

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

RULE REVIEW CHECKLIST

File No. 1305 Docket No. 05.0009.0487

DATE RECEIVED 8/22/86
REVIEW DATE 9/2
DUE DATE 9/4

APPROVED 9-2-86 mjc
DISAPPROVED
WITHDRAWN

ADOPTED W/O HEARING ✓
EMERGENCY RULE

REVISOR APPROVED 8-29
REVISOR DISAPPROVED
FILED W/SEC. STATE 9-3
RETURNED TO AGENCY 9-3

✓ Rule as adopted (4 copies)

___ ~~Notice to Solicit Outside Information/Opinion~~
~~Date published in State Register~~
~~Comments~~

WAIVED ~~Petition for Adoption of a Rule~~

✓ Board's Authorizing Resolution

✓ Proposed rule
5-13-86 Revisor's Certificate

✓ Notice of Intent to Adopt Rule
16A.128, 156.01 subd 1 Statutory Authority + 214.06
yes Small business statement
None Expenditure of public money statement
N/A Signature

✓ Statement of Need and Reasonableness

✓ Affidavit of Mailing Notice of Intent to Adopt Rule + Order for Notice & Intent to adopt Rules without a Public Hearing.
8-22-86 Date 30/25 days before adoption

___ Publication in State Register
Date 30/25 days before adoption Not enclosed

✓ Resolution Adopting

✓ ~~Findings of Fact, Conclusions~~ & Order Adopting
8-21-86 Date

___ ~~Written requests, submissions or comments~~

✓ Declaration of attorney
Rory # Foley Name of SAAG representing agency

✓ Notice of Submission to Attorney General

✓ Affidavit of Mailing Notice to Attorney General

✓ Certificate of Mailing List
✓ Letter to Allen Mozamo from Glenn Nelson dated 4-28-86
✓ Letter to Allen Mozamo from Burt Nelson dated 5-14-86

SF-00006-03

File

DEPARTMENT ATTORNEY GENERAL

STATE OF MINNESOTA

Office Memorandum

TO: DEPARTMENT OF HEALTH
Rory H. Foley
Special Assistant Attorney General

DATE: 9/3/86

FROM: MARTHA J. CASSERLY MJC
Special Assistant Attorney General

PHONE: 296-4692

SUBJECT: In the Matter of the Minnesota Board of Veterinary Medicine Governing the Fees Charged by the Board.

The above-referenced rule has been approved as to its legality by the Attorney General on September 2, 1986.

Enclosed is the agency's copy of the approved rule. This office has already filed two copies of the approved rule with the Secretary of State, who will forward one copy to the Revisor of Statutes. The fourth copy is being retained by this division of the Attorney General's Office for its records.

Also enclosed are any petitions, requests, submission or comments received by the agency and any extra copies of documents which the agency submitted to the Attorney General.

In order for a permanent rule without a hearing to become effective, your agency must publish a notice of adoption in the State Register in accordance with Minn. Stat. § 14.27. An emergency rule becomes effective five working days after approval by the Attorney General; however, the agency must publish a notice in the State Register in accordance with Minn. Stat. § 14.34.

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

MJC:pmf

Enclosures

cc: Maryanne Hruby
Executive Director
Legislative Commission to Review
Administrative Rules

Duane Harves
Chief Administrative Law Judge
Office of Administrative Hearings

RR#1305

Board of Veterinary Medicine

Adopted Rules Relating to Fees

Rules as Adopted

9100.0400 APPLICATION FEES TO PRACTICE VETERINARY MEDICINE.

Subpart 1. **Amount.** A person applying for a license to practice veterinary medicine in this state shall submit to the Board of Veterinary Medicine a fee of $185 in the form of a check or money order payable to the state treasurer. The application fee received shall support only the application with which the fee was submitted. A person who applies more than once shall submit the full application fee with each subsequent application.

Subp. 2. [Unchanged.]

9100.0500 RENEWAL FEE.

Subpart 1. [Unchanged.]

