

Minnesota Attorney General: Administrative Rules Proceedings

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Version 3
August 20, 2018

FILE COPY

ATTORNEY GENERAL

June 1, 1988

PENNY TROOLIN
Special Assistant Attorney General
Attorney General Health Law Division

CHRISTIE B. ELLER
Assistant Attorney General

296-6839

In the Matter of the Adopeted Permanent Rules Relating to Board of Psychology Licensure Fees

The above-referenced rule has been approved as to its legality by the Attorney General on June 1, 1988.

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

Also enclosed are any petitions, requests, submissions 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 establish 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.

CBE:bbl

Enclosure

cc: Maryanne Hruby
Duane Harves

Board of Psychology

Adopted Permanent Rule Relating to Fees

Rule as Adopted

7200.6100 FEES.

Fees for licensure of psychologists are as follows:

A. The fee for application for admission to examination is $150.

B. The fee for application for licensure is $170.

C. The fee for renewal of license is $170.

D. The fee for late renewal of license is $150.

EFFECTIVE DATE. This rule is effective July 1, 1988.

APPROVED AS TO FORM AND LEGALITY

June 1 19 88

HUBERT H. HUMPHREY, III
ATTORNEY GENERAL

BY Christine L. Ellis
ASSISTANT ATTORNEY GENERAL

RULE REVIEW CHECKLIST

File No. 1486
DATE RECEIVED 5/18/88
REVIEW DATE 5/27/88
DUE DATE 6/01/88

APPROVED 6-1-88
DISAPPROVED
WITHDRAWN

Docket No. 05-0009.1X00
ADOPTED W/O HEARING X
EMERGENCY RULE

REVISOR APPROVED
REVISOR DISAPPROVED
FIELD W/SEC.STATE
RETURNED TO AGENCY

✓ Rule as adopted (4 copies)
___ Notice to Solicit Outside Information/Opinion
___ Date published in State Register
___ Comments
___ Petition for Adoption of a Rule
✓ Board's Authorizing Resolution
✓ Proposed rule
yes Revisor's Certificate
✓ Notice of Intent to Adopt Rule
214.06 + 148.90 Statutory Authority
NO Small Business Statement
NO Expenditure of public money statement
yes Signature
✓ Statement of Need and Reasonableness
NO Small Business Statement
yes Fees - § 16A.128 (Memo attached)
✓ Affidavit of Mailing Notice of Intent to Adopt Rule
4/8/88 Date (30)/25 days before adoption
✓ Publication in State Register
4/11/88 Date (30)/25 days before adoption
✓ Resolution Adopting
✓ Findings of Fact, Conclusions & Order Adopting
5/13/88 Date
✓ Written requests, submissions or comments (5)
✓ Declaration of attorney
Penny Troolin Name of SAAG representing agency
___ ~~Notice of Submission to Attorney General~~
___ ~~Affidavit of Mailing Notice to Attorney General~~

CW

DEPARTMENT : ATTORNEY GENERAL - Health

STATE OF MINNESOTA

Office Memorandum

DATE : May 16, 1988

TO : Rita Desmond
Legal Assistant

FROM : Penny Troolin
Special Assistant
Attorney General

PHONE : 341-7272

SUBJECT : In the Matter of the Proposed Adoption of the Rule Amendments of the Board of Psychology Governing Licensure Fees

Enclosed for your review, pursuant to Minn. Stat. § 14.26 (1986) and Minn. Rules pt. 2010.0300 (1987), are the following documents to support the above-referenced rule amendments:

1. Certificate of Board's Authorizing Resolution;
2. Rule Amendments as proposed with a certificate of approval as to form by the Revisor of Statutes attached;
3. Notice of Intent to Adopt Rule Amendments Without a Public Hearing (as mailed);
4. Statement of Need and Reasonableness;
5. Affidavit of Mailing the Notice of Intent to Adopt Rule Amendments Without a Public Hearing;
6. Affidavit of Additional Mailing of Notice of Intent to Adopt Rule Amendments Without a Public Hearing;
7. Notice of Intent to Adopt Rule Amendments Without a Public Hearing (as published in the State Register);
8. Rule as adopted (original and three copies);
9. Certificate of Board's Resolution Adopting Rule Amendments;
10. Findings of Fact, Conclusions, and Order Adopting Rule Amendments Without a Public Hearing;
11. All written requests, submissions, or comments on the rule received by the Board.
12. Declaration of Counsel.

