

Division of Environmental Health
Department of Health

Proposed Increase in Various Fees

STATEMENT OF NEED AND REASONABLENESS

The Department of Health proposes to increase various fees which are presently contained in rule. The fees are being increased to comply with state law which requires that fees be set to generate revenue sufficient to cover the costs of the respective programs (Minn. Stats. Sec. 16A.128 (1984)). The law also requires that proposed fee increases be approved by the Commissioner of Finance prior to their taking effect. Approval for all of the fees discussed below has been obtained, copies of which are attached hereto. The provisions of state law dealing with consideration of rulemaking impact on small businesses (Minn. Stats. Sec. 14.115 (1984) are addressed, in conjunction with discussion of the particular rules where such consideration is required. The provisions of law requiring notice of rulemaking impact on local units of government (Minn. Stats Sec. 14.115 (1984) are also addressed where appropriate.

The rules containing the proposed increased fees are as follows:

- 4625.2300 Lodging Establishments
- 4625.5000 Food and Beverage Establishments
- 4630.2000 Mobile Home Parks and Recreational Camping Areas
- 4695.2500 Registration of Sanitarians
- 4715.3150 Plumbers Licensing and Bonding
- 4715.5900 Water Conditioning Licensing and Bonding
- 4720.0015 Review of Water Supply Construction Plans (New fee)
- 4730.0600 Registration of Radiation Sources

Fees Relating To Food, Beverage and Lodging Establishments

4625.2300 and 4625.5000

The fees for these three types of facilities are discussed together since they are programatically treated as a single activity for supervisory and accounting purposes. The Department proposes to increase lodging establishment license fees as follows:

<u>Existing Fee Schedule</u>		<u>Proposed Fee Schedule</u> (50.00 plus 2.00 per room up to 100 rooms)		<u>Increase</u>
<u>No. of Rooms</u>	<u>Cost of License</u>	<u>No. of Rooms</u>	<u>Cost of License</u>	
1-18	46.00	1	52.00	13%
		18	86.00	87%
19-35	90.00	19	50.00 + 38.00	2%
		35	50.00 + 70.00	33%
36-100	120.00	36	50.00 + 72.00	2%
		100	50.00 + 200.00	108%
101 and over	150.00	101	50.00 + 200.00	67%

The lodging facility fee schedule is being completely revised. Rather than proposing a percent increase across all categories, a new scheme has been developed which better reflects the actual cost of inspection and administration. The proposed \$50.00 minimum is sufficient to cover the administrative cost of maintaining a license file, processing license applications, plus the expenses associated with an inspection, i.e., travel, scheduling, actual inspection and report preparation and follow-up on complaints. The \$2.00-per-room charge for up to 100 rooms is a function of its overall size. While not every single room requires inspection, it is customary to inspect a representative number of them to assure that sanitation practices are consistent throughout the establishment.

The food and beverage establishment fee is proposed to be increased by 25 percent.

<u>Existing Fee Schedule</u>		<u>Proposed Fee Schedule</u>
<u>No. of Employees</u>	<u>Cost of License</u>	
1-4	42.00	52.50
5-18	72.00	90.00
19-28	108.00	135.00
29-35	150.00	187.50
36 and over	180.00	225.00

Limited food or beverage establishments (places that sell only prepackaged food which receives heat treatment and is served in the package, or mobile units and concession stands serving food or beverages for 14 days or less in any single location):

30.00

37.50

COSTS AND REVENUE

State law requires that fees charged for services should cover the State's costs for providing those services (Minn. Stat., § 144.122(1984)). Pursuant to State law (Minn. Stat., § 157.03(1984)), the Section of Environmental Field Services in the Division of Environmental Health inspects all food, beverage and lodging establishments which are not under the licensing and inspection control of a Community Health Services (CHS) agency (local health agency, composed of one or more cities, or one or more counties). The recent cost/revenue history for this licensing, inspection and enforcement service is as follows:

	<u>1983</u>	<u>1984</u>	<u>Estimated</u>		
			<u>1985</u>	<u>1986</u>	<u>1987</u>
Revenue	596,626	572,890	489,575	612,000	612,000 ¹
Costs ²	587,200	673,800	536,790	536,790 ³	536,790
Accumulated Difference		-91,510	-138,725	-63,515	+11,696
No. of Facilities Paying Fee		8,656	8,600	8,500	8,200

¹Estimated revenue is shown as not decreasing because of the uncertainty about new facilities becoming licensed vs. existing facilities being licensed by local units of government.