Subp. 2. **Amount.** The annual fee for licensure renewal is $30 and must be paid to the executive secretary of the board on or before March 1 of each year. By January 1 of the year for which the renewal fee is due, the board will issue a renewal application to each current licensee to the last address maintained in the board file. Failure to receive this notice does not relieve the licensee of the obligation to pay renewal fees in such a manner that they are received by the board on or before the renewal date of March 1.

Subp. 3. [Unchanged.]

Subp. 4. **Late penalty.** An applicant for renewal shall pay a late penalty of $20 as well as the renewal fee if the application for renewal is received after March 1 of the current year. A renewed license issued after March 1 of any year is valid only until March 1 of the next succeeding year regardless of when the renewal fee is received.

Subp. 5. [Unchanged.]

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
SEP - 3 1986
Joan Anderson Growe
Secretary of State 10:27AM

APPROVED AS TO FORM AND LEGALITY
September 2 1986
HUBERT H. HUMPHREY, III
ATTORNEY GENERAL
BY MJ Carpenter
SPECIAL ASSISTANT ATTORNEY GENERAL

STATE OF MINNESOTA

BOARD OF VETERINARY MEDICINE

In the Matter of the Proposed Adoption of Rules of the Minnesota Board of Veterinary Medicine Governing the Fees Charged by the Board for Examination, License Renewal and Late Penalty

CERTIFICATE OF BOARD'S RESOLUTION AUTHORIZING THE PROMULGATION OF NOTICE OF INTENT TO ADOPT A RULE WITHOUT A PUBLIC HEARING

I, Milton Crenshaw, DVM, do hereby certify that I am a member and the President of the Board of Veterinary Medicine, a Board duly authorized under the laws of the State of Minnesota, and that the following is a true, complete, and correct copy of a resolution adopted at a meeting of the Board of Veterinary Medicine duly and properly called and held on the 1st day of October, 1986, that a quorum was present at said meeting, that a majority of those present voted for the resolution, and that said resolution is set forth in the minutes of said meeting and has not been rescinded or modified.

> RESOLVED, that Glen H. Nelson, Executive Director of the Board of Veterinary Medicine, be and that he hereby is granted the authority and directed to sign an Order of the Board directing that notice be given of the Board's intent to adopt without a public hearing rules governing examination, annual renewal fees and late penalty fees, to sign the notice thereof, and to perform any and all acts incidental thereto. In the event a public hearing becomes necessary, that he hereby is granted the authority and directed to call a hearing for the purpose of promulgating said rules as well as perform any and all acts incidental thereto, including but without being limited to signing an Order for Hearing and Notice of Hearing as well as acting as the Board's representative at all hearings.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 21 day of August, 1986.

Milton Crenshaw, DVM

MILTON CRENSHAW, DVM
President

Attest by one other Board member

Board of Veterinary Medicine

Proposed Rules Relating to Fees

Rules as Proposed

9100.0400 APPLICATION FEES TO PRACTICE VETERINARY MEDICINE.

Subpart 1. **Amount.** ~~Every~~ A person applying for a license to practice veterinary medicine in this state shall submit to the Board of Veterinary Medicine a fee of ~~$100~~ $185 in the form of a check or money order payable to the state treasurer. The application fee received shall support only the application with which the fee was submitted. ~~Any~~ A person who applies more than once shall submit the full application fee with each subsequent application.

Subp. 2. [Unchanged.]

9100.0500 RENEWAL FEE.

Subpart 1. [Unchanged.]

Subp. 2. **Amount.** The annual fee for licensure renewal ~~shall be $10~~ is $30 and ~~shall~~ must be paid to the executive secretary of the board on or before March 1 of each year. By January 1 of the year for which the renewal fee is due, the board will issue a renewal application to each current licensee to the last address maintained in the board file. Failure to receive ~~such~~ this notice ~~shall~~ does not relieve the licensee of ~~his~~ the obligation to pay renewal fees in such a manner that they are received by the board on or before the renewal date of March 1.

Subp. 3. [Unchanged.]

Subp. 4. **Late penalty.** An ~~application~~ applicant for renewal shall pay a late penalty of ~~$10~~ $20 as well as the renewal fee if the application for renewal is received after March 1 of the current year. A renewed license issued after March 1 of any year ~~shall be~~ is valid only until March 1 of the next succeeding year regardless of when the renewal fee is received.