PT:sv

Enclosures

CERTIFICATE OF THE

MINNESOTA BOARD OF

PSYCHOLOGY

AUTHORIZING RESOLUTION

I, Nancy Acker, do hereby certify that I am a member and the chair of the Minnesota Board of Psychology (hereinafter "Board"), 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 duly and properly called and held on the 8th day of January, 1988, that a quorum was present, and that a majority of those present voted for the resolution which has not been rescinded or modified:

> "RESOLVED, that Lois Mizuno, Executive Director of the Board, is hereby granted the authority and directed to sign and to give the Notice of the Board's Intent to Adopt Amendments to a Rule Without a Public Hearing governing licensure fees to all persons who have registered their names with the Board for that purpose, to publish the notice and rule amendments in the State Register, and to perform any and all acts incidental thereto."

IN WITNESS WHEREOF, I have hereunto subscribed my name this 8th day of January, 1988.

NANCY ACKER
Chair

Attest by one other Board Member

Board of Psychology

Proposed Permanent Rule Relating to Fees

Rule as Proposed

7200.6100 FEES.

Fees for licensure of psychologists are as follows:

A. The fee for application for admission to examination is ~~$115~~ $150.

B. The fee for application for licensure is ~~$125~~ $170.

C. The fee for renewal of license is ~~$150~~ $170.

D. The fee for late renewal of license is ~~$75~~ $150.

EFFECTIVE DATE. This rule is effective July 1, 1988.

Approved by Revisor

Office of the Revisor of Statutes

Administrative Rules

TITLE: Proposed Permanent Rules Relating to Fees

AGENCY: Board of Psychology

MINNESOTA RULES: Chapter 7200

The attached rules are approved for publication
in the State Register

David S. Niss
Assistant Revisor

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE MINNESOTA

BOARD OF PSYCHOLOGY

In the Matter of the
Proposed Adoption of
Rule Amendments of the
Minnesota Board of Psychology
Governing Licensure Fees

NOTICE OF INTENT TO
ADOPT RULE AMENDMENTS
WITHOUT A PUBLIC HEARING

Notice is hereby given that the Minnesota Board of Psychology (hereinafter "Board") intends to adopt the above-entitled rule amendments without a public hearing following the procedures set forth in the Administrative Procedure Act for adopting rules without a public hearing in Minn. Stat. SS 14.22 to 14.28 (1986). The statutory authority to adopt the rule amendments is Minn. Stat. SS 214.06 and 148.90, subd. 2(4) and subd. 3.

All persons have 30 days in which to submit comment in support of or in opposition to the proposed rule amendments or any part or subpart of the rule amendments. Comment is encouraged. Each comment should identify the portion of the proposed rule amendments addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rule amendments within the 30-day comment period. If 25 or more persons submit a written request for a public hearing within the 30-day comment period, a public hearing will be held unless a sufficient number withdraw their request in writing. Any person requesting a public hearing should state his or her name and address and is encouraged to identify the portion of the proposed rule amendments addressed, the reason for the request, and any change proposed. If a public hearing is required, the Board will proceed pursuant to Minn. Stat. SS 14.131 to 14.20 (1986).

Comments or written requests for a public hearing must be submitted to:

Lois E. Mizuno, Executive Director
Minnesota Board of Psychology
Suite 101
2700 University Avenue West
St. Paul, Minnesota 55114
Telephone: (612) 642-0587

The proposed rule amendments may be modified if the modifications are supported by data and views submitted to the Board and do not result in a substantial change in the proposed rule amendments as noticed.

