 in conjunction with state or municipal licenses expiring after June 30, 1984, shall be issued for a term extending until the expiration date of the license in 1984. The fee for cards and permits issued during January 1984 for periods of more or less than one year shall be prorated at $1 per month. Subsequent renewals shall be for a 12-month period.

A.-C. [Unchanged.]

APPROVED IN THE REVISOR OF STATUTES OFFICE BY:
PER

D. ~~Vehicle-permit.--All-common-carriers-other-than railroads,-their-motor-affiliates,-or-public-water transportation-carriers,-transporting-into-or-within-the-state of-Minnesota,-distilled-spirits,-wine,-or-malt-beverages containing-more-than-3.2-percent-of-alcohol-by-weight-shall apply-to-the-commissioner-on-Form-No.-38-for-vehicle-permits-for each-vehicle-used-in-the-transportation-thereof.--Such-permit shall-be-issued-only-to-common-carriers-licensed-by-the Minnesota-Department-of-Public-Service-and-to-Minnesota manufacturers,-winers,-brewers,-wholesale-distributors,-retail "off-sale"-dealers-licensed-to-sell-intoxicating-liquor,-and other-qualified-persons,-PROVIDED-that-no-permits-are-required for-trailers.--Intoxicating-liquor-transported-in-any-manner other-than-specified-herein-shall-be-confiscated-and-surrendered to-the-commissioner-for-final-disposition~~ State or federal agency permits. Permits for state or federal agencies shall be issued without charge.

E. [Unchanged.]

11 MCAR S 1.8058 Delivery.

Licensed or authorized "off-sale" retail liquor dealers and no other class of dealers may make deliveries of intoxicating liquor from their stores to the residence of a purchaser or other location, provided however, that such delivery shall be made only to a person ~~eighteen~~ 18 or more years of age; and provided further, that such delivery shall not be made to beer taverns or other public or private place in violation of law or ordinance.

A.-C. [Unchanged.]

D. ~~Delivery-vehicle-permits-required.--See-11-MCAR-Section 1.8025-D.~~

E. Open stock deliveries prohibited. Only alcoholic beverages ordered and packed at the store for delivery shall be carried in the delivery vehicle.

11 MCAR S 1.8084 Transportation.

Only common carriers or duly licensed Minnesota manufacturers

APPROVED IN THE REVISOR OF STATUTES OFFICE BY:

or wholesale distributors shall transport distilled spirits, wine, ethyl alcohol, or malt beverages into this state.

~~A.--All-common-carriers-except-railroads,-their-motor affiliates-and-public-water-transportation-carriers,-shall obtain-a-permit-as-provided-in-11-MCAR-Section-1.8025-D.,-for each-vehicle-used-to-transport-alcoholic-beverages-in-Minnesota.~~

APPROVED IN THE
REVISOR OF STATUTES
OFFICE BY:

OFFICE OF THE REVISOR OF STATUTES

Proposed Rule

RD352

Agency: Department of Public Safety

Division: Liquor Control Division

Agency Contact: Diane Dybevik 296-7096

Rule Numbers: 11 MCAR SS 1.8025; 1.8058; and 1.8084

Title: Proposed Rules Governing Intoxicating Liquor Delivery, Transportation, Regulatory Permits and Fees.

Type of Rules: Permanent

Incorporations by Reference: None
Rule Number: Material Incorporated:

Duplication of Statutory Language: None
Rule Number: Statutory Section Duplicated:

The attached rules are approved as to form.

Steven C. Cross
Revisor of Statutes

Paul Rohde
Senior Assistant Revisor
Phone: 296-0953
Date: September 21, 1983

STATE OF MINNESOTA

COUNTY OF RAMSEY

In the Matter of the Proposed Adoption of Rules of the State Department of Public Safety Governing Liquor Control, Delivery and Transportation, Vehicle Permits.

AFFIDAVIT OF MAILING NOTICE OF INTENT TO ADOPT RULES WITHOUT PUBLIC HEARING

LeeAnn Aitkin, being first duly sworn, deposes and says:

That on the 17th day of February, 1984, at the City of St. Paul, County of Ramsey, State of Minnesota, she served the Notice of Intent to Adopt Rules Without Public Hearing by depositing in the State of Minnesota Central Mail System for United States mailing, a copy thereof, properly enveloped, with postage prepaid, on all persons and associations who have requested that their names be placed on file with the State Department of Public Safety for the purpose of receiving notice of the proposed adoption of rules by this department, mailing list A. In addition, discretionary notice was served on all persons and associations contained on mailing list B.

LeeAnn Aitkin

Subscribed and sworn to before me

this 17th day of February

1984

Robert G. Knutson

ROBERT G. KNUTSON
NOTARY PUBLIC-MINNESOTA
RAMSEY COUNTY
MY COMMISSION EXPIRES APRIL 11, 1990

ACDKHF0011

MN State Pharmaceutical Assn.
2221 University Avenue
St. Paul, MN 55114

U.S. Brewers Assn., Inc.
111 West Port Plaza
St. Louis, Missouri 63141

James R. Bresnahan
Suite 830 Minnesota Building
St. Paul, MN 55101

Mr. Randolph E. Low
W-1 1st National Bank Bldg.
St. Paul, MN 55101

G. Heileman Brewing Co., Inc.
P.O. Box 459
LaCrosse, Wisconsin 54601

MN Food Retailers Association
555 Wabasha Street - Suite 215
St. Paul, MN 55102

Minnesota Newspaper Association
84 South 6th St.
Minneapolis, MN 55402

Clark Gavin Associates, Inc.
1551 Franklin Avenue
Mineola, NY 11501

Neal Schwartau, Director
Rochester Methodist Hospital
201 W. Center
Rochester, MN 55901

Honorable Harold W. Schultz
Ramsey Co. Dist. Court
Court House
St. Paul, MN 55101

Eugene A. Chillemi
40 Central Park South
New York, NY 10019

League of Minnesota Cities
183 University Avenue
St. Paul, MN 55414

Mr. James C. Erickson
1500 Northwestern Fin. Center
7900 Xerxes Ave. So.
Minneapolis, MN 55431

Henry L. Keller Ser. - Consult
101 Charles Street
Boston, Massachusetts 02114

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Minneapolis, MN 55402

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W. 1360 1st National Bank Bldg.
St. Paul, MN 55101

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St. Louis, Missouri 63118

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152 South Plaza Bldg.
Gamble Center
Minneapolis, MN 55416

Jack V. Hoene
1613 Circle Drive
Bloomington, MN 55337

Distilled Spirits Institute
1132 Pennsylvania Bldg.
Washington, D.C.