APPROVED IN THE REVISOR OF STATUTES OFFICE BY:

Subp. 5. [Unchanged.]

APPROVED IN THE
REVISOR OF STATUTES
OFFICE BY:

OFFICE OF THE REVISOR OF STATUTES

Proposed Rule

RD955

Agency: Board of Veterinary Medicine

Division:

Agency Contact: Rory Foley
Special Assistant Attorney General

Minnesota Rules: Parts 9100.0400 and 9100.0500

Title: Proposed Rules Relating to Fees

Type of Rules: Permanent

Incorporations by Reference: None

Steven C. Cross
Revisor of Statutes

Ron Ray
Assistant Revisor
Phone: 296-0945
Date: May 13, 1986

Board of Veterinary Medicine

Proposed Rules Relating to Fees

Rules as Proposed

9100.0400 APPLICATION FEES TO PRACTICE VETERINARY MEDICINE.

Subpart 1. **Amount.** ~~Every~~ A person applying for a license to practice veterinary medicine in this state shall submit to the Board of Veterinary Medicine a fee of ~~$100~~ $185 in the form of a check or money order payable to the state treasurer. The application fee received shall support only the application with which the fee was submitted. ~~Any~~ A person who applies more than once shall submit the full application fee with each subsequent application.

Subp. 2. [Unchanged.]

9100.0500 RENEWAL FEE.

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APPROVED IN THE REVISOR OF STATUTES OFFICE BY:

Subp. 5. [Unchanged.]

APPROVED IN THE
REVISOR OF STATUTES
OFFICE BY:

OFFICE OF THE REVISOR OF STATUTES

Proposed Rule

RD955

Agency: Board of Veterinary Medicine

Division:

Agency Contact: Rory Foley
Special Assistant Attorney General

Minnesota Rules: Parts 9100.0400 and 9100.0500

Title: Proposed Rules Relating to Fees

Type of Rules: Permanent

Incorporations by Reference: None

Steven C. Cross
Revisor of Statutes

Ron Ray
Assistant Revisor
Phone: 296-0945
Date: May 13, 1986

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE MINNESOTA

BOARD OF VETERINARY MEDICINE

In the Matter of the
Proposed Rules Governing
Fees Changed by the
Minnesota Board of
Veterinary Medicine for
Examination and Licensure
Renewal

NOTICE OF INTENT TO ADOPT
RULES WITHOUT A PUBLIC
HEARING

NOTICE IS HEREBY GIVEN that the Minnesota Board of Veterinary Medicine (hereinafter "Board") proposes to adopt the above-entitled rules without a public hearing. The Board has determined that the proposed changes will be noncontroversial in nature pursuant to Minn. Stat. § 16A.128 and has elected to follow the procedures set forth in Minn. Stat. § 14.21-14.28.

Interested persons shall have 30 days to submit comments in support of or in opposition to the proposed rules. Comment is encouraged. Each comment should identify the portion of the proposed rule being addressed, the reason for the comment, and any change proposed. 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.

PLEASE NOTE THAT NO PUBLIC HEARING WILL BE HELD ON THESE RULES unless 20 percent of the persons required to pay these fees submit to the agency during the 30-day comment period, a written request for a public hearing on the proposed rule. Minn. Stat. § 16A.128, subd. 2.a.

Persons who wish to submit comments should submit such comments or requests to:

Glen Nelson
Minnesota Board of Veterinary Medicine
2700 University Avenue West
St. Paul, Minnesota 55114
Telephone: (612) 642-0597

The statutory authority of the Board to make the proposed rule changes is contained in Minn. Stat. §§ 16A.128, 156.01, subd. 1, and 214.06.

If adopted, the proposed rules would set the fees for admission to examination, licensure, renewal of license and late fees.

A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed changes and identifies the data and information relied upon to support the proposed changes has been prepared and is also available from the Department free upon request.