A copy of the proposed rule amendments is attached to this notice.

A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rule amendments and identifies the data and information relied upon to support the proposed rule amendments has been prepared and is available from Lois E. Mizuno upon request.

If no hearing is required, upon adoption of the rule amendments, the rule amendments and the required supporting documents will be submitted to the Attorney General for review as to legality and form to the extent the form relates to legality. Any person may request notification of the date of submission to the Attorney General. 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 adopted rule amendments must submit the written request to Lois E. Mizuno.

Dated: April 1, 1988

Lois E. Mizuno

LOIS E. MIZUNO
Executive Director

3/28/88 [REVISOR] DSN/AT RD1263

Board of Psychology

Proposed Permanent Rule Relating to Fees

Rule as Proposed

7200.6100 FEES.

Fees for licensure of psychologists are as follows:

A. The fee for application for admission to examination is ~~$115~~ $150.

B. The fee for application for licensure is ~~$125~~ $170.

C. The fee for renewal of license is ~~$150~~ $170.

D. The fee for late renewal of license is ~~$75~~ $150.

EFFECTIVE DATE. This rule is effective July 1, 1988.

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE MINNESOTA

BOARD OF PSYCHOLOGY

In the Matter of the
Proposed Adoption of
Rule Amendments of the
Minnesota Board of Psychology
Governing Licensure Fees

STATEMENT OF NEED
AND REASONABLENESS

I. INTRODUCTION

The Minnesota Board of Psychology (Board) is proposing amendments to existing rules relating to licensure fees, Minnesota Rules pt. 7200.6100 (1987).

Health related licensing boards are required by law to generate sufficient income from fees to cover budgeted expenses, fees for legal services provided by the Attorney General's office, administrative services provided by the Health Department, and the agency's share of statewide administrative costs. No tax revenues are used to fund their operation. The Board is proposing these amendments to ensure that the total fees collected by the Board will meet anticipated expenditures during the fiscal biennium. The proposed modifications to the licensure fees have been approved by the Commissioner of Finance, as required by Minn. Stat. § 16A.128, subd. 1. See Exhibit 1, which is attached hereto and incorporated herein.

The Board has determined that Minn. Stat. §§ 14.11, 14.115, 17.80-17.84, 115.43, 116.07, subd. 6, and 144A.29, subd. 4 do not apply to these proposed rule amendments. Therefore, this Statement of Need and Reasonableness does not address the topics referenced in those statutes.

II. STATEMENT OF BOARD'S STATUTORY AUTHORITY

The Board's statutory authority to adopt and amend rules relating to licensure fees is set forth in Minn. Stat. § 148.90, subd. 2(4) and subd. 3 (1986), which grant the Board authority to prescribe rules as may be necessary to effectuate the

provisions of the licensing law, including the setting of board fees. Additional statutory authority for the Board to promulgate rules relating to licensure fees, including renewal fees, is set forth in Minn. Stat. § 214.06, which provides in relevant parts:

> Notwithstanding any law to the contrary, . . . all health-related licensing boards and all non-health-related licensing boards shall by rule, with the approval of the commissioner of finance, adjust any fee which . . . the board is empowered to assess a sufficient amount so that the total fees collected by each board will as closely as possible equal anticipated expenditures during the fiscal biennium, as provided in section 16A.128.

Minn. Stat. § 214.06, subd. 1 (Supp. 1987).

> Notwithstanding any law to the contrary, each health-related and non-health-related licensing board shall promulgate rules providing for the renewal of licenses. The rules shall specify the period of time for which a license is valid, procedures and information required for renewal, and renewal fees to be set pursuant to subdivision 1.

Minn. Stat. § 214.06, subd. 2 (1986). Under these statutes, the Board has the authority to amend its licensure fee rule.