²Costs of inspection and licensing food, beverage and lodging establishments are calculated on the basis of 10 percent of the total expense of the Community Environmental Services activity and 53 percent of the total expense of the Environmental Field Services activity. These expenses include salary, supplies and expenses, and indirect costs.

³Costs are shown as the same for the 2-year period because any increase due to inflation would be more than offset by a decrease in percent of effort attributable to this activity.

The estimates starting with 1985 indicate a sizeable increase in the accumulated deficit. This difference necessitates that the fee schedule be increased to generate revenue sufficient to eliminate the deficit. Prior to 1983, the license fee schedule in use had been established in 1970. In the interim, costs of providing the inspection and licensing services were increasing along with high annual inflation rates, but the number of facilities and the amount of revenue remained static. In 1982, the fees were tripled effective for calendar year 1983. At that time, the Department's justification indicated that while the tripling of fees would produce more revenue than costs for F.Y. 1983, the credit balance would soon be eliminated because of continued rising costs. In addition, increasing numbers of CHS agencies were assuming the responsibility for licensing and inspections, which caused a reduction in the State's total revenue, thus accelerating onset of the deficit. Starting in 1983, all State agencies were required (Laws 1983, Chap. 301, § 89) to add indirect costs to all fees charged. For MDH, this amount was 15-17%. This immediately resulted in the costs exceeding the revenue. Another factor contributing to the deficit was a rising cost per inspection. As counties with larger numbers of licenseable facilities were assuming this responsibility, the State was left with facilities which were generally smaller and located in isolated areas which increased travel expenses considerably. The existing deficit necessitates that the food, beverage and lodging license fees be increased for 1986.

The Department's indirect cost rate is not expected to increase significantly in the next few years. This, coupled with the fact that the Department's service costs should be decreasing as more facilities are turned over to local agency control, means that revenue should approximately equal costs through 1989.

The licensed facilities which will be affected by this increase are not likely to object in great numbers. The hospitality industry trade associations have been apprised of the Department's intention and have given their tacit approval to the proposed increase.

CHS agencies will welcome the State fee increase. Those agencies which have always charged the same fee as that charged by the State may now be able to increase theirs with less local opposition if they can point to the new State fee structure. The proposed change in State fees will not cause any significant increase in local government costs since no new duties or responsibilities are imposed upon the agencies under this proposal.

The proposed fee increase will clearly have an economic impact on small business since many of the establishments which are required by state law to be licensed in accordance with Chapter 157 of Minnesota Statutes, fall within the statutory definition of small business (Minn. Stats. Sec. 14.115 (1984)). None of the methods which must be considered in reducing potential impacts on small business are implementable with regard to these particular license fees. Sec. 14.115 subd 2 (a) proposes the establishment of less stringent compliance or reporting requirements; (b) proposes the establishment of less stringent schedules of deadlines for compliance or reporting; (c) proposes consolidation or simplification of compliance or reporting requirements; (d) proposes the establishment of performance standards for small businesses to replace design or operational standards; and (e) proposes the exemption of small businesses from any requirements of the rule. There are no reporting or compliance procedures associated with these license fees. There are no design or operational standards which relate to these fees for which performance standards could be substituted. With regard to subpart (e), state law (Chap. 157) provides minimums for the facilities which are required to be licensed. The rules cannot change those minimum definitions in order to create relief for some of the facilities.

MANUFACTURED HOME PARKS AND RECREATIONAL CAMPING AREAS:

4630.2000

The Minnesota Department of Health proposes to increase State license fees for manufactured home parks and recreational camping areas by 50%. The fees would be increased as shown below.