Promulgation of the proposed rules will not result in the expenditure of public monies by local public bodies. In accordance with Minn. Stat. § 14.115, the Department's consideration of any such effect on small business will be addressed in the Statement of Need and Reasonableness. Persons representing small businesses are invited to participate in the rulemaking process.

Upon adoption of the final rules without a public hearing, the proposed changes, 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 changes. 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 statement of such request to Glen Nelson.

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE MINNESOTA

OF VETERINARY MEDICINE

In the Matter of
Proposed Rules Governing
Fees Charged by the
Minnesota Board of
Veterinary Medicine for
Examination and License Renewal

STATEMENT OF NEED AND
REASONABLENESS FOR
MINN. RULES PTS.
9100.0400 and 9100.0500

The Minnesota Board of Veterinary Medicine is required to seek an increase in the fees for examination of applicants for licensure and the renewal fees for those currently licensed to practice veterinary medicine in the State of Minnesota.

Minn. Stat. § 214.06, subd. 1, requires all health related licensing boards to generate, through fees, sufficient revenue, such that, the total fees collected will as closely as possible equal appropriations and anticipated expenditures during the fiscal year, and as provided in Minn. Stat. § 16A.128. The existing fee structure is insufficient to cover the anticipated expenses for fiscal year 1986.

The Board has the authority to implement the rules necessary for the change in fees pursuant to Minn. Stat. §§ 156.01, subd. 1, 156.02, subd. 2(1), 156.03, 156.07, and 156.072, subd. 3. Furthermore, authority is granted under Minn. Stat. § 14.05, subd. 1. No local expenditures will be required by implementing these rules.

Several factors necessitate an increase in fees at this time. The fiscal year 1986 shortfall in revenue recovery amounted to $10,285.00.

Furthermore, the Department of Health required the health related licensing boards to relocate office space. This relocation has resulted in a rental increase of $2,629.80 over the previous years expenditures. Additional relocation and overhead expenses will total approximately $3,700.00

Administrative support costs have increased over the previous years. Fees for the services of the Attorney General's Office have been increased, and the Board

has increasingly received additional consumer complaints requiring investigation and referral to the Attorney General. Fees for disciplinary hearings have also been increased.

It is anticipated that the revenue generated by the increase in license renewal and examination fees will closely approximate the legislative biennium appropriation, the increased expenditures to be incurred in fiscal year 1986, together with the recovery of the fiscal year 1986 shortfall.

Table 1 below indicates the amount of revenue generated by the current fee structure:

TABLE 1

Fee Title	Present Fee	# Paying Fee	Revenue Generated
Examination Application	$150	130	19,500
Licensure Renewal	$20	2,400	48,000
Corporations Renewal	$25	100	2,500
		TOTAL	70,000

Table 2 below indicates the expenditures anticipated for fiscal year 1986.

TABLE 2

Item		Amount
FY 1985 Shortfall		10,285.00
Rent		5,250.60
Attorney General Fees		20,000.00*
Moving Costs		400.00**
Phone		500.00
Furniture		2,800.00**
Copying Machine		400.00
Revisor Fees		400.00
License Examination Costs (90/exam)		9,000.00
Salaries (includes 5% COLA)		32,104.15
Board Expenses		
Out of state travel	3,782.00	
In state travel	4,136.00	
Per diem	2,055.00	
	subtotal	9,973.00

Health Department license processing fees	3,700.00
Expenditures Total	95,221.75

* Estimate
** Single year expenditure

The shortfall in revenue generated by the current fee schedule is 23,846.75.

Table 3 below indicates the revenue generated under the proposed fee schedule.

TABLE 3

Fee Title	Proposed Fee	# Paying Fee	Revenue Generated
Examination Application	$185.00	130	24,050.00
Licensure Renewal	30.00	2,400	72,000.00
Corporations Renewal	no change	100	2,500.00
		Total	98,550.00

As Table 3 indicates, the revenue generated under the proposed fee increase will more closely approximate the expenditures of the Board. There is a single expenditure listed for furniture necessitated by the change of office space.

Further, the inclusion of the 5% COLA in the salary for Board personnel will increase the Board's expenditure accordingly.