III. STATEMENT OF NEED

Due to increases in operating expenses, legal fees, and a four-fold increase in the Board's share of statewide indirect costs, from $2,300 in fiscal year 1987 to $8,100 in fiscal year 1988, the Board anticipates a budget deficit of $35,100 for fiscal year 1988. See Exhibit 2, Table I. By law, the Board is mandated to assess sufficient fees to show a positive balance at the end of the biennium.

In the area of operating expenses, the Board faces higher processing costs for applications for the objective portion of the examination, (2) the hiring of an additional full-time staff person to assist with processing a significant increase in the number of complaints per fiscal year filed with the Board (averaging 75 per year for fiscal years 1985 and 1986, up to 114 for fiscal year 1987), and (3) increased in-state travel expenses due to (a) more frequent Board meetings

because the Board has been and will be engaged in rulemaking in fiscal years 1987 and 1988, and (b) an expected increase in the participation of Board members in administering more comprehensive oral examinations beginning in fiscal year 1989.

The proposed fee increases are needed to generate sufficient additional income to cover the biennium expenditures projected to be $463,200, with a cushion of approximately $2,300 to cover unpredictable expenditures such as legal fees.

Tables I and II, attached hereto and incorporated herein as Exhibit 2, indicate projected income under the present fee schedule, a breakdown (reconciliation) of costs, and projected income expected from the proposed fee increases. Table I represents the fee review data required to be submitted by law, and indicates actual and anticipated costs, incomes, and net balances. Table II represents the fee detail accounting for how the required revenue is to be generated, which includes types of fees, number of persons paying, and income anticipated from each type of fee.

IV. STATEMENT OF REASONABLENESS

A. Fee for Application for Admission to Examination.

The increase of $35 in the fee for application for admission to examination is reasonable because it has become apparent that the current $25 difference between the examination fee and the cost of each examination booklet is insufficient to meet administrative costs associated with the examination process, particularly with respect to those applications which are based on degrees with majors from other than psychology departments. Such applications result in increased administrative costs, since they require a lengthier, more in-depth review by Board members (who receive per diem and travel expenses) and result in a larger amount of correspondence, copying and paperwork. In addition, the current fee does not adequately cover the cost of renting examination rooms, renting special facilities needed for handicapped applicants, paying proctors' wages, and covering the increase in postal costs beginning

April 3, 1988. It is projected that increasing this fee to $150 will generate approximately $10,000 in additional income for the Board. The increase is reasonable to meet anticipated expenditures for examining applicants for licensure.

B. Fee for Application for Licensure.

It is reasonable to assess a fee of $170 to applicants for licensure in order to make this fee consistent with the proposed fee for license renewal. Both initial licensure and license renewal allow the licensee to practice for a period of two years and otherwise confer the same rights and privileges upon the licensee. Because of this, it is reasonable that initial licensure fees and renewal fees share equally in funding overall administrative overhead costs. The increased fee is expected to generate approximately $11,000 in additional income for the Board.

C. Fee for Renewal of License.

A fee of $170 for biennial license renewal represents a 13.3 percent increase over the current fee of $150 or, stated another way, this amounts to an increase of $10 per year. It is anticipated that over 1,000 licensees will renew in fiscal year 1989, thereby increasing the Board's income by about $20,000. The increase is reasonable considering that renewal fees are relied upon for general overhead costs of administration not attributable to the application process and specific costs related to processing complaints, including legal fees.

D. Fee for Late Renewal of License.

The proposed increase of $75 in the late renewal fee is reasonable for two reasons: first, because the fee serves as an incentive for licensees to renew on time, and second, because licensees who fail to renew cause the Board to incur added administrative and legal costs insofar as the Board must initiate formal action against such licensees to terminate their licenses. The primary purpose of this fee is not to generate revenue. It is hoped that the fee increase will inspire a higher percentage of

licensees to renew on time and thereby eliminate some of the Board's administrative and legal costs.