MN Beer Wholesalers Assn.
1007 1st Bank Place West
Minneapolis, MN 55402

Mr. George Byers
P.O. Box 884
St. Cloud, MN 55301

Ms. Mary Stanton
407 Capitol Square Building
St. Paul, MN 55101

Robert Mahowald
Mahowald Insurance Agency
St. Cloud, MN 56301

Mr. Morton Siegel
Avondale Centre, Suite 1700
20 N. Clark Street
Chisago, Illinois 60602

Mr. John M. Palmer
~~520 Roanoke Bldg.~~ 2400 IDS Center
Minneapolis, MN 55402

Roy B. Henline
615 Minnesota Fed. Bldg.
Minneapolis, MN 55402

C. Robert Beattie
1500 First National Bank Bldg.
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Charles Schaffer
MN Dept. Economic Development
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Fredrik M. Christiansen
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Leg. Comm./Review Admin. Rules
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MN Government Report
B-12, Press Room
State Capitol Bldg.

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& Flynn
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Winona City Hall
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Winona, MN 55987

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Austin, MN 55912

Woodvale Management Svcs.
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Austin, MN 55912

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Marlis Johnson
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Mankato, MN 56001

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Kathy R. Van Kleeck
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Arlington VA 22202

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Blue Earth, MN 56013

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Attorney at Law
3109 Hennepin Ave. So.
Mpls, MN 55408

Mark Groettum
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Hibbing, MN 55746

Mary Stanton
Staff Associate/Finance
407 Capitol Square Building
550 Cedar St.
St. Paul, MN 55101

Public Affairs Information
State Regulatory Division
1024 10th St., Suite 300
Sacramento, CA 95814

STATE OF MINNESOTA

COUNTY OF RAMSEY

In the Matter of the Proposed Adoption of Rules of the State Department of Public Safety Governing Liquor Control, Delivery and Transportation, Vehicle Permits.

AFFIDAVIT OF MAILING NOTICE OF INTENT TO ADOPT RULES WITHOUT PUBLIC HEARING

Diane Dybevik, being first duly sworn, deposes and says:

That on the 21st day of October, 1983, at the City of St. Paul, County of Ramsey, State of Minnesota, she served the Notice of Intent to Adopt Rules Without Public Hearing by depositing in the State of Minnesota Central Mail System for United States mailing, a copy thereof, properly enveloped, with postage prepaid, on all persons and associations who have requested that their names be placed on file with the State Department of Public Safety for the purpose of receiving notice of the proposed adoption of rules by this department, mailing list A. In addition, discretionary notice was served on all persons and associations contained on mailing list B.

Diane Dybevik

Subscribed and sworn to before me

this 21ST day of OCTOBER

1983

Robert G. Knutson

ROBERT G. KNUTSON
NOTARY PUBLIC-MINNESOTA
RAMSEY COUNTY
MY COMMISSION EXPIRES APRIL 11, 1990

ACDKHF0011

STATE OF MINNESOTA

COUNTY OF RAMSEY

In the Matter of the Proposed Adoption of Rules of the State Department of Public Safety Governing Liquor Control, Delivery and Transportation, Vehicle Permits.

CERTIFICATE OF MAILING LIST

I hereby certify that the list of persons, associations, and other interested groups who have requested, pursuant to Minn. Stat. Section 14.14 subdivision 1, that their names be placed on file with and maintained by the State Department of Public Safety for the purpose of receiving notice of the proposed adoption of rules by this department, is accurate and complete as of 9:00 A.M., this 17th day of February, 1984.

Diane Dybenk

ACDKHF0010

STATE OF MINNESOTA

COUNTY OF RAMSEY

In the Matter of the Proposed Adoption of Rules of the State Department of Public Safety Governing Liquor Control, Delivery and Transportation, Vehicle Permits.

CERTIFICATE OF MAILING LIST

I hereby certify that the list of persons, associations, and other interested groups who have requested, pursuant to Minn. Stat. Section 14.14 subdivision 1, that their names be placed on file with and maintained by the State Department of Public Safety for the purpose of receiving notice of the proposed adoption of rules by this department, is accurate and complete as of 9:00 A.M., this 20th day of October, 1983.

Diane Dybevik

ACDKHF0010

AID Homes, Inc./Horizon Apts.
1094 Waterloo Ave.
West St. Paul, MN 55118

Board of Directors
Alpha Homes, Inc.
P.O. Box 475
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Executive Vice President
MN Motor Transport Assoc.
1821 University Ave. (N310)
St. Paul, MN 55104

Board of Directors
New Dawn, Inc.
Route 1, Box K1
Fulda, MN 56131

Board of Directors
Northeast Residence, Inc.
4680 Bald Eagle Ave.
White Bear Lake, MN 55110

Willmar Nursing Home, Inc.
1004 Ella Ave.
Willmar, MN 56201

Windom CRF, Inc.
Box 244
Windom, MN 56101

Robert Carstenbrock
Police Chief
Winona City Hall
4th & Lafayette St.
Winona, MN 55987

Woodvale Homes, Inc.
Box 1047
Austin, MN 55912

Woodvale Management Svcs.
Box 1047
Austin, MN 55912

Jerry Kennan
Region Nine Dev. Commission
410 S. 5th St., PO Box 3367
Mankato, MN 56001