The increase in the late penalty for filing a renewal of licensure is needed to meet the expenses of the Board in notifying those licensees who have not paid their annual fee within the time period required. Staff expenses in preparing and executing such notification will be met by the increase in the late fee.

Implementation of the revised fee schedule will enable the Board to meet its requisite expenses.

The Board has determined that the statutory requirements of Minn. Stat. §§ 14.131 to 14.20 are not applicable as the rules will be noncontroversial. Furthermore, the Board has determined there will be no impact on small businesses by the implementation of these rules. Minn. Stat. § 14.115, subd. 2.

The approval of the Commissioner of Finance for the increase in the fees proposed was granted May 6, 1986.

FOX RIVER BOND
CORPORATION

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE MINNESOTA

BOARD OF VETERINARY MEDICINE

In the Matter of the
Proposed Rules Governing
Fees Charged by the
Minnesota Board of
Veterinary Medicine for
Examination and Licensure
Renewal

AFFIDAVIT OF MAILING

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

Denise S. Collins, being first duly sworn deposes and says:

That on the 26th day of May, 1986, at the City of Minneapolis, County of Hennepin, State of Minnesota, She served the attached Notice of Intent to Adopt Rules Without Public Hearing by depositing in the United States mail at said City of Minneapolis, 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 Board of Veterinary Medicine for the purpose of receiving notice of the proposed adoption of rules by this Board.

Denise S. Collins

Subscribed and sworn to before me
this 22nd day of August, 1986.

Linda J. Berg

LINDA J. BERG
NOTARY PUBLIC-MINNESOTA
DAKOTA COUNTY
MY COMMISSION EXPIR. SEPTEMBER 26, 1987

STATES OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE MINNESOTA

BOARD OF VETERINARY MEDICINE

In the Matter of the
Proposed Adoption of Rules
of the Minnesota Board
of Veterinary Medicine Governing
the Fees Charged by the
Board

ORDER FOR NOTICE OF INTENT
TO ADOPT RULES WITHOUT A
PUBLIC HEARING

IT IS ORDERED this 1st day of October, 1985, that a Notice of Intent to Adopt Rules Without a Public Hearing in the above-entitled matter be given to all persons who have registered their names with the Minnesota Board of Veterinary Medicine for that purpose and be published in the State Register.

STATE OF MINNESOTA

BOARD OF VETERINARY MEDICINE

Glen Nelson

GLEN NELSON, DVM
Executive Director

Dated: OCT 1-, 1985

STATE OF MINNESOTA

BOARD OF VETERINARY MEDICINE

In the Matter of the Proposed Adoption of Rules of the Minnesota Board of Veterinary Medicine Governing the Fees Charged by the Board for Examination, License Renewal and Late Penalty

CERTIFICATE OF BOARD'S RESOLUTION ADOPTING RULES

I, Milton Crenshaw, DVM, do hereby certify that I am a member and the President of the Board of Veterinary Medicine, a Board duly authorized under the laws of the State of Minnesota, and that the following is a true, complete, and correct copy of a resolution adopted at a meeting of the Board of Veterinary Medicine, duly and properly called and held on the 21 day of August, 1986, that a quorum was present at said meeting, that a majority of those present voted for the resolution, and that said resolution is set forth in the minutes of said meeting and has not been rescinded or modified.

> RESOLVED, that the rules relating to an increase in fees charged by the Board be and they are hereby approved and adopted, pursuant to authority vested in the Board by Minn. Stat. § 156.01, subd. 1 (1984) and Minn. Stat. § 214.06, subd. 1 (Supp. 1985) and that Glen Nelson, Executive Director of the Board of Veterinary Medicine, be and is hereby authorized to sign an order adopting these rules and further is authorized to perform the necessary acts to provide that these rules shall have the force and effect of law.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 21 day of August, 1986.