V. CONCLUSION

Based on the foregoing, the proposed amendments to Minn. Rules pt. 7200.6100 relating to fees are both needed and reasonable.

Dated: April 11, 1988

Lois E Mizuno

LOIS E. MIZUNO
Executive Director

Exhibit 1
SF-00006-05 (4/86)

DEPARTMENT : of Finance

STATE OF MINNESOTA

Office Memorandum

DATE : March 21, 1988

TO : Lois E. Mizuno, Executive Director
Board of Psychology

FROM : Bruce J. Reddemann, Director
Budget Operations and Support

PHONE : 296-5188

SUBJECT : Fee Increase Request

The following fees are approved for fiscal year 1989:

Application for Exam	$ 150
Application for Licensure	170
License Renewal	170
Late Renewal	150
Corporation Registration	100
Corporation Re-registration	25

cc: Brian Roherty
John Schorn
Bart Nelson

BOBN397T

FI-00194-05 (4/87)

Department of Finance

Exhibit 2
Table I

Fee Review

Department/Agency: Board of Psychology	Budget Activity:
Fee Name:	
Legal Citation: Minn. Stat. S 148.91, Subd. 3.	Fee Set By: ☐ Law ☒ Agency
Purpose of Fee: To maintain the operations of the Board	
☐ Dedicated ☒ Non-Dedicated	Revenue Code: 310
APID: 21521 00 12	Accumulated Difference Thru 1984: 9.4

Dollars in Thousands (137,522 = 137.5)

Fiscal Year	Actual F.Y. 85	Actual F.Y. 86	Estimated F.Y. 87	Requested F.Y. 88	Requested F.Y. 89
Actual/Anticipated Receipts	139.3	178. 3	198.6	207.8	267.7
Less Actual/ Anticipated Costs	165.5	181.7	188.4	232.9	230.3
Current Difference	(26.2)	(3.4)	10.2	(25.1)	37.4
Accumulated Difference	(16.8)	(20.2)	(10.0)	(35.1)	2.3
Number Paying Fee			see attached ----------		
Present Fee			see attached ----------		
Date Fee Last Changed		12/85	12/85	12/85	anticipated 7/1/88

Reconciliation of Costs:

Attorney General	40.9	49.2	56.5	60.0	60.0
Salary Increases	XXXXXXXXX	XXXXXXXXX	XXXXXXXXX	2.3	4.5
Other Direct	120.6	128.1	127.7	160.3	157.7
Statewide Indirect	2.4	2.6	2.3	8.1	6.1
Agency Indirect	1.6	1.8	1.9	2.2	2.2
Totals	165.5	181.7	188.4	232.9	230.3

Remarks:

Department Authorized Signature: Lois E Mizzino

Finance Department Recommendation:

Executive Budget Officer Signature:

Exhibit 2
Table II

Board of Psychology

Fee Review FY 1988-89

Fee Detail (Dollars in Thousands)

Fee Name	FY 88			FY 89		
	Fee	# Paying	Total	Fee	# Paying	Total
Application for Exam	115	280	32.3	150	280	42.0
Application-Licensure	125	250	31.2	170	250	42.5
License Renewal	150	943	141.5	170	1050	178.5
Late Renewal	75	24	1.8	150	24	3.6
Corporation Regist.*	100	2	0.2	100	2	0.2
Corporation Re-regist.*	25	34	0.8	25	36	0.9
TOTAL			207.8			267.7

* set by law

The figures for FY 89 are based upon a proposed fee increase to take effect on 7/1/88, with the total representing a 43.8 increase over projected income without the fee increase, which is sufficient to cover the negative balance projected for FY 88.