H. LeRoy DeBoom
3945 Zarthan Ave.
Mpls, MN 55416

Marlis Johnson
Box 3367, Region 9
Mankato, MN 56001

Rodney Watkins
105 University Road
Cloquet, MN 55720

Kathy R. Van Kleeck
Motorcycle Industry Council
1235 Jefferson Davis Hwy #1410
Arlington VA 22202

POST Board
333 Sibley St., Suite 495
St. Paul, MN 55101

Frundt, Frundt & Johnson
117 West 5th St.
Blue Earth, MN 56013

Joseph G. Beaton, Jr.
Attorney at Law
3109 Hennepin Ave. So.
Mpls, MN 55408

Mark Groettum
Attorney At Law
311 E. Howard St., Box 764
Hibbing, MN 55746

Mary Stanton
Staff Associate/Finance
407 Capitol Square Building
550 Cedar St.
St. Paul, MN 55101

Public Affairs Information
State Regulatory Division
1024 10th St., Suite 300
Sacramento, CA 95814

B

Minnesota State Pharmaceutical Assn.
2649 University Ave.
St. Paul, Minn. 55114

Mr. Rudolph E. Low
W-1 1st National Bank Bldg.
St. Paul, Minn.

William S. Rosen
Room 630 Osborn Bldg.
St. Paul, Minn.

Gerald E. Rutman
Room 400
Degree of Honor Bldg.
St. Paul, Minn.

Charles A. Flinn, Jr.
N.W. National Bank Bldg.
St. Paul, Minn.

Minnesota Newspaper Association
84 South 6th St.
Minneapolis, Minn. 55402

Licensed Beverage Industries, Inc.
155 East 44th St.
New York, N.Y. 10017

Honorable Harold W. Schultz
Ramsey Co. Dist. Court
Court House
St. Paul, Minn. 55101

Mr. James C. Erickson
1500 Northwestern Financial Center
7900 Xerxes Ave. So.
Minneapolis, Minn. 55431

Mr. Tom Newcome
W. 1360 1st National Bank Bldg.
St. Paul, Minn. 55101

Jack V. Hoene
1613 Circle Drive
Bloomington, Minn. 55337

Minn. Beer Wholesalers Assn.
1007 1st Bank Place West
Minneapolis, Minn. 55402

Ms. Mary Stanton
407 Capitol Square Building
St. Paul, Minn. 55101

Mr. Morton Siegel
Avondale Centre, Suite 1700
20 N. Clark Street
Chisago, Illinois 60602

Roy B. Henline
615 Minnesota Federal Bldg.
Minneapolis, Minn. 55402

United States Brewers Association, Inc.
111 West Port Plaza
St. Louis, Missouri 63141

G. Heileman Brewing Co., Inc.
P.O. Box 459
LaCrosse, Wisconsin 54601

Clark Gavin Associates, Inc.
1551 Franklin Avenue
Mineola, NY 11501

Eugene A. Chillemi
40 Central Park South
New York, NY 10019

Henry L. Keller Service - Consulting
101 Charles Street
Boston, Massachusetts 02114

Legal Dept.
Anheuser-Busch, Inc.
St. Louis, Missouri 63118

Distilled Spirits Institute
1132 Pennsylvania Bldg.
Washington, D. C.

Mr. George Byers
P.O. Box 884
St. Cloud, Minn. 55301

Robert Mahowald
Mahowald Insurance Agency
St. Cloud, Minn. 56301

Mr. John M. Palmer
520 Roanoke Bldg.
Minneapolis, Minn. 55402

C. Robert Beattie
1500 First National Bank Bldg.
St. Paul, Minn. 55101

Joseph J. Weissman
485 Lexington Ave.
New York, NY 10017

James R. Bresnahan
Suite 830 Minnesota Building
St. Paul, Minn. 55101

Minnesota Food Retailers Association
555 Wabasha St. - Suite 215
St. Paul, Minn. 55102

Mr. Robert McCue
100 Progress Parkway - Suite 219
Maryland Heights, Missouri 63043

Neal Schwartau, Director
Rochester Methodist Hospital
201 W. Center
Rochester, Minn. 55901

Mr. Gary Peterson
Suite 854 Midland Bank Building
Minneapolis, Minn. 55401

League of Minnesota Municipalities
330 University Ave. St. E.
Minneapolis, Minn. 55414

Target Stores, Inc.
777 Nicollet Mall
Minneapolis, Minn. 55402

Mr. John M. Miller
152 South Plaza Bldg.
Gamble Center
Minneapolis, Minn. 55416

Part 5 Nursing Board
7 MCAR §§ 5.4000-5.4006 (proposed) 1731

TITLE 8 LABOR

Part 1 Labor and Industry
8 MCAR § 1.7001 (adopted) 1738
8 MCAR §§ 1.7220, 1.7240, 1.7243, 1.7245 (proposed) 1814
8 MCAR §§ 1.8003-1.8004, 1.8006-1.8007 [Amend] (proposed) 1657
8 MCAR §§ 1.9001-1.9010 [renumbered 1.9050-1.9059] 1898
8 MCAR §§ 1.9001-1.9025 [Amend] [Temp] (adopted) 1821
8 MCAR §§ 1.9050-1.9059 (adopted) 1898
RS 1, 14, 15, 17-19 (adopted) 1777

TITLE 11 PUBLIC SAFETY

Part 1 Public Safety Department
11 MCAR §§ 1.8025, 1.8058, 1.8084 (proposed) 1893

TITLE 12 SOCIAL SCIENCE

Part 2 Public Welfare Department
12 MCAR §§ 2.0300-2.0304 [Temp] (adopted) 1858
12 MCAR §§ 2.04601-2.04606 [Temp] (proposed) 1817
12 MCAR §§ 2.0481-2.0484 [Temp] (proposed) 1743
12 MCAR §§ 2.05301-2.05315 [Temp] (adopted) 1858
12 MCAR §§ 2.05401-2.05403 [Temp] (extended) 1822
12 MCAR §§ 2.05501-2.05509 [Temp], 2.04422 [Temp] (extended) 1822
12 MCAR § 2.164 [Temp] (extended) 1823
12 MCAR § 2.200 [Amend] (proposed) 1589