Milton Crenshaw, DVM

MILTON CRENSHAW, DVM
President of the Board

Attest by one other Board member

STATE OF MINNESOTA

BOARD OF VETERINARY MEDICINE

In the Matter of the Proposed Adoption of Rules of the Minnesota Board of Veterinary Medicine Governing the Fees Charged by the Board for Examination, License Renewal and Late Penalty

ORDER ADOPTING RULE

Notice of the Board of Veterinary Medicine's intent to adopt the above-entitled rules without a public hearing was published in the State Register on Monday, June 9, 1986, and was sent by United States mail to all persons on the list maintained by the Board pursuant to Minn. Stat. § 14.14, subd. 1 (1984) on June 2, 1986. After affording interested and affected persons an opportunity to submit comments for 30 days after notice, receiving requests for public hearing from fewer than 20% of the persons who will be required to pay the fee 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 HEREBY ORDERED that the rules identified as Proposed Adoption of Rules of the Minnesota Board of Veterinary Medicine Governing the Fees Charged by the Board for Examination, License Renewal and Late Penalty are adopted this 21 day of August, 1986, pursuant to authority vested in the Board by Minn. Stat. §§ 156.01, subd. 1 (1984), and 214.06 (Supp. 1985).

STATE OF MINNESOTA

BOARD OF VETERINARY MEDICINE

GLEN NELSON, DVM
Executive Director

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE MINNESOTA

BOARD OF VETERINARY MEDICINE

In the Matter of the
Proposed Adoption of Rules
of the Minnesota Board
of Veterinary Medicine Governing
the Fees Charged by the Board

STATEMENT OF COMPLIANCE WITH
RULEMAKING PROCEDURES

I, Special Assistant Attorney General Rory H. Foley, 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 listed below.

RORY H. FOLEY
Special Assistant
Attorney General

Dated: Aug. 22, 1986

STATE OF MINNESOTA

BOARD OF VETERINARY MEDICINE

In the Matter of the
Proposed Adoption of Rules
of the Minnesota Board of
Veterinary Medicine Governing
the Fees Charged by the Board

NOTICE OF SUBMISSION
TO THE ATTORNEY GENERAL

Pursuant to your request and in accordance with Minn. Stat. §§ 14.05 to 14.36 (1985):

PLEASE TAKE NOTICE that the above-captioned rules have been submitted to the Office of the Attorney General on this date, August 25, 1986, for review as to form and legality. Pursuant to Minn. Rules pt. 2000.0700, subp. 2, the Attorney General will not approve the rules for at least eight calendar days after receipt to allow any person or association time to comment on the legality of the rules, after which that office will complete its review. If you desire to comment on the legality of the above-captioned rules, you should direct your comments to the Office of the Attorney General, G-25 State Administration Building, 50 Sherburne Avenue, St. Paul, Minnesota 55155, telephone: (612) 296-7030. Please note that the above-cited rule of the Attorney General also provides that a copy of any written comments submitted to the Attorney General must be submitted simultaneously to this agency.

If you are interested in determining what changes, if any, were made in the proposed rules after publication in the State Register and before submission to the Attorney General, you may contact Glen Nelson, Executive Director, Minnesota Board of Veterinary Medicine, 2700 University Avenue West, St. Paul, Minnesota 55114, telephone: (612) 642-0597.

GLEN NELSON, DVM
Executive Director

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE MINNESOTA

BOARD OF VETERINARY MEDICINE

In the Matter of the
Proposed Rules Governing
Fees Charged by the
Minnesota Board of
Veterinary Medicine for
Examination and Licensure
Renewal

AFFIDAVIT OF MAILING

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

Denise S. Collins, being first duly sworn deposes and says:

That on the 22nd day of August, 1986, at the City of Minneapolis, County of Hennepin, State of Minnesota, she served the attached Affidavit of Mailing Notice of Submission to the Attorney General by depositing in the United States mail at said City of Minneapolis, 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 Board of Veterinary Medicine for the purpose of receiving notice of the proposed adoption of rules by this Board.

Denise S. Collins

Subscribed and sworn to before me
this 22nd day of August, 1986.