	<u>Existing Fees</u>	<u>Proposed Fees</u>
Initial license fee for each 50 sites or fraction thereof	\$50.00	\$75.00
Annual renewal fee for each 10 sites or fraction thereof	\$10.00	\$15.00
Annual renewal (seasonal, operating less than 6 months per calendar year) fee for each 10 sites or fraction thereof	\$ 7.50	\$11.25

Minn. Stat., §16A.128 (1984), requires that costs of fee-generating programs be covered by those fees. The fees under consideration were last changed in 1974. Since that time the costs of maintaining the program have steadily increased.

Current Revenue and Costs

The license fees for manufactured home parks and recreational camping areas are authorized under Minn. Stat., §327.16, Subd. 3 (1984). As shown below, it is necessary to increase the license fees in F.Y. 1986 in order to eliminate the accumulated deficit difference which has been steadily increasing.

	<u>1985</u>	<u>1986</u>	<u>1987</u>	<u>1988</u>	<u>1989</u>
		(dollars in thousands)			
Anticipated Receipts	59.2	85.0	80.0	78.0	76.0
Anticipated Costs	73.2	73.2	73.2	73.2	73.2
Difference with new fee	(14)	11.8	6.8	4.8	2.8
Number of Licensees	1127	1049	1016	950	875

The costs of this activity are based on 7% of the total Environmental Field Services activity expenses which include personnel costs, travel, Attorney General's fees and the Department's indirect costs. The 7% figure is derived from the field staff's own time records which show this percentage of their effort being spent on manufactured home park and recreational camping area related activities.

The increase in State license fees will be welcomed by those Community Health Service Agencies to which the State has delegated responsibility to license and inspect manufactured home parks and recreational camping areas in their jurisdiction. Those Community Health Service Agencies which have been reluctant to set their license fees higher than those of the State will now be able to increase their fees and be better able to meet their costs.

Many of the manufactured home parks and recreational camping areas licensed under these rules would fall within the statutory definition of "small business" (Minn. Stats., Sec. 14.115 (1984)). The small business considerations prescribed in Minn. Stats., Sec. 14.115 (1984) are not implementable with regard to the increase in license fees for manufactured home park and recreational camping areas for the same reasons as were discussed above with relation to food, beverage and lodging establishment license fees.

SANITARIAN REGISTRATION:

4695.2900

A comparison of the revenue generated from the fee charged to sanitarians with the costs associated with sanitarian registration indicates that the existing fee is insufficient to meet the costs. The fee should be increased to \$45, an increase of 50% over the current fee, in order to comply with the statutory requirement that fees cover the cost of the program (Minn. Stat. § 16A.128 (1984)).

Current Revenue and Costs

The sanitarian registration fee is authorized under Minn. Stat. § 214.13 (1984). The current fee was adopted by rule in 1979. The cost of the program is 1% of the salary of one sanitarian and 10% of the salary of a clerical staff person in the Community Environmental Services Section, supplies and expenses, as well as state-wide indirect costs and attorney general costs attributed to the fee function (Minn. Laws, Chap. 13, 1985). The existing fee does not cover the cost of the program and will not cover increased costs due to inflation or due to an expected increase in the number of registrants. Costs and revenues are summarized in Table 1.

Need for Proposed Fee Increase

The sanitarian registration program has operated at a deficit in recent years. In FY85, the deficit was \$1,300. Without additional revenue from the proposed fee, larger deficits are anticipated in subsequent years.

In order to meet anticipated program costs, it is necessary to increase the current registration fee from \$30 to \$45. With revenue based on the proposed fee, receipts will be slightly greater than costs over each biennium through FY89.

Table 1. Program Costs and Revenue - Sanitarian Registration.

	(dollars in thousands)						
	83	84	85	86	87	88	89
Program costs	4.7	5.2	3.7	3.9	4.0	4.2	4.3
Receipts without fee increase	3.8	3.3	3.0	3.0	3.0		
Annual balance	(.9)	(1.9)	(0.7)	(0.9)	3.0		
Receipts with fee increase				3.6	4.8	3.8	4.9
Annual balance				(.3)	.8	(.4)	.6

Sanitarians are individuals who are registered by the commissioner of health, based on their professional expertise. They do not come within the definition of "small business" for the purpose of Minn. Stats. Sec. 14.115 (1984).