Part 3 Housing Finance Agency
12 MCAR §§ 3.002 [Temp], 3.055 [Temp]-3.057 [Temp] (extended) 1659
12 MCAR §§ 3.058-3.061 [Temp] (extended) 1858
12 MCAR §§ 3.160-3.165 [Temp] (extended) 1858

TITLE 13 TAXATION

Part 1 Revenue Department
13 MCAR § 1.2220 (proposed) 1896

TITLE 14 TRANSPORTATION

Part 1 Transportation Department
14 MCAR § 1.5032 (adopted) 1603

PROPOSED RULES

Pursuant to Minn. Stat. of 1980, §§ 14.21, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing, as long as the agency determines that the rules will be noncontroversial in nature. The agency must first publish a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register*. The notice must advise the public:

1. that they have 30 days in which to submit comment on the proposed rules;
2. that no public hearing will be held unless seven or more persons make a written request for a hearing within the 30-day comment period;
3. of the manner in which persons shall request a hearing on the proposed rules;

and

4. that the rule may be modified if modifications are supported by the data and views submitted.

If, during the 30-day comment period, seven or more persons submit to the agency a written request for a hearing of the proposed rules, the agency must proceed under the provisions of §§ 14.13-14.20 which state that if an agency decides to hold a public hearing, it must publish in the *State Register* a notice of its intent to do so. This notice must appear at least 30 days prior to the date set for the hearing, along with the full text of the proposed rules. (If the agency has followed the provisions of subd. 4h and has already published the proposed rules, a citation to the prior publication may be substituted for republication.)

Pursuant to Minn. Stat. § 14.29, when a statute, federal law or court order to adopt, suspend or repeal a rule does not allow time for the usual rulemaking process, temporary rules may be proposed. Proposed temporary rules are published in the *State Register*, and for at least 20 days thereafter, interested persons may submit data and views in writing to the proposing agency.

Department of Public Safety
Liquor Control Division

Proposed Adoption of Rules of the State Department of Public Safety Governing Liquor Control, Delivery and Transportation, Vehicle Permits

Notice of Intent to Adopt Rules without a Hearing

Notice is hereby given that the State Department of Public Safety is proposing to adopt the above entitled rules without a public hearing. The Commissioner of Public Safety has determined that the proposed adoption of these rules will be noncontroversial in nature and has elected to follow procedures set forth in Minn. Stat. Sections 14.21 through 14.28.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

Persons interested in these rules shall have 30 days to submit comments on the proposed rules. The proposed rules may be modified prior to final adoption if modifications are supported by the data and views submitted to the Department of Public Safety and do not result in a substantial change in the proposed language.

Unless seven or more persons submit written requests for a public hearing on the proposed rules within the 30-day comment period, a public hearing will not be held. The written request must be specific on which rule(s) a hearing is desired. Identification of the particular objection, the suggested modifications, and the reasons or data relied upon to support the suggested modifications are desired. In the event a public hearing is required, the department will proceed according to the provisions of Minn. Stat. Sections 14.13 through 14.20.

Persons who wish to submit comments or a written request for a public hearing, or persons who wish to receive a free copy of this notice and/or a free copy of the proposed rules, should address their correspondence to the address below and include the name of the rulemaking:

Diane Dybevik
Department of Public Safety
211 Transportation Building
St. Paul, MN 55155

The Department's authority to adopt the proposed rules is contained in Minnesota Statutes Section 299A.02 and Chapter 340. A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rules and identifies the data and information relied upon to support the proposed rules has been prepared and is available from the Department of Public Safety upon request.

You are hereby advised, pursuant to Laws 1983, Ch. 188, "Small business consideration in rulemaking", that the proposed rule amendments may have an impact on some small businesses in Minnesota. The portions of the rule as revised which may affect small businesses include:

1. The annual fee for regulatory permits, authorizing persons to engage in the purchase, sale or use other than consumption of intoxicating alcoholic beverages or ethyl alcohol, is increased from $5 to $12.

2. The requirement for common carriers to obtain a vehicle permit to transport distilled spirits, wine or malt liquor is repealed.

3. The requirement that off-sale liquor dealers have a vehicle permit to engage in home delivery of intoxicating liquor is repealed.

The department believes that items 2 and 3 above will benefit small businesses. The repeal of vehicle permits to transport liquor in common carriers and for deliveries eliminates an element of government regulation for 7,500 permit holders. Item 1 above, a fee increase, will cost an additional 7,500 holders of these permits $7 more each or a total of $52,500 more per year. Holders of liquor regulatory permits should review this rule to determine the impact on them.

Upon adoption of the final rules without a public hearing, the proposed rules, this Notice, the Statement of Need and Reasonableness, all written comments received, and the final Rules as Adopted will be delivered to the Attorney General for review as to form and legality, including the issue of substantial change. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the final rules as proposed for adoption, should submit a written request to the above address.

Please be advised that Minn. Stat. Chapter 10A requires each lobbyist to register with the State Ethical Practices Board within five days after he or she commences lobbying. Minn. Stat. Section 10A.01, subdivision 11 defines a lobbyist as any individual: (a) engaged for pay or other consideration, or authorized by another individual or association to spend money, who spends more than five hours in any month or more than $250, not including his own travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials; or (b) who spends more than $250, not including his own travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials. The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 41 State Office Building, St. Paul, Minnesota 55155, telephone (612) 296-5615.

The department estimates that the total cost to all local public bodies in the state is under $2,000 to implement the rules for the two years immediately following their adoption, within the meaning of Minnesota Statutes Section 14.11, subdivision 1.

A copy of the proposed rules is attached to this notice.

Paul J. Tschida
Commissioner of Public Safety

Rules as Proposed

11 MCAR § 1.8025 Regulatory permits and fees.

Any person engaged in the purchase, sale, or use for any purpose other than personal consumption of intoxicating alcoholic beverages or ethyl alcohol, ~~or any vehicle used to transport intoxicating alcoholic beverages or ethyl alcohol~~ shall obtain the appropriate regulatory permit and identification card from the commissioner as provided in this rule. The ~~regulatory~~ fee for each permit, other than one issued to a state or federal agency, is ~~$5.00~~ $12 and shall be submitted together with the appropriate application form provided by the commissioner. ~~All~~ Identification cards and permits shall ~~expire on December 31st of the year~~ be issued for a period coinciding with that of the appropriate state or municipal license and are not transferable. In instances where there is no annual license period, cards and permits shall expire one year after the date of issuance. The authority to engage in the purchase, sale, or use ~~or transport~~ granted by the card or permit ~~in this section~~ may be revoked by the commissioner upon evidence of a violation by the holder of such a card or permit of any of the provisions of Minnesota Statutes ~~ch.~~, chapter 340, or any rule of the commissioner made pursuant to law.

In order to coordinate the expiration date of permits and cards with that of the appropriate state or municipal license, permits and cards issued in January 1985 in conjunction with state or municipal licenses expiring prior to July 1, 1985, shall be issued for a term extending until the expiration date of the license in 1986. Permits and cards issued in January 1985 in conjunction with state or municipal licenses expiring after June 30, 1985, shall be issued for a term extending until the expiration date of the license in 1985. The fee for cards and permits issued during January 1985 for periods of more or less than one year shall be prorated at $1 per month. Subsequent renewals shall be for a 12-month period.

A.-C. [Unchanged.]

D. ~~Vehicle permit. All common carriers other than railroads, their motor affiliates, or public water transportation carriers, transporting into or within the state of Minnesota, distilled spirits, wine, or malt beverages containing more than 3.2 percent of alcohol by weight shall apply to the commissioner on Form No. 38 for vehicle permits for each vehicle used in the transportation thereof. Such permit shall be issued only to common carriers licensed by the Minnesota Department of Public Service and to Minnesota manufacturers, wineries, brewers, wholesale distributors, retail "off-sale" dealers licensed to sell intoxicating liquor, and other qualified persons, PROVIDED that no permits are required for trailers. Intoxicating liquor transported in any manner other than specified herein shall be confiscated and surrendered to the commissioner for final disposition~~ State or federal agency permits. Permits for state or federal agencies shall be issued without charge.

E. [Unchanged.]

11 MCAR § 1.8058 Delivery.

Licensed or authorized "off-sale" retail liquor dealers and no other class of dealers may make deliveries of intoxicating liquor from their stores to the residence of a purchaser or other location, provided however, that such delivery shall be made only to a person ~~eighteen~~ 18 or more years of age; and provided further, that such delivery shall not be made to beer taverns or other public or private place in violation of law or ordinance.

A.-C. [Unchanged.]

D. ~~Delivery vehicle permits required. See 11 MCAR Section 1.8025 D.~~

~~E.~~ Open stock deliveries prohibited. Only alcoholic beverages ordered and packed at the store for delivery shall be carried in the delivery vehicle.

11 MCAR § 1.8084 Transportation

Only common carriers or duly licensed Minnesota manufacturers or wholesale distributors shall transport distilled spirits, wine, ethyl alcohol, or malt beverages into this state.

~~A. All common carriers except railroads, their motor affiliates and public water transportation carriers, shall obtain a permit as provided in 11 MCAR Section 1.8025 D., for each vehicle used to transport alcoholic beverages in Minnesota.~~

Effective date. Rules 11 MCAR §§ 1.8025 D. and 1.8084 A., relating to the repeal of vehicle permits, are effective July 1, 1984, or five days after final publication in the *State Register*, whichever is later.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

The prevailing wage rate will be determined as ~~$8.00~~ $8 per hour.

4. Where a worker performs work on more than one project within the county, he shall be counted only once in the class of labor and at the wage rate paid on the most recent project within the time period of the survey.

C. Collectively bargained rate. If the prevailing wage rate determined for any given class of labor represents a collectively bargained rate, then the comparable current collectively bargained rate for the class of labor in the county where the project covered by the prevailing wage determination is located shall be the prevailing wage rate.

D. Noncollectively bargained rate. If the prevailing wage rate determined represents a rate other than a collectively bargained rate for any given class of labor, the rate so determined shall be the prevailing wage rate.

E. Change in rate due to contractual changes. If the prevailing wage rate for any given class of labor represents a collectively bargained rate, and the collectively bargained rate for that class of labor will change during the 12 months immediately following the date upon which the wage rate is determined according to the terms of the collective bargaining contract by which the rate is established, the department shall certify that the rate for that class of labor shall also change accordingly on the effective date of the change pursuant to the collective bargaining contract.

Department of Public Safety
Liquor Control Division

Proposed Rules Governing Liquor Control, Delivery and Transportation, Vehicle Permits

Notice of Intent to Adopt Rules without a Public Hearing

Notice is hereby given that the State Department of Public Safety is proposing to adopt the above entitled rules without a public hearing. The Commissioner of Public Safety has determined that the proposed adoption of these rules will be noncontroversial in nature and has elected to follow procedures set forth in Minn. Stat. sections 14.21 through 14.28.

Persons interested in these rules shall have 30 days to submit comments on the proposed rules. The proposed rules may be modified prior to final adoption if modifications are supported by the data and views submitted to the Department of Public Safety and do not result in a substantial change in the proposed language.

Unless seven or more persons submit written requests for a public hearing on the proposed rules within the 30-day comment period, a public hearing will not be held. The written request must be specific on which rule(s) a hearing is desired. Identification of the particular objection, the suggested modifications, and the reasons or data relied upon to support the suggested modifications are desired. In the event a public hearing is required, the department will proceed according to the provisions of Minn. Stat. sections 14.13 through 14.20.