Linda J. Berg

LINDA J. BERG
NOTARY PUBLIC-MINNESOTA
DAKOTA COUNTY
MY COMMISSION EXPIRES SEPTEMBER 26, 1987

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE MINNESOTA

BOARD OF VETERINARY MEDICINE

In the Matter of the
Proposed Rules Governing
Fees Changed by the
Minnesota Board of
Veterinary Medicine for
Examination and Licensure
Renewal

CERTIFICATE OF
MAILING LIST

I hereby certify that the list of persons, associations, and other interested groups who have requested, pursuant to Minnesota Statutes, section 14.14, subdivision 1, that their names be placed on file with and maintained by the State Board of Veterinary Medicine for the purpose of receiving notice of the proposed adoption of rules by this Board is accurate and complete as of 9:00 AM, this 21 day of May, 1986.

Mary Nelson

CERTIFICATE OF MAILING LIST

Minnesota Board of Medical Examiners
2700 University Avenue West
St. Paul, Minnesota 55114

Dr. G. R. Gelo
604 Montgomery
Decorah, Iowa 52101

Minnesota Board of Peace Officer
Standards and Training
500 Metro Square Building
St. Paul, Minnesota 55101

Knutson, Flynn & Hetlund
Law Office
314 Minnesota Building
St. Paul, Minnesota 55101

Minnesota Board of Nursing
2700 University Avenue West
St. Paul, Minnesota 55114

Minnesota Board of Pharmacy
2700 University Avenue West
St. Paul, Minnesota 55114

Susan P. Robertson
Executive Director
Room 430, State Office Building
St. Paul, Minnesota 55155

Minnesota Board of Optometry
2700 University Avenue West
St. Paul, Minnesota 55114

Jean Dawson
Editor
The Minnesota Government Report
B-12 Press Room
State Capitol Building
St. Paul, Minnesota 55155

Phillips Legislative Service, Inc.
450 Rice Street
St. Paul, Minnesota 55103

Minneapolis Tribune
425 Portland Avenue
Minneapolis, Minnesota 55488

Minnesota Higher Education
Coordinating Board
Suite 400
550 Cedar Street
St. Paul, Minnesota 55101

State of Minnesota
Office of Administrative Hearings
400 Summit Bank Building
310 South Fourth Avenue
Minneapolis, Minnesota 55415

MN BOARD OF VETERINARY MEDICINE
2700 UNIVERSITY AVENUE WEST #105
ST. PAUL, MINNESOTA 55114
TELEPHONE (612) 642-0597

April 28, 1986

To: Allen Yozamp
Budget Operations and Support Dir.
Department of Finance

From: Glen H. Nelson, DVM
Executive Director

Subject: Approval of Fee Increase

Request is made for approval of fee increases as follows:

	Present Fee	Proposed F.
Application for Admission to Exam.	$150.00	$185.00
Licensure Renewal (annual)	20.00	30.00

The fee increases are needed to cover a FY 1986 shortfall in receipts of $10,285.00 which resulted from an LAC request in Oct., for unanticipated costs of relocating to new office space, necessitated by the Health Department requiring the office space occupied by the health related licensing boards; and the cost of Revisor's services mandated by Laws Minnesota 1985, Chapter 1SP13; and for the purchase of office furniture. $8,040.44 was spent from the LAC appropriation.

It is anticipated that the fee increases will generate approximately $28,200 in additional revenue and will cover the following costs:

Rent Increase	$4,063.44
Furniture	2,777.00
Moving costs (shared with other boards)	300.00
Phone service/hookup	500.00
Revisor fee	400.00
Total	$8,040.44

The Board's total fee structure will now be as follows:

Source Code	Fee Title	Present Fee	No.	Generated	New Fee	No.	Add. Fee
000001	An. Renewal	$20.00	2400	$48,000	$30.	2400	$24,000
000002	Late Ren. Fee	10.00	150	1,500	-		
000003	Corp. Ren	25.00	100	2,500	-		
000004	Corp.	100.00	4	400	-		
000005	Exams.	150.00	130	19,500	185.	130	4,550

Total Increase of $28,550.

FY 86 Receipts, anticipated	71,900.00
Total Increase in Receipts	28,550.00
Total Anticipated Receipts	$100,450.00

It is anticipated that $20,000 will be spent in legal fees in 1987.