Lois E Mizuno

Executive Director

October 9, 1987

Date

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE MINNESOTA

BOARD OF PSYCHOLOGY

In the Matter of the
Proposed Adoption of
Rule Amendments of the
Minnesota Board of Psychology
Governing Licensure Fees

AFFIDAVIT OF MAILING THE NOTICE OF INTENT TO ADOPT RULE AMENDMENTS WITHOUT A PUBLIC HEARING AND CERTIFICATE OF MAILING LIST

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

Lois E. Mizuno, being duly sworn says:

I hereby certify that the list of persons and associations who have requested, pursuant to Minn. Stat. § 14.22, that their names be placed on the Minnesota Board of Psychology rulemaking mailing list is accurate, complete, and current as of this 8th day of April, 1988.

That on the 8th day of April, 1988, at the City of Minneapolis, County of Hennepin, State of Minnesota, I mailed the attached Notice of Intent to Adopt Rule Amendments Without a Public Hearing by depositing in the United States mail a copy thereof, with postage prepaid, to all persons and associations on the aforementioned mailing list.

Lois E. Mizuno
LOIS E. MIZUNO
Executive Director

Subscribed and sworn to before me this
8th day of April, 1988.

Alice D. Hummer

ALICE D. HUMMER
NOTARY PUBLIC-MINNESOTA
RAMSEY COUNTY
MY COMMISSION EXPIRES NOVEMBER 18, 1988

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE MINNESOTA

BOARD OF PSYCHOLOGY

In the Matter of the
Proposed Adoption of
Rule Amendments of the
Minnesota Board of Psychology
Governing Licensure Fees

AFFIDAVIT OF ADDITIONAL
MAILING OF NOTICE OF INTENT
TO ADOPT RULE AMENDMENTS
WITHOUT A PUBLIC HEARING

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

Lois E. Mizuno, being duly sworn says:

That on the 8th day of April, 1988, at the City of Minneapolis, County of Hennepin, State of Minnesota, I mailed the attached Notice of Intent to Adopt Rule Amendments Without a Public Hearing by depositing in the United States mail a copy thereof, with postage prepaid, to all current licensees of the Minnesota Board of Psychology.

Lois E. Mizuno
LOIS E. MIZUNO
Executive Director

Subscribed and sworn to before me
this 8th day of April, 1988.

Alice D. Hummer
Notary Public

ALICE D. HUMMER
NOTARY PUBLIC-MINNESOTA
RAMSEY COUNTY
MY COMMISSION EXPIRES NOVEMBER 18, 1988

ballot positions and other ballot information for each candidate and proposal printed on the initial tape agree with those on the ballot cards.

If the ballot counter is programmed to return to the voter a ballot having defects, the rejected ballot must be treated as a spoiled ballot and a new ballot must be issued to the voter after the spoiled ballot has been deposited in the spoiled ballot container. The election judges shall read the error message to the voter and may explain the conditions that cause a ballot to be rejected, but the judges shall not examine the voted ballot unless the voter requests assistance as provided in *Minnesota Statutes*, section 204C.15.

If the ballot counter is programmed to return to the voter a ballot having defects, no means of overriding the rejection may be used that do not meet the conditions in items A to C.

A. The override must be protected against being inadvertently activated.

B. The override must not allow more than one ballot to be processed each time it is operated.

C. A message, to be initialed by the election judges who activated the override, must be printed on the results tape each time the override is operated.

As soon as voting has ended, the election judges shall process any ballots in the auxiliary ballot box and then secure the ballot counter against receiving any more ballots. The election judges shall produce a printed record of results and sign the certificate that is part of the printed record.

At a general election, after the ballot counter has been secured against receiving additional ballots, the election judges shall open the write-in compartment and count and record on the summary statement the valid write-in votes.

One unbroken tape that includes the initial zero report at the opening of the polls, messages printed during the hours of voting, and the first printout of results must be certified to the county canvassing board. In the event of equipment failure, the election judges and any technicians working on the equipment shall make entries on the tape of initials and time of occurrence to indicate the points at which the equipment failed and was returned to service. If the tape has been broken, the election judges shall seal the parts together and sign over the seal so that it cannot be broken without disturbing the continuity of the signatures. Additional copies of the record of results must be certified as required by the election jurisdiction.