Persons who wish to submit comments or a written request for a public hearing, or persons who wish to receive a copy of this notice and/or a copy of the proposed rules, should address their correspondence to the address below and include the name of the rulemaking:

Diane Dybevik
Department of Public Safety
211 Transportation Building
St. Paul, MN 55155

The department's authority to adopt the proposed rules is contained in Minnesota Statutes section 299A.02 and chapter 340. A statement of need and reasonableness that describes the need for and reasonableness of each provision of the proposed rules and identifies the data and information relied upon to support the proposed rules has been prepared and is available from the Department of Public Safety upon request.

Upon adoption of the final rules without a public hearing, the proposed rules, this notice, the statement of need and reasonableness, all written comments received, and the final rules as adopted will be delivered to the Attorney General for review as to form and legality, including the issue of substantial change. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the final rules as proposed for adoption, should submit a written request to the above address.

Please be advised that Minn. Stat. chapter 10A requires each lobbyist to register with the State Ethical Practices Board within five days after he or she commences lobbying. Minn. Stat. section 10A.01, subdivision 11 defines a lobbyist as any individual:

(a) engaged for pay or other consideration, or authorized by another individual or association to spend money, who spends more than five hours in any month or more than $250, not including his own travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials; or (b) who spends more than $250, not including his own travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials. The statute provides certain exceptions. Questions should be directed to the Ethical Practices Board, 41 State Office Building, St. Paul, Minnesota 55155, telephone (612) 296-5615.

The department estimates that there will be no cost to local public bodies in the state to implement the rules for the two years immediately following their adoption, within the meaning of Minnesota Statutes section 14.11, subdivision 1.

A copy of the proposed rules is attached to this notice.

Paul J. Tschida
Commissioner of Public Safety

Rules as Proposed

11 MCAR § 1.8025 Regulatory permits and fees.

Any person engaged in the purchase, sale, or use for any purpose other than personal consumption of intoxicating alcoholic beverages or ethyl alcohol, ~~or any vehicle used to transport intoxicating alcoholic beverages or ethyl alcohol~~ shall obtain the appropriate regulatory permit and identification card from the commissioner as provided in this rule. The ~~regulatory~~ fee for each permit, other than one issued to a state or federal agency, is ~~$5.00~~ $12 and shall be submitted together with the appropriate application form provided by the commissioner. ~~All~~ Identification cards and permits shall ~~expire on December 31st of the year~~ be issued for a period coinciding with that of the appropriate state or municipal license and are not transferable. In instances where there is no annual license period, cards and permits shall expire one year after the date of issuance. The authority to engage in the purchase, sale, or use ~~or transport~~ granted by the card or permit ~~in this section~~ may be revoked by the commissioner upon evidence of a violation by the holder of such a card or permit of any of the provisions of Minnesota Statutes ~~ch.~~, chapter 340, or any rule of the commissioner made pursuant to law.

In order to coordinate the expiration date of permits and cards with that of the appropriate state or municipal license, permits and cards issued in January 1984 in conjunction with state or municipal licenses expiring prior to July 1, 1984, shall be issued for a term extending until the expiration date of the license in 1985. Permits and cards issued in January 1984 in conjunction with state or municipal licenses expiring after June 30, 1984, shall be issued for a term extending until the expiration date of the license in 1984. The fee for cards and permits issued during January 1984 for periods of more or less than one year shall be prorated at $1 per month. Subsequent renewals shall be for a 12-month period.

A.-C. [Unchanged.]

D. ~~Vehicle permit. All common carriers other than railroads, their motor affiliates, or public water transportation carriers, transporting into or within the state of Minnesota, distilled spirits, wine, or malt beverages containing more than 3.2 percent of alcohol by weight shall apply to the commissioner on Form No. 38 for vehicle permits for each vehicle used in the transportation thereof. Such permit shall be issued only to common carriers licensed by the Minnesota Department of Public Service and to Minnesota manufacturers, wineries, breweries, wholesale distributors, retail "off-sale" dealers licensed to sell intoxicating liquor, and other qualified persons, PROVIDED that no permits are required for trailers. Intoxicating liquor transported in any manner other than specified herein shall be confiscated and surrendered to the commissioner for final disposition~~ State or federal agency permits. Permits for state or federal agencies shall be issued without charge.

E. [Unchanged.]

11 MCAR § 1.8058 Delivery.

Licensed or authorized "off-sale" retail liquor dealers and no other class of dealers may make deliveries of intoxicating liquor from their stores to the residence of a purchaser or other location, provided however, that such delivery shall be made only to a person ~~eighteen~~ 18 or more years of age; and provided further, that such delivery shall not be made to beer taverns or other public or private place in violation of law or ordinance.

A.-C. [Unchanged.]

D. ~~Delivery vehicle permits required. See 11 MCAR Section 1.8025 D.~~

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." ADOPTED RULES SECTION — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

~~E.~~ Open stock deliveries prohibited. Only alcoholic beverages ordered and packed at the store for delivery shall be carried in the delivery vehicle.

11 MCAR § 1.8084 Transportation.

Only common carriers or duly licensed Minnesota manufacturers or wholesale distributors shall transport distilled spirits, wine, ethyl alcohol, or malt beverages into this state.

~~A. All common carriers except railroads, their motor affiliates and public water transportation carriers, shall obtain a permit as provided in 11 MCAR Section 1.8025 D., for each vehicle used to transport alcoholic beverages in Minnesota.~~

Minnesota Pollution Control Agency
Solid and Hazardous Waste Division

Proposed Amendment of Rules Governing Generators of, and the Identification, Transportation and Management of, Hazardous Waste (6 MCAR §§ 4.9001-4.9003, 4.9005, 4.9008-4.9010, Renumbered as 6 MCAR §§ 4.9100-4.9259 and 4.9559-4.9560)

Notice of Intent to Adopt Rules without a Public Hearing

Notice is hereby given that the Minnesota Pollution Control Agency (hereinafter "agency") proposes to adopt amendments to the rules governing generators of, and the identification, transportation and management of hazardous waste without a public hearing. The agency has determined that the proposed amendment of these rules will be noncontroversial in nature and has elected to follow the procedure set forth in Minn. Stat. §§ 14.21-14.28 (1982).