Since approval of this request must be included as part of the statement of Need and Reasonableness required for adoption of new rules, and since the Board has passed the resolution of intent to raise fees and the proposed change is at the revisor's office, there is some urgency to this request.

Thank you for your assistance.

GHN:mn

cc: Rory Foley
Special Ass't., A. G.
David Weinfurtner
Finance, Health Dept.
Revisor

MN BOARD OF VETERINARY MEDICINE
2700 UNIVERSITY AVENUE WEST #105
ST. PAUL, MINNESOTA 55114
TELEPHONE (612) 642-0597

TO : Allan Yozamp
Budget Operations and
Support Director

DATE: May 14, 1986

ATTN : Burt Nelson
Room 309

FROM : Glen H. Nelson, DVM
Executive Director

SUBJECT: Approval of Fee Increase

Request is made for approval of a fee increase as follows:

	Present Fee	Proposed Fee
Licensure Renewal Late Fee	$10.00	$20.00

The proposed late fee increase is necessary to cover the expenses of the Board in the processing and filing of fees received for the renewal of licenses after the period for submission has expired. The expenses incurred in notifying licensees of delinquent renewal payments have increased as has the time expended by the Board staff.

An estimated 150 licensees are delinquent each year in paying their license renewal fees. The Board has further been required to take action against licensees who have failed to submit the license fees over several years. This has caused the Board to incur considerable expense.

The increase in the late fee for renewal of licenses will serve to encourage timely payment by licensees. Any revenue generated by the late fee will be used to cover Board expenses incurred thereafter.

On the basis of an increase to $20.00 in the late fee, the estimated 150 licensees paying such fee each year, will generate $3,000 in revenue, which would cover the Board's expenses.

Since approval of this request must be included as part of the statement of Need and Reasonableness required for adoption

of new rules, and since the Board has passed the resolution of intent to raise the fees for Admission to examination and license renewal, (approval of these fee increases having been granted May 6, 1986) the proposed changes are at the revisors office, inclusion of this change will expedite the notification to the licensees.

Thank you for your assistance.

GHN:mn

cc: Rory Foley
Special Assistant
Attorney General

David Weinfurtner
Finance, Health Department

Revisor of Statutes

Approved _____ Date 5-16-86

Bruce Reddemann, Director
Budget Operations and Support

16A128

Commissioner's approval must appear in Statement of need + reasonableness - It does

Notice of Intent to adopt must state that no hearing will be held. It does.

214.06 ✓

156.01 ✓

No problems

SF-00006-05 (4/86)

STATE OF MINNESOTA

Office Memorandum

DEPARTMENT : ATTORNEY GENERAL - Health

DATE : August 22, 1986

TO : Mike Miles
Assistant Attorney General
204 Administration Building

FROM : Rory H. Foley
Special Assistant
Attorney General

PHONE : 341-7272

RECEIVED
AUG 25 1986
ATTORNEY GENERAL
ADMINISTRATIVE AGENCIES

SUBJECT : In the Matter of the Proposed Adoption of Rules of the Minnesota Board of Veterinary Medicine Governing the Fees Charged by the Board.

Enclosed for your review, pursuant to Minn. Rules pt. 2000.0400, are the following documents to support the above-referenced noncontroversial rules:

1. Certificate of Board's Resolution Adopting Rules;
2. Order for Notice of Intent to Adopt Rules Without a Public Hearing;
3. Certificate of Board's Authorizing Resolution;
4. Certificate (mailing list);
5. Statement of Need and Reasonableness;
6. Statement of Compliance With Rulemaking Procedures;
7. Affidavit of Mailing Notice of Submission to the Attorney General;
8. Notice of Submission to the Attorney General;
9. Notice of Intent to Adopt Rules Without a Public Hearing;
10. Affidavit of Mailing;
11. Rule as proposed;
12. Rule as adopted (original and three copies);
13. Order Adopting Rule (two copies);
14. Commissioner of Finance Approval.

As is evidenced by these documents, the rules as adopted are identical to the rules as proposed. If you have any questions or need further documentation, please do not hesitate to let me know.

Thank you.

RHF:dsc

Enclosures