Subp. 6. and 7. [Unchanged.]

Board of Psychology

Proposed Permanent Rule Relating to Fees

Notice of Intent to Adopt Rule Amendments Without a Public Hearing

Notice is hereby given that the Minnesota Board of Psychology (hereinafter "Board") intends to adopt the above-entitled rule amendments without a public hearing following the procedures set forth in the Administrative Procedure Act for adopting rules without a public hearing in *Minnesota Statutes* §§ 14.22 to 14.28 (1986). The statutory authority to adopt the rule amendments is *Minnesota Statutes* §§ 214.06 and 148.90, subd. 2(4) and subd. 3.

All persons have 30 days in which to submit comment in support of or in opposition to the proposed rule amendments or any part or subpart of the rule amendments. Comment is encouraged. Each comment should identify the portion of the proposed rule amendments addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rule amendments within the 30-day comment period. If 25 or more persons submit a written request for a public hearing within the 30-day comment period, a public hearing will be held unless a sufficient number withdraw their request in writing. Any person requesting a public hearing should state his or her name and address and is encouraged to identify the portion of the proposed rule amendments addressed, the reason for the request, and any change proposed. If a public hearing is required, the Board will proceed pursuant to *Minnesota Statutes* §§ 14.131 to 14.20 (1986).

Comments or written requests for a public hearing must be submitted to:

Lois E. Mizuno, Executive Director
Minnesota Board of Psychology
Suite 101
2700 University Avenue West
St. Paul, Minnesota 55114
Telephone: (612) 642-0587

The proposed rule amendments may be modified if the modifications are supported by data and views submitted to the Board and do not result in a substantial change in the proposed rule amendments as noticed.

A copy of the proposed rule amendments is attached to this notice.

A Statement of Need and Reasonableness that describes the need for and reasonableness of each provision of the proposed rule amendments and identifies the data and information relied upon to support the proposed rule amendments has been prepared and is available from Lois E. Mizuno upon request.

If no hearing is required, upon adoption of the rule amendments, the rule amendments and the required supporting documents will be submitted to the Attorney General for review as to legality and form to the extent the form relates to legality. Any person may request notification of the date of submission to the Attorney General. 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 adopted rule amendments must submit the written request to Lois E. Mizuno.

Dated: 1 April 1988

Lois E. Mizuno
Executive Director

Rule as Proposed

7200.6100 FEES.

Fees for licensure of psychologists are as follows:

A. The fee for application for admission to examination is ~~$115~~ $150.

B. The fee for application for licensure is ~~$125~~ $170.

C. The fee for renewal of license is ~~$150~~ $170.

D. The fee for late renewal of license is ~~$75~~ $150.

EFFECTIVE DATE. This rule is effective July 1, 1988.

Adopted Rules

The adoption of a rule becomes effective after the requirements of Minn. Stat. § 14.14-14.28 have been met and five working days after the rule is published in *State Register*, unless a later date is required by statutes or specified in the rule.

If an adopted rule is identical to its proposed form as previously published, a notice of adoption and a citation to its previous *State Register* publication will be printed.

If an adopted rule differs from its proposed form, language which has been deleted will be printed with strikeouts and new language will be underlined. The rule's previous *State Register* publication will be cited.

An emergency rule becomes effective five working days after the approval of the Attorney General as specified in Minn. Stat. § 14.33 and upon the approval of the Revisor of Statutes as specified in § 14.36. Notice of approval by the Attorney General will be published as soon as practicable, and the adopted emergency rule will be published in the manner provided for adopted rules under § 14.18.

Department of Administration

Adopted Permanent Rules Relating to Manufactured Home Park Storm Shelter Design

The rules proposed and published at *State Register*, Volume 12, Number 20, pages 1030-1034, November 16, 1987 (12 S.R. 1030) are adopted as proposed.

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.

CERTIFICATE OF THE

BOARD OF PSYCHOLOGY

RESOLUTION ADOPTING RULE AMENDMENTS

I, Robert G. Harlow, PhD, do hereby certify that I am a member and the chair of the Minnesota Board of Psychology (hereinafter "Board"), 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, duly and properly called and held on the 13th day of May, 1988, that a quorum was present, and that a majority of those present voted for the resolution which has not been rescinded or modified:

> RESOLVED, that the rule amendments relating to licensure fees are approved and adopted pursuant to authority vested in the Board by Minn. Stat. §§ 148.90, subd. 2(4) and subd. 3, and 214.06 (1986). Lois E. Mizuno, Executive Director of the Board, is authorized to sign the findings of fact, conclusions and order adopting the rule amendments and further is authorized to modify the rule amendments if necessary to obtain the approval of the rule amendments by the Attorney General and to perform the necessary acts to provide that the rule amendments shall have the force and effect of law.

IN WITNESS WHEREOF, I have hereunto subscribed my name this 13th day of May, 1988.

Robert G. Harlow

ROBERT G. HARLOW, PhD
Chair

Sheryl Carter Olsen

Attest by one other Board member

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE MINNESOTA

BOARD OF PSYCHOLOGY

In the Matter of the
Proposed Adoption of the
Rule Amendments of the
Board of Psychology
Governing Licensure Fees

FINDINGS OF FACT,
CONCLUSIONS, AND ORDER
ADOPTING RULE AMENDMENTS
WITHOUT A PUBLIC HEARING

Notice of the Board of Psychology's (hereinafter "Board's") intent to adopt the above-entitled rule amendments was published in the State Register on April 11, 1988, and was sent by United States mail to all persons on the list maintained by the Board pursuant to Minn. Stat. § 14.22 on April 8, 1988. The statement of need and reasonableness was prepared before the notice of intent to adopt rule amendments without a public hearing was mailed to all persons on the rulemaking mailing list and published in the State Register and was available to the public. Before the notice was submitted to the State Register, a copy of the notice of intent to adopt the rule amendments without a public hearing and the proposed rule amendments were sent to the chairs of the house appropriations committee and senate finance committee.

All persons were given the opportunity to submit comment on the rule amendments for 30 days after notice of proposed rulemaking. The Board received one request for a public hearing. Therefore, the Board did not receive requests for a public hearing from 25 or more persons.

No other submissions or comments on the rule amendments were received by the Board. No requests for notice of submission to the Attorney General were received by the Board.

Based on the comments and evidence in the record before the Board, including the statement of need and reasonbleness which is incorporated herein as the

Board's findings, the Board concludes that the above-captioned rule amendments are both needed and reasonable.

NOW, THEREFORE, IT IS HEREBY ORDERED that the rule amendments identified as Minn. Rules pt. 7200.6100 are adopted this 13th day of May, 1988, pursuant to authority vested in the Board by Minn. Stat. §§ 148.90, subd. 2(4) and subd. 3, and 214.06 (1986).

Lois E Mizuno

LOIS E. MIZUNO
Executive Director

STATE OF MINNESOTA

COUNTY OF RAMSEY

BEFORE THE MINNESOTA

BOARD OF PSYCHOLOGY

In the Matter of the
Proposed Adoption of the
Rule Amendments of the
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DECLARATION OF COUNSEL

I, Penny Troolin, Special Assistant Attorney General, do hereby declare that I have examined the above-captioned rule amendments and the supporting rulemaking record and that, based on my examination, the Administrative Procedure Act and Minn. Rules ch. 2010 have been followed. Any exceptions are listed below. For Attorney General billing purposes, the four-digit docket client code is 1X00.

Dated: May 16, 1988

PENNY TROOLIN
Special Assistant
Attorney General