In addition to the amendments to the rules described herein, the agency is also proposing amendments to the rules governing hazardous waste treatment, storage, and disposal facilities. These proposed amendments appear elsewhere in the October 24, 1983 *State Register*.

Persons interested in these rules shall have until November 25, 1983, to submit comments on the proposed rules. The proposed rules may be modified if the modifications are supported by the data and views submitted to the agency and do not result in a substantial change in the proposed language.

Unless seven or more persons submit written requests for a public hearing on the proposed amendments by November 25, 1983, a public hearing will not be held. In the event a public hearing is required, the agency will proceed according to the provisions of Minn. Stat. §§ 14.13-14.20 (1982). The agency asks that requests for a public hearing identify the particular objection and suggest appropriate modifications to the proposed rules and the reasons or data relied on to support the suggested modifications.

Persons who wish to submit comments or a written request for a public hearing should submit such comments or request to:

Steven A. Reed
Division of Solid and Hazardous Waste
Minnesota Pollution Control Agency
1935 West County Road B-2
Roseville, Minnesota 55113
Telephone: (612) 296-7786

Authority for adoption of these rules is contained in Minn. Stat. § 116.07, subds. 4 and 4b. Additionally, a statement of need and reasonableness that describes the need for and reasonableness of each provision of the proposed amendments and that identifies the data and information relied upon to support the proposed amendments, has been prepared and is available upon request. It is also available for review in the Minnesota Pollution Control Agency Office in Roseville and in each of the Minnesota Pollution Control Agency Regional Offices:

Duluth Regional Office
Duluth Government Services Center
Room 704
320 West 2nd Street
Telephone: (218) 723-4660

Detroit Lakes Regional Office
116 East Front Street
Telephone: (218) 847-1519

STATE OF MINNESOTA

DEPARTMENT OF PUBLIC SAFETY

In the Matter of the Proposed Adoption of Rules of the State Department of Public Safety Governing Liquor Control, Delivery, Transportation, Vehicle Permits.

FINDINGS OF FACT AND CONCLUSIONS

Notice of the Commissioner's intent to adopt the above captioned rules without a public hearing was published in the State Register on February 20, 1984, and was sent by the United States Mail to all persons on the list maintained by the Department of Public Safety pursuant to Minnesota Statutes section 14.14 subdivision 1, on February 17, 1984.

After affording interested and affected persons an opportunity to submit comments for 30 days after Notice, having received fewer than seven requests for a public hearing within the 30 day comment period, and having reviewed and considered the comments, I find the following:

FINDINGS OF FACT

1. The authority of the Department of Public Safety to promulgate these rules is contained in Minn. Stat. Section 299A.01, subd 6, 299A.02, and Chapter 340.

2. The Statement of Need and Reasonableness for these rules sets forth the need for and reasonableness of the rules to be adopted, and is incorporated into these findings and becomes a part hereof as though fully set forth herein.

3. During the 30 day public comment period, no requests for public hearing were received.

4. One public-comment letter was received, and the only comment it contained concerned an inadvertant error in the draft of the proposed rule. In 11 MCAR 1.8058 of the proposed rule, existing language "eighteen" is stricken and new language "18" is added. The new language should have read "19".

5. There were no requests for Notice of Submission to the Attorney General.

CONCLUSIONS

1. The Commissioner of Public Safety gave due, timely and adequate legal notice of his intent to adopt rules without a public hearing.

2. The Commissioner of Public Safety has statutory authority to promulgate the proposed rules.

3. The Commissioner of Public Safety has fulfilled all relevant, substantive and procedural requirements of law and rule.

4. The Commissioner of Public Safety has demonstrated the need for and reasonableness of the proposed rules by an affirmative presentation of facts.

5. In 11 MCAR 1.8058, "18" is changed to "19". This change was inadvertantly left out of the proposed rule. The need for this change is to reflect the correct legal age for possession of alcohol. This is not a substantive change and does not generally change the subject that the public was given to respond to.

STATE OF MINNESOTA

3/30/84
DATE

Paul J. Tschida
PAUL J. TSCHIDA
COMMISSIONER OF PUBLIC SAFETY

ACDKHF0015

STATE OF MINNESOTA

DEPARTMENT OF PUBLIC SAFETY

In the Matter of the Proposed Adoption of Rules of the State Department of Public Safety Governing Liquor Control, Delivery and Transportation, Vehicle Permits.

FINDINGS OF FACT AND CONCLUSIONS AND ORDER ADOPTING RULES

Notice of the Commissioner's intent to adopt the above captioned rules without a public hearing was published in the State Register on October 24, 1983, and was sent by the United States Mail to all persons on the list maintained by the Department of Public Safety pursuant to Minnesota Statutes section 14.14 subdivision 1, on October 21, 1983. All interested and affected persons were afforded an opportunity to submit comments for 30 days after the Notice. No requests for a hearing, no written comments, and no requests for notice of submission to the Attorney General were received within the 30-day comment period. The need for and the reasonableness of the proposed rules are adequately and fully set forth in the Statement of Need and Reasonableness which is incorporated herein. The rules as originally proposed are adopted without any changes.

NOW, THEREFORE, IT IS ORDERED that these rules identified as 11 MCAR 1.8025, 1.8058 and 1.8084A, are adopted this 28th day of November, 1983, pursuant to authority vested in me by Minnesota Statutes section 299A.01, subd. 6 and Minn. Stat. section 299A.02 and Chapter 340.

STATE OF MINNESOTA

Paul J. Tschida

PAUL J. TSCHIDA
COMMISSIONER OF PUBLIC SAFETY

ACDKHF0016

STATE OF MINNESOTA

DEPARTMENT OF PUBLIC SAFETY

In the Matter of the Proposed Adoption of Rules of the State Department of Public Safety Governing Liquor Control, Delivery and Transportation, Vehicle Permits.

STATEMENT OF NEED AND REASONABLENESS

The above captioned rules are amendments to existing rules of the State Department of Public Safety. The captioned rules were last amended in 1977. The amendments contained in the proposed rules are needed in order to streamline the system of issuing certain liquor permits and identification cards.

Existing rules of the Liquor Control Division require a permit for all vehicles used to transport liquor into and within Minnesota. Permits are required for common carriers, manufacturers, winers, brewers, wholesale distributors and retailers having vehicles which transport liquor. Exempt from the rule are railroads, water transport and the transport of 3.2 beer. The rule is intended to cover the transportation of intoxicating liquor from the manufacturer or importer to the wholesaler, from the wholesaler to the on or off-sale retailer and from the retailer to the consumer (e.g., off-sale stores which deliver). The original purpose of this portion of the rule is to regulate and identify intoxicating liquor in inter and intrastate traffic for license and tax compliance and to identify vehicles used to transport liquor. In FY 82 the Liquor Control Division issued 7300 vehicle permits. In FY 83, 7,100 were issued.

Other cards and permits included within the scope of the rule are identification cards for retail licensees to purchase liquor from wholesalers, identification cards for wholesaler salespersons to solicit orders from retailers and identification cards for representatives of firms doing business in Minnesota. Permits are also required for doctors, pharmacists, institutions and businesses using alcohol or liquor in their business. In FY 82, Liquor Control issued 5,000 retailer cards, 2,000 salesperson cards, 300 representative cards and 330 alcohol/liquor permits. In FY 83 the figures were 4,600 retailer cards, 2,000 salesperson cards, 320 representative cards and 300 alcohol/liquor permits.

The regulation, identification and taxation of liquor in Minnesota is accomplished through a comprehensive system of checking shipment manifests to wholesalers, retail sales invoices, and order tickets for retailers that deliver. The identification and registration of vehicles through the issuance of vehicle permits does not serve this purpose. The vehicle permits are not needed and should be eliminated. They are an unnecessary burden on licensees and an unnecessary expense to the State for no contemporary purpose.

The proposed rules also change the expiration date of the cards and permits to coincide with the expiration date of the holders other license. This will help distribute the workload in Liquor Control over all the months of the year. During the past few years budget reductions and the loss of one clerical position have made it exceedingly difficult for the division to carry out its licensing and recordkeeping functions. Staggering the processing and issuance of over 7,000 permits will ease the workload problem. It will also be more convenient for the licensee, to obtain their license and required permits at the same time.

In the proposed rules the fee for permits and cards is increased from $5 to $12 per year. The cost of permits issued by Liquor Control was increased from $1 to $5 in 1967. An increase from $5 to $12 will bring the fee for the permit more in line with the current cost of processing and is in line with the Consumer Price Index which rose 167% between 1967 and 1981.

The proposed rules also exempt state and federal agencies from payment of the fee. Approximately 30 permits are issued to state and federal agencies each year. These permits allow hospitals and sanitariums to purchase medicinal liquors and allow hospitals and universities to purchase alcohol for research. It will be more efficient and less costly to issue these permits without charge than to shift funds from one agency to another through a series of paper and computer transactions.

These rules have some impact on small businesses in Minnesota, and the Department of Public Safety has considered the methods for reducing the impact as required by Laws 1983, Ch. 188, Section 1, Subd. 2. The universe of small businesses potentially affected by these rules are pharmacists who have a permit to sell prescription medicinal liquors, businesses that use liquor or alcohol in their business, and on and off sale liquor retailers for the purpose of identifving themselves or enabling them to purchase the alcohol liquor. Also affected are common carriers that transport liquor in Minnesota. The overall purpose of the rules is to streamline the permit issuance process and that is a positive impact for small businesses. The impact of the rules has been lessened for common carriers and for on & off sale retailers, because the rule repeals the requirement for vehicle permits. These rules represent less stringent schedules/deadlines and simplification of requirements through the change to staggered issuance of permits coterminous with the holders other license. Establishment of performance standards is not applicable to these rules. Establishment of less stringent compliance requirements was not implemented, because the fiscal impact of this rule is minimal. The fee is increased only to cover the cost of permit issuance and, since it is a small fee, we felt it would not constitute undue hardship.

PAUL J. TSCHIDA
COMMISSIONER

ACDKDNA14A

STATE OF MINNESOTA

DEPARTMENT OF PUBLIC SAFETY

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PAUL J. TSCHIDA
COMMISSIONER

ACDKHF0004

In the Matter of the Proposed Adoption of Rules of the State Department of Public Safety Governing Liquor Control, Delivery, Transportation, Vehicle Permits.

STATEMENT OF COMPLIANCE WITH RULEMAKING PROCEDURES

I, Special Assistant Attorney General Linda Close, do hereby declare that I have examined the rules and all related documents and that, based on my examination and my personal familiarity with the applicable procedures, the Administrative Procedure Act, the rules of the Office of Administrative Hearings, and the rules of the Attorney General have been followed. Any exceptions are noted below.

4/11/84
DATED

Linda F. Close
SPECIAL ASSISTANT ATTORNEY GENERAL

ACDKDF0001

In the Matter of the Proposed Adoption of Rules of the State Department of Public Safety Governing Liquor Control, Delivery and Transportation, Vehicle Permits.

STATEMENT OF COMPLIANCE WITH RULEMAKING PROCEDURES

I, Special Assistant Attorney General Linda Close, do hereby declare that I have examined the rules and all related documents and that, based on my examination and my personal familiarity with the applicable procedures, the Administrative Procedure Act, the rules of the Office of Administrative Hearings, and the rules of the Attorney General have been followed. Any exceptions are noted below.

12/1/83
DATED

Linda F. Close
SPECIAL ASSISTANT ATTORNEY GENERAL

ACDKDF0001