PLUMBERS AND WATER CONDITIONERS LICENSING AND BONDING:

4715.3150-4715.3160 (plumbers) and 4715.5900 (water conditioners)

These two sets of fees are discussed together since they are combined programatically and are treated as a single activity for supervisory and accounting purposes.

A comparison of the revenue generated from the fees charged to journeyman and master plumbers and water conditioner installers and contractors with the cost associated with licensing examination, and bond filing indicates that the existing fee schedule is insufficient to cover costs. The fees should be increased by as much as 200% in order to comply with the statutory requirement that fees cover the cost of the program (Minn. Stat. § 16A.128 (1984)).

Current Revenue and Costs

The fees for examination and licensing of plumbers and filing plumber bonds are authorized under Minn. Stat. § 326.40 (1984). The current fees were adopted by rule in 1978. The fees for examination and licensing of water conditioning installers and contractors are authorized under Minn. Stat. § 326.60 (1984). The current fees were adopted by rule in 1975. Charging a fee for filing water conditioner bonds is authorized by Minn. Stat. § 326.60 (1984) The current fee was adopted by rule in 1982. See Table 2 for comparison of existing and proposed fees.

Table 2 Current and Proposed Fees -
Plumber and Water Conditioner Licensing and Examination Fees

Fee Class	Present fee	Proposed fee	Per cent increase
Plumber licenses			
Master	\$40	\$80	100%
Journeyman	15	45	200%
Water conditioner licenses			
Contractor	25	50	100%
Installer	10	30	200%
Plumber examinations			
Master	25	30	20%
Journeyman	25	30	20%
Water conditioner examinations			
Contractor	25	30	20%
Installer	10	30	200%
Plumber bond filing fee	25	40	60%
Water conditioner bond filing fee	25	40	60

The cost of this program is 100% of salaries and related supplies and expenses of the Plumbing Unit in the Section of Water Supply and Engineering as well as state-wide indirect costs and attorney general costs attributed to the fee function (Minn. Laws Chap. 13, 1985). The existing fees do not cover the cost of supporting the current number of professional and clerical positions and will not keep up with inflation. The existing fees do not generate revenue sufficient to cover three additional professional positions authorized by the Legislature (Minn. Laws Chap. 9, 1985). Current and projected costs and revenues are summarized in Table 3.

Need for Proposed Fee Increase

The actual FY85 deficit for the program was \$81,500. The fact that this program is presently operating at a deficit indicates the need to increase fees. Without the additional revenue from the proposed fee the estimated FY86 deficit is \$186,000, and larger deficits are anticipated in subsequent years.

In order to meet anticipated program costs, it is necessary to increase the current plumber and water conditioner fees by up to \$40 per fee. This represents increases of up to 200% (Table 1). With revenue based on the proposed fee schedule, receipts will be greater than costs through FY88; and FY89 costs will be slightly greater than receipts, but the accumulated balance through FY89 will be positive (Table 3). Informal conversations with representatives of the plumbing and water conditioning industry indicated that the proposed fees which cover the cost of new professional staff for additional on-site inspections are supported.

Table 3 Program Costs and Revenue - Plumbers and Water Conditioners
(dollars in thousands)

	83	84	85	86	87	88	89
Program cost	202.7	232.4	254.3	356.0	368.5	381.4	394.7
Receipts without fee increase	170.6	174.2	172.8	170.4	171.6	172.6	173.9
Annual balance	(32.1)	(58.2)	(81.5)	(186.0)	(196.9)	(208.8)	(220.8)
Receipts with fee increase				380.6	382.6	384.3	386.6
Annual balance				24.6	14.1	2.9	(8.1)

4715.5900 Subpart 3. This new subpart is being proposed to reflect in rule the authority to charge a bond filing fee which was authorized in law in 1980 (Minn. Stats. Sec. 326.601 Subd. 4 (1984)). The law provides as follows:

"Subd. 4. The commissioner of health may establish by rule an additional fee commensurate with the cost of administering the bond and insurance requirements of subdivisions 1 and 2, which may be charged each applicant for issuance or renewal of a water conditioning contractor or installer license who elects to proceed under subdivisions 1 and 2."

The fee for such filing is being set at the same level as that for plumbers because the cost of administering the bond filing program is the same for the two trades.

Most of the plumbers and water conditioning contractors governed by these rules could well fall within the statutory definition of "small business" contained in Minn. Stats. Sec. 14.115 (1984). However, none of the considerations contained in that section are applicable to the proposed increased fees for the same reasons as were identified earlier with regard to food, beverage and lodging establishment fees. The exemption for a small business which could be considered under Subd. 2(e) of Section 14.115 cannot be granted since the definition of what constitutes a plumber/plumbing contractor or water conditioning installer/contractor are contained in law and therefore cannot be altered in rule.

FEES FOR REVIEW OF WATER SUPPLY PLANS:

4720.0015

New fees are being proposed for technical review of proposed construction projects involving community public water supplies. Heretofore such plans have been reviewed by the Department of Health at no cost to the water supply. The proposed fees comply with the statutory requirement that fees cover the anticipated program costs associated with the particular activity (Minn. Stats. Sec. 15A.128 (1984)). Authority to charge the fees derives from the appropriation made by the 1985 Legislature when it authorized the hiring of three new engineers in the Department's Section of Public Water Supplies, for the purpose of providing expanded plan review services (Minn. Laws, Chap.9, Art. 1, Sec. 8, Subd.2, 1st S.S.). Establishment of a fee for this activity is also authorized under Minn. Stats. Sec. 144.122 (1984). The fees being proposed are based on the type of facility and scope of project, as shown in Table 4.

Anticipated Revenue and Costs

Technical review of construction projects involving community public water supply systems is authorized under Minn. Stats. Sections 144.12 and 144.383(a) (1984). Other states charge fees for this plan review service and the fees proposed here are similar to those in effect in Iowa and Ohio.

The cost of this program is 100% of the salaries and related expenses for three new engineering positions in the Section of Public Water Supply and Engineering, as well as the state-wide indirect costs and attorney general costs attributed to the fee function (Minn. Laws, Chap. 13, 1985).

The projected revenue from the fee is summarized in Table 5. Based on the proposed fees, receipts are expected to cover costs through the 88-89 biennium. See Table 6. Costs are expected to increase due to inflation. Receipts are expected to rise due to an increase in the number of facilities constructed, which is projected from historical data collected by the program over the past decade.

Table 4 Fee Schedule - Plan and Construction Review.

<u>Facility</u>	<u>Fee</u>
Watermains	\$ 150
Wells	250
Pumphouses	150
Chemical feed	150
Treatment plants (new)	1,000
Treatment plants (renovation)	250
Storage (installation)	300
Storage (coatings)	100
Booster stations	150

Table 5 Anticipated Receipts - Plan and Construction Review.

<u>Facility</u>	<u>Number per Year</u>	<u>Fee for Facility</u>	<u>Fees Generated</u>
Watermains	487	\$ 150	\$ 73,050
Wells	43	250	10,750
Pumphouses	35	150	5,250
Chemical feed	35	150	5,250
Treatment plants (new)	11	1,000	11,000
Treatment plants (renovations)	2	250	500
Storage (installation)	15	300	4,500
Storage (coatings)	7	100	700
Booster stations	3	150	450
			<u>\$111,450</u>

FY87-89: The number of projects was estimated to increase by 5%/year, based on historical data.

Table 6 Program Costs and Revenue - Plan and Construction Review.

(dollars in thousands)

	86	87	88	89
Program costs	109.8	113.6	117.6	121.7
Receipts	111.5	117.0	122.9	129.1
Annual balance	1.7	3.4	5.3	7.4

The proposed fees are likely to have a financial impact both with regard to the statutory provisions dealing with small businesses and with local units of government. The vast majority of community public water supplies are publicly owned and operated by municipalities. A small number of them (less than 15%) are privately owned by small housing developments or are associated with manufactured home parks. The fees being imposed in this proposal will have to be paid by these local units of government whenever they propose any water supply construction which must be reviewed in accordance with existing law and rules. Minn. Stats. Sec. 14.11, subd. 1 (1984) requires that an agency give special written notice when it proposes a rule which will result in total costs to local units of government in excess of \$100,000 in either of the two years following adoption of the rule. Notice is hereby given that the proposed rule is likely to result in costs to local units of government which will exceed \$100,000 per year. The privately owned public community water supplies could probably all fall within the definition of "small business" contained in Minn. Stats. Sec. 14.115 (1984). None of the opportunities for regulatory relief which are contained in Subd. 2 of that section are applicable to the fees being proposed here, for the same reasons as were given earlier with regard to food, beverage and lodging establishment license fees. Nor can any of these public water supplies be exempted since the definition of what constitutes a community public water supply is contained in law. (Minn. Stats. Sec. 144.382 subd. 4, (1984)).

REGISTRATION OF SOURCES OF RADIATION:
4730.0600

A comparison of the revenue generated from the biennial fees charged for registration and inspection of x-ray machines, radium sources and linear accelerators indicates that the existing fee schedule is insufficient to cover costs. The fees should be increased by 33-67% and a flat rate inspection fee should be added in order to comply with the statutory requirement that fees cover the cost of the program (Minn. Stat. § 16A.128 (1984)). A different fee is proposed for medical and dental x-ray machines. This is based on the fact that dental x-ray machines are much less complicated and require far less time to inspect than do medical x-ray machines. A new inspection preparation fee is also being proposed to cover actual costs of in-office preparation, driving and writeup of inspection reports.

Current Revenue and Costs

The biennial fees for registration and inspection of x-ray machines, radium sources and linear accelerators are authorized under Minn. Stat. § 144.121. The current fees were originally set by law in 1974 and were incorporated into rule in 1976.

The costs of this program range from 5 to 75% of salaries and related supplies and expenses for professional and clerical staff in the Section of Radiation Control and include state-wide indirect costs (Minn. Laws, Chap. 13, 1985). The existing fees do not cover the costs of the inspection program which is now fully staffed. Inspection staffing had been reduced in 82-84 due to budget cuts. Reduced staffing had caused the inspection frequency to slow to a level where many violations of uncertain duration were being discovered. The existing fees will not keep up with inflation. Current and projected costs and revenues are summarized in Table 7.

Table 7 Program Costs and Revenue - Registration and Inspection of X-Ray Machines, Radium Sources and Linear Accelerators

	83	84	85	86	87	88	89	90
	(dollars in thousands)							
Program								
Costs -								
(annual)	80.9	90.2	136.6	141.3	146.3	151.4	156.7	162.2
(biennial)		171.1		277.9		297.7		318.9
Receipts								
with fee								
increase								
(biennial)		163.2		242.9		394.3		394.3
Balance								
(biennial)		(7.9)		(35.0)		96.6		75.4

Need for Proposed Fee Increase

This program operated at a deficit in the 83-84 biennium and is expected to operate at a deficit in the 85-86 biennium. Without the additional revenue from the proposed fees, larger deficits are expected in subsequent years. In order to meet anticipated program costs, it is necessary to increase the current fees by as much as 67% (Table 8). With revenues based on the proposed fee schedule, receipts can be expected to be greater than costs at least through the 89-90 biennium.

Table 8 Current and Proposed Fees - Registration and Inspection of X-Ray Machines, Radium Sources and Linear Accelerators

Fee Class	Present Fee per tube	Proposed Fee per tube	Percent change
Dental x-ray tubes	\$30	\$25	-17%
more than 5 tubes	10	10	0
Medical x-ray tubes	30	40	33%
more than 5 tubes	10	10	0
Linear Accelerator	30	50	67%
Radium Sources	100	100	0
Prep. charge for x-ray or accelerator facility	0	40	New

Most of the entities which have sources of radiation for which the proposed fees will have to be paid would come under the statutory definition of "small business" contained in Minn. Stats., Sec. 144.115 (1984). None of the opportunities for regulatory relief which are contained in Subd. 2 of that section are applicable to the fees being proposed here, for the same reasons as were given earlier with regard to food, beverage and lodging establishment license fees. Nor can any of these sources of radiation be exempted in rule since the registration and regulation of all sources of radiation are required in law (Minn. Stats., Sec. 144.12, Subd. 1(15) and Sec. 144.121 (1984)).

COMPLIANCE WITH PROCEDURAL RULEMAKING REQUIREMENTS

Minn. Stats., sections 14.05-14.12 and 14.22-14.28, specify certain procedures which must be followed when an agency adopts or amends rules. Procedures applicable to all rules, Minn. Stats., sections 14.05-14.12, have been complied with by the Department as noted below. Because these fees are fixed by rule rather than by law, the procedures for adoption of noncontroversial rules in sections 14.22 to 14.28 are being used, except that a public hearing may be held if 20% of the persons who will be required to pay the fee submit to the agency during the 30-day period allowed for comment a written request for a public hearing on the proposed fee. See Laws of Minn. 1985, Chap. 13, §101.

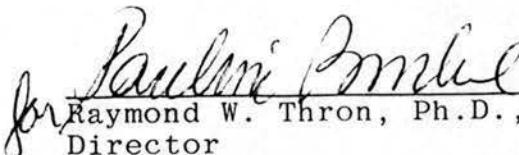
Minn. Stats., section 14.10, requires an agency which seeks information or opinions in preparing to propose the adoption or amendment of rules from sources outside the agency to publish a notice in the State Register and afford all interested persons an opportunity to submit data or comments on the subject matter of the proposed changes. In the State Register issue of Monday, December 3, 1984, at p. 1257, and the issue of Monday, March 11, 1985, at p. 2013, the Department published notices requesting outside opinion on these fees.

Pursuant to Minn. Stats., section 14.23, the Department has prepared this Statement of Need and Reasonableness which is available to the public. The Department will publish a Notice of Intent to Amend the Rules Without a Public Hearing in the State Register and mail copies of the notice and proposed amendments to persons registered with the Department pursuant to Minn. Stats., section 14.14, subd. 1.a. The notice will include the following information: a) that the public have 30 days in which to submit comments on the proposed amendments and giving information pertaining to the manner in which persons may comment; b) that a public hearing will not be held unless the required 20% of potentially affected persons request one (Laws of Minn. 1985, Chap. 13, Section 101); c) that the rule may be modified if modifications are supported by data and the views submitted; and d) that notice of the date of submission of the proposed amendments to the Attorney General for review will be mailed to any person requesting to receive the notice, and giving information on how to request the notice.

The Department will submit the proposed amendments and notice as published, the amendments as proposed for adoption, any written comments which have been received, and this Statement of Need and Reasonableness to the Attorney General for approval of the amendments as to legality and form.

These rules will become effective five working days after publication of a notice of adoption in the State Register.

October 18, 1985


Raymond W. Thron, Ph.D., P.E.
Director
Division of Environmental Health

DEPARTMENT OF FINANCE
APPROVAL FOR INCREASED FEES FOR LICENSING
FOOD, BEVERAGE AND LODGING ESTABLISHMENTS

RECEIVED
SEP 30 1985
FINANCIAL
MANAGEMENT

Minn. Stat. § 157.03 (1984) authorizes the Commissioner of Health to set fees for the licensing of food, beverage and lodging establishments. The Commissioner would increase the current fees, in accordance with Minn. Stat. § 16A.128 (1984) which requires that the fees generated cover the cost of the program.

Upon review of the attached supporting information justifying the need and amount of the proposed fee and pursuant to authority vested in the Department of Finance under Minn. Stat. § 16A.128 (1984), the fees set forth in the proposal of the Commissioner of Health are hereby approved.

Date

9-26-85


~~Assistant State Budget Director~~

Budget Operations & Support Director

RECEIVED

SEP 30 1985

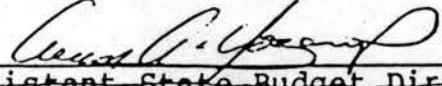
FINANCIAL
MANAGEMENT

DEPARTMENT OF FINANCE
APPROVAL FOR INCREASED FEE FOR MANUFACTURED
HOME PARKS AND RECREATIONAL CAMPING AREAS

Minn. Stat. § 327.16, subd. 3 authorizes the Commissioner of Health to set fees for the licensing of manufactured home parks and recreational camping areas. The Commissioner would increase the current fee by 50%, in accordance with Minn. Stat. § 16A.128 (1984) which requires that the fees generated cover the cost of the program.

Upon review of the attached supporting information justifying the need and amount of the proposed fee and pursuant to authority vested in the Department of Finance under Minn. Stat. § 16A.128 (1984), the fees set forth in the proposal of the Commissioner of Health are hereby approved.

Date 4-26-85


Assistant State Budget Director -
Budget Operations & Support Director

RECEIVED

SEP 30 1985

FINANCIAL
MANAGEMENT



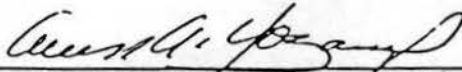
DEPARTMENT OF FINANCE
APPROVAL FOR INCREASED SANITARIAN REGISTRATION FEE

Minn. Stat. § 214.13 (1984) authorizes the Commissioner of Health to set the fee for the registration of sanitarians. The Commissioner would increase the current sanitarian registration fee by 50%, in accordance with Minn. Stat. § 16A.128 (1984) which requires that the fees generated cover the cost of the program.

Upon review of the attached supporting information justifying the need and amount of the proposed fee and pursuant to authority vested in the Department of Finance under Minn. Stat. § 16A.128 (1984), the fee set forth in the proposal of the Commissioner of Health is hereby approved.

Date

9-26-85


Assistant State Budget Director
Budget Operations & Support Director

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DEPARTMENT OF FINANCE
APPROVAL FOR INCREASED PLUMBER AND WATER CONDITIONER
LICENSING, EXAMINATION, AND BOND FILING FEE

M.S. § 326.60 and 326.40 authorize the Commissioner of Health to set fees for plumber and water conditioner licensing, examination and bond filing fees.

The Commissioner would increase plumber and water conditioner licensing, examination, and bond filing fees by an average increase of 80%, in accordance with M.S. § 16A.128 which requires that the fee cover the cost of the program.

Upon review of the attached supporting information justifying the need and amounts of the proposed fees and pursuant to authority vested in the Department of Finance under M.S. § 16A.128, the fees set forth in the proposal of the Commissioner of Health are hereby approved.

Date:

9-26-85

Assistant State Budget Director

Budget Operations & Support Director

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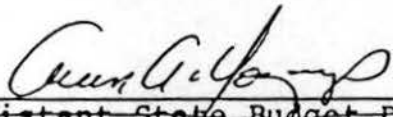
FINANCIAL
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DEPARTMENT OF FINANCE
APPROVAL FOR ESTABLISHMENT OF A
PLAN AND CONSTRUCTION REVIEW FEE

Minn. Stat. §§ 144.383(a) and 144.122 (1984) authorize the Commissioner of Health to set fees for technical review of construction projects involving community public water systems. The Commissioner would establish a new fee in accordance with Minn. Stat. § 16A.128 which requires that the fees generated cover the cost of the program.

Upon review of the attached supporting information justifying the need and amount of the new fee and pursuant to authority vested in the Department of Finance under Minn. Stat. § 16A.128 (1984), the fees set forth in the proposal of the Commissioner of Health are hereby approved.

Date 9/26/85


Assistant State Budget Director
Dir Budget Oper & Support

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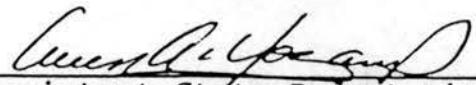
FINANCIAL
MANAGEMENT

DEPARTMENT OF FINANCE
APPROVAL FOR INCREASED FEE FOR REGISTRATION
AND INSPECTION OF X-RAY MACHINES, RADIUM SOURCES
AND LINEAR ACCELERATORS

Minn. Stat. § 144.121 authorizes the Commissioner of Health to set fees for the registration and inspection of x-ray machines, radium sources and linear accelerators. The Commissioner would increase the current fee by up to 67%, in accordance with Minn. Stat. § 16A.128 (1984) which requires that the fees generated cover the cost of the program.

Upon review of the attached supporting information justifying the need and amount of the proposed fee and pursuant to authority vested in the Department of Finance under Minn. Stat. § 16A.128 (1984), the fees set forth in the proposal of the Commissioner of Health are hereby approved.

Date 9-26-85


~~Assistant State Budget Director~~
Budget Operations & Support Director