

MINNESOTA RULES 1989

3459 RULES GOVERNING UNIFORM BUSINESS LICENSING 4348.0200

CHAPTER 4348 DEPARTMENT OF TRADE AND ECONOMIC DEVELOPMENT BUSINESS PROMOTION AND MARKETING DIVISION RULES GOVERNING UNIFORM BUSINESS LICENSING

4348.0100 DEFINITIONS.
4348.0200 PREAPPLICATION CONFERENCE.

4348.0300 WRITTEN REVIEW AND OPINION.

4348.0100 DEFINITIONS.

Subpart 1. **Scope.** For the purposes of parts 4348.0100 to 4348.0300, the terms defined in this part have the meanings given them.

Subp. 2. **Agency.** "Agency" has the meaning given it in Minnesota Statutes, section 14.02, subdivision 2.

Subp. 3. **Director.** "Director" has the meaning given it in Minnesota Statutes, section 116J.74, subdivision 6.

Subp. 4. **Initial response period.** "Initial response period" means the 60 day time limit imposed by Minnesota Statutes, section 116J.79, subdivision 3 on an agency for the rendering of a written review and opinion.

Subp. 5. **License.** "License" has the meaning given "business license" in Minnesota Statutes, section 116J.70, subdivision 2.

Subp. 6. **Person.** "Person" has the meaning given it in Minnesota Statutes, section 116J.74, subdivision 8.

Subp. 7. **Written review and opinion.** "Written review and opinion" means a written statement by an agency that incorporates the information required by Minnesota Statutes, section 116J.79, subdivision 2 relating to a proposed business activity.

Statutory Authority: *MS s 116J.76; 116J.79 subd 5*

History: *L 1987 c 386 art 5 s 5*

4348.0200 PREAPPLICATION CONFERENCE.

Subpart 1. **Request.** Any person may request a preapplication conference by submitting to the bureau of business licenses a formal request in the format prescribed by the bureau.

Subp. 2. **Approval and notice.** If the director determines, after consideration of a formal request, that a preapplication conference is warranted, he shall secure the participation of the interested agencies and notify the person in writing of the date, time, and place of the conference.

The director will consider the following factors in making his determination as to whether a preapplication conference is warranted:

- A. the dollar volume of the proposed activity;
- B. whether the proposed activity involves multiple licenses from agencies; and
- C. whether the proposed activity involves business or corporate structures, activities, technologies, products, or processes that are different from, or reasonably appear to be different from, those for which a license has been required in the past.

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Subp. 3. Supervision. The director or his designated representative shall preside over the preapplication conference to ensure that it achieves the purposes set forth in Minnesota Statutes, section 116J.79, subdivision 1.

Subp. 4. Effect upon participants. A preapplication conference is not binding upon any of the participants.

Statutory Authority: *MS s 116J.76; 116J.79 subd 5*

History: *L 1987 c 386 art 5 s 5*

4348.0300 WRITTEN REVIEW AND OPINION.

Subpart 1. Authorization. If during a preapplication conference the director determines that a proposed business activity meets the criteria set forth in Minnesota Statutes, section 116J.79, subdivision 2, he shall request each affected agency to provide the person with a written review and opinion as to every license the agency requires for the proposed business activity.

Subp. 2. Request. The director's request for a written review and opinion shall be submitted in writing to the agency. The request shall specify the date on which the agency's initial response period begins.

Subp. 3. Extensions. A request for an extension of the initial response period shall be set forth in writing by the agency and include the specific reasons justifying the extension.

If the agency does not receive written notice from the director denying the extension within ten days of submission of its request, the extension is granted and is effective for an additional 60 day period.

The director shall provide the person with written notice of his approval of the extension, its duration, and the reasons the extension was approved.

Subp. 4. Modification or amendment. An agency may modify or amend a written review and opinion by notifying the person and the director in writing of its intent to do so. The notice shall include a statement setting forth the reasons for the modification or amendment.

The modification or amendment shall be provided to the person and director within 30 days of transmittal of the agency's notification of modification or amendment.

Statutory Authority: *MS s 116J.76; 116J.79 subd 5*

History: *L 1987 c 386 art 5 s